



COUNTY OF SANTA FE) BCC MINUTES
STATE OF NEW MEXICO) ss PAGES: 84

I Hereby Certify That This Instrument Was Filed for
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Of The Records Of Santa Fe County

Deputy Marcela Salazar Witness My Hand And Seal Of Office
Rebecca Bustamante
County Clerk, Santa Fe, NM

SANTA FE

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

June 29, 2004

Paul Campos, Chairman
Michael D. Anaya
Jack Sullivan
Paul D. Duran
Harry B. Montoya

SFC CLERK RECORDED 08/23/2004

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

REGULAR MEETING
(Administrative Items)
June 29, 2004 - 10:00 a.m.

Amended Agenda

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Invocation
- V. Approval of Agenda
 - A. Amendments
 - B. Tabled or Withdrawn Items
 - C. Consent Calendar: Withdrawals
- VI. Approval of Minutes
 - A. May 25, 2004
 - B. May 27, 2004
 - C. June 2 & 8, 2004
- VII. Matters of Public Concern – Non-Action Items
- VIII. Matters from the Commission
 - A. Proclamation: A Proclamation Honoring Military Personnel from Santa Fe County That Have Served in the Current Conflicts Over Seas (Commissioner Anaya)
 - B. Discussion of Vista Aurora Sub-Division Regarding On-Going Problems with Sewage Treatment System (Commissioner Anaya)
 - C. Proclamation: A Proclamation Honoring the Significant Leadership Contributions of Governor Jacob Viarrial (Commissioner Montoya)
 - D. Discussion and Possible Action on Purposed Amendment to the Capital Outlay Gross Receipts Tax (GRT) Permitting the Use of GRT Funds in the County's Solid Waste Program (Commissioner Duran)
- IX. Presentations
 - A. Presentation Recognizing Santa Fe County Employee of the Quarter for the Period of July 1, 2004 – September 30, 2004 (Wayne Dalton)
 - B. Presentation for Review and Approval of the Correctional Advisory Committee's Annual Report on the Santa Fe County Detention Facilities
- X. Committee Resignations/Appointments/Reappointments
 - A. Appointment and Reappointment of Members to the Santa Fe County Labor Relations Board TABLED

- Per La Forge - spoke

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- B. Request Re-Appointment of Correctional Advisory Committee Members for Another Term
 - C. Reappoint Maternal & Child Health Council Members WITHDRAWN
- XI. Consent Calendar**
- A. Request Authorization to Enter into Amendment #3 for Professional Services Agreement #23-0029-HR for the Pre-Employment Offer Physical and Drug/Alcohol Screening for Santa Fe County (Administrative Services Department)
 - B. Request Authorization to Enter into Amendment #1 for Professional Services Agreement #24-0012-CL for Recording and Stenography Services for the Santa Fe Clerk's Office (Clerk's Office)
 - C. Request Authorization to Enter into Amendment #1 to Professional Services Agreement #24-0030-CL for the Document Imaging Project for Santa Fe County (Clerk's Office)
 - D. *Withdrawn* Resolution No. 2004 – A Resolution Requesting a Budget Increase to the General Fund (101)/Home for Good – El Norte Program for a Joint Powers Agreement with the New Mexico Department of Health for Expenditure in Fiscal Year 2005 (\$211,928) (Community Health & Development Department)
 - E. Resolution No. 2004 – ⁶⁹A Resolution Requesting an Increase to the General Fund (101)/Frost Foundation to Budget Prior Fiscal Year 2004 Cash Balance for Expenditure in Fiscal Year 2005 (\$3,749) (Community Health & Development Department)
 - F. Request Authorization to Enter into Amendment #5 to Professional Service Agreement #23-31-IN with Edith Powers for Coordination of the Maternal and Child Health Programs to Extend the Term of the Agreement until September 30, 2004 and Allocate Additional Compensation for Services (Community Health & Development Department)
 - G. Request Authorization to Enter into Amendment #5 to Professional Service Agreement #22-23-IN with Las Cumbres Learning Services, Inc. to Provide Santa Fe County with Parent-Infant Therapeutic Mental Health Services to Extend the Term for Another Year and Allocate Compensation (\$138,000) (Community Health & Development Department)
 - H. Request Authorization to Amend Professional Services Contract with The Life Link Training Institute to Include Additional Classes in Community Reinforcement Approach, Motivational Interviewing, and Community Reinforcement and Family Training, and to Increase Contractual Compensation (\$32,800) (Community Health & Development Department) WITHDRAWN
 - I. Request Approval of Fiscal Year 2005 Memorandum of Understanding between Santa Fe County and Participating Entities of the Care Connection (Community Health & Development Department)
 - J. Request Approval of Fiscal Year 2005 DWI Grant Agreement #05-D-J-G-27 with the Department of Finance and Administration for \$20,000 (Community Health & Development Department)
 - K. Request Approval of Fiscal Year 2005 DWI Detox Grant Agreement #05-X-J-G-27 with the Department of Finance and Administration for \$300,000 (Community Health & Development Department)

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- L. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-51 New or Used Mobile Health Care Van (\$142,310) (Community Health & Development Department)
- M. Request Authorization to Enter into Amendment #4 for Professional Services Agreement #23-0036-DW with Millenium Treatment Services Inc., for DWI Outpatient Treatment Services (\$30,000) (Community Health & Development Department)
- N. Request Authorization to Enter into Amendment #3 for Professional Services Agreement #23-0037-DW with Los Alamos Family Council, Inc., for DWI Outpatient Treatment Services (\$5,000) (Community Health & Development Department) WITHDRAWN
- O. Request Authorization to Enter into Amendment #4 for Professional Services Agreement #23-0038-DW with the Life Link for DWI Outpatient Treatment Services (\$57,165) (Community Health & Development Department)
- P. Request Authorization to Enter into Amendment #5 for Professional Services Agreement #23-0039-DW with Hoy Recovery Program, Inc., for DWI Outpatient Treatment Services (\$25,000) (Community Health & Development Department)
- Q. Request Authorization to Enter into Amendment #4 for Professional Services Agreement #23-0057-DW with John Tourangeau, LISW to Provide Adolescent and Family Counseling Services for the Teen Court of Santa Fe County (\$7,933) (Community Health & Development Department)
- R. Request Authorization to Enter into Memorandum of Understanding #25-0003-DW with the City of Santa Fe for DWI Clerical Services (\$19,788) (Community Health & Development Department)
- S. Request Authorization to Enter into Memorandum of Understanding #25-0006-DW with the City of Santa Fe for DWI Compliance Monitoring Services (\$14,382) (Community Health & Development Department)
- T. Request Authorization to Enter into Amendment #3 for Professional Services Agreement #22-0182-CHDD with the Santa Fe Boys and Girls Club (\$75,000) (Community Health & Development Department)
- U. Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0059-IH with Heart Hospital of New Mexico for Hospital Healthcare Services (\$120,000) (Community Health & Development Department)
- V. Request Authorization to Enter into Amendment #5 for Professional Services Agreement #22-0060-IH with Presbyterian Healthcare Services for Hospital Healthcare Services (\$50,000) (Community Health & Development Department)
- W. Request Authorization to Enter into Amendment #5 for Professional Services Agreement #22-0062-IH with University of New Mexico Health Sciences Center for Hospital Care Services (\$85,000) (Community Health & Development Department)
- X. Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0063-IH with Ayudantes Incorporated for Alcohol and/or Substance Abuse Treatment Services (\$65,000) (Community Health & Development Department)
- Y. Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0066-IH with Recovery of Alcoholics Program, Inc., for

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- Alcohol and/or Substance Abuse Treatment Services (\$180,000) (Community Health & Development Department)
- Z. Request Authorization to Enter into Amendment #7 for Professional Services Agreement #22-0067-IH with Rio Grande Alcoholism Treatment Program Incorporated for Alcohol and/or Substance Abuse Treatment Services (\$90,000) (Community Health & Development Department)
 - AA. Request Authorization to Enter into Amendment #5 for Professional Services Agreement #22-0068-IH with Una Ala Clinic for Alcohol and/or Substance Abuse Treatment Services (\$30,000) (Community Health & Development Department)
 - BB. Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0069-IH with Santa Fe Family Center, Inc., for Mental Health Treatment Services (\$12,000) (Community Health & Development Department)
 - CC. Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0071-IH with La Familia Medical Center for Healthcare Services (\$510,000) (Community Health & Development Department)
 - DD. Request Authorization to Enter into Amendment #7 for Professional Services Agreement #22-0075-IH with Women's Health Services for Healthcare Services (\$80,000) (Community Health & Development Department)
 - EE. Request Authorization to Enter into Amendment #3 for Professional Services Agreement #23-0178-IN with First Choice Community Healthcare/Mountain and Valley Regional Health Center for Healthcare Services (\$30,000) (Community Health & Development Department)
 - FF. Request Authorization to Enter into Amendment #6 with Millenium Treatment Services Inc. for Professional Services Agreement #22-0065-IH for Alcohol and/or Substance Abuse Treatment Services (15,000) (Community Health & Development Department)
 - GG. Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0070-IH with Health Centers of Northern New Mexico for Healthcare Services (\$18,000) (Community Health & Development Department)
 - HH. Request Authorization to Enter into Amendment #3 for Professional Services Agreement #22-0074-IH with Pecos Valley Medical Center Inc., for Healthcare and Ambulance Services (\$3,000) (Community Health & Development Department)
 - II. Request Authorization to Enter into Amendment #1 for Food Service Agreement with Compass Group, USA Inc., for the Santa Fe County Youth Development Program (\$60,000) (Corrections Department)
 - JJ. Request Authorization to Enter into Amendment #1 for Professional Services Agreement #24-0048-FI with Impressions Advertising for Lodger's Tax Advertising & Promotional Services for Santa Fe County (\$250,000) (Finance Department)
 - KK. Request Approval of Professional Services Agreement with Presbyterian Healthcare Services, Espanola Hospital to Provide Ambulance Services in Northern Santa Fe County (\$10,000) (Fire Department)
 - LL. Request Authorization to Enter into Amendment #1 for Professional Services Agreement #24-0013-FD with Emergency Medical Providers for the Medical

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- Director Services for Santa Fe County Fire Department (\$22,500) (Fire Department)
- MM. Request Authorization to Enter into Amendment #2 for Professional Services Agreement #24-0050-FD with Ann Marie Wright for Database Entry and Other Related Services (\$10,000) (Fire Department)
- NN. Request Authorization to Enter into Professional Services Agreement #24-0181-CM with Pojoaque Valley Schools for Providing a Summer Recreational Program to the Youth of Santa Fe County (\$20,000) (Manager's Office)
- OO. Request Authorization to Enter into Amendment #1 for Indefinite Quantity Price Agreement #23-0195-PFMD with C & C Distributors for Janitorial Supplies for Santa Fe County (Project & Facilities Management Department/Building Services)
- PP. Request Authorization to Enter into Amendment #4 for the Indefinite Quantity Recycling Processing and Marketing Price Agreement #23-0024-PW with Waste Management of New Mexico (Public Works Department)
- QQ. Request Authorization to Enter into Amendment #1 for the Local Government/Department of Transportation Railroad Crossing Cooperative Agreement #D10729 with the New Mexico Department of Transportation (NMDOT) for the Avenida Eldorado Railroad Crossing (\$3,786.06) (Public Works Department)
- RR. Request Approval and Execution of the 2004 Severance Tax Agreements for Various County Road Projects from the New Mexico Department of Transportation (NMDOT) (\$270,000) (Public Works Department)
- SS. Request Approval of Amendment #1 to the Severance Tax Agreement for Road Improvements to County Road 84-E and County Road 113-A from the New Mexico Department of Transportation (NMDOT) (\$71,000) (Public Works Department)
- TT. Request Approval of Amendment #1 to the Severance Tax Agreement #1 to the Severance Tax Agreement for Road Improvements to County Road 55-A from the New Mexico Department of Transportation (NMDOT) (\$50,000) (Public Works Department)
- UU. Request Approval of Amendment #2 to the Severance Tax Agreement for Road Improvements to County Road 8 from the New Mexico Department of Transportation (NMDOT) (\$100,000) (Public Works Department)
- VV. Request Approval of Amendment #1 to the Severance Tax Agreement for Stabilization and Bank Improvements to Camino Carlos Rael from the New Mexico Department of Transportation (NMDOT) (\$75,000) (Public Works Department)
- WW. Request Approval of Amendment #1 to the Severance Tax Agreement for Road Improvements to County Road 16 from the New Mexico Department of Transportation (NMDOT) (\$100,000) (Public Works Department)
- XX. Request Approval of Amendment #1 to the Memorandum of Agreement with the City of Santa Fe for Joint Sponsorship of the 2004 Household Hazardous Waste Drop Off Day (\$13,061.97) (Public Works Department)
- YY. Request Authorization to Accept and Award a Construction Agreement to the Lowest Responsive Bidder for IFB #24-52 for the Ground Water Monitoring Well at the Agua Fria Landfill (\$42,327) (Public Works Department)

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- ZZ. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-42 Road Maintenance Buildings for Public Works Department (\$45,746) (Public Works Department)
- AAA. Request Authorization to Accept and Approve the Final Invoice to Wilson & Company for Construction Management Services for the Agua Fria Phase II Water, Sanitary Sewer, Drainage and Road Improvements Project (\$20,237.50) (Public Works Department)
- BBB. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-53 RB1 for Uniforms for the Sheriff's Office (Sheriff's Office)
- CCC. Request Authorization to Enter into Amendment #3 for the Professional Services Agreement #22-0038-SD with Adlerhurst International for Training of the Police Patrol K-9's from the Santa Fe County Sheriff's Office (Sheriff's Office)
- DDD. Request Authorization to Enter into a Contract with American Correctional Association for Accreditation for the Santa Fe County Detention Facility (\$10,355) and the Santa Fe County Training School (\$10,355) (Corrections Department)
- EEE. Request Authorization to Enter into Amendment #1 for the Professional Services Agreement #24-0011-CL with Professional Document Systems for Microfilming Services for the Santa Fe County Clerk's Office (Clerk's Office) LATE ITEM
- FFF. Request Authorization to Accept and Award a Construction Agreement to the Lowest Responsive Bidder for IFB #24-58 for the Removal/Installation of Storage Room Doors and Close Line Units for the Housing Services Division Sites (\$34,163.67) (Community Health & Development Department) LATE ITEM

XII. Staff and Elected Officials' Items

A. Community Health & Development Department

- 1. Request Approval of FY 2004 Amendment to Memorandum Of Agreement between St. Vincent Hospital and Santa Fe County
- 2. Request Approval of FY 2005 Memorandum Of Agreement between St. Vincent Hospital and Santa Fe County
- 3. Request Authorization to Establish Two New 1.0 FTE Program Specialists for the Home for Good Project
- 4. Request Authorization to Enter into a Joint Powers of Agreement with New Mexico Department of Health, Behavioral Health Services Division, to Provide Home for Good - El Norte Services WITHDRAWN
- 5. Update on Santa Fe County Maternal and Child Health Planning Council

B. Fire Department

- 1. Resolution No. 2004 - A Resolution Requesting Authorization to Donate Surplus Fire Equipment and Apparatus to Needy Fire Departments in New Mexico
- 2. Resolution No. 2004 - A Resolution Adopting the Santa Fe County Fire Department 5 Year Strategic Development and Improvement Plan

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- C. **Sheriff's Office**
 - 1. **Request Authorization to Accept and Award a Professional Services Agreement #25-0028-SD with the Santa Fe Animal Shelter and Humane Society for Animal Care Services for Santa Fe County**
- D. **Utilities Department**
 - 1. **Consideration of the Water Right Transfer Agreement between the City and County of Santa Fe**
 - 2. **Consideration of the Water Gross Receipts Tax (GRT) Agreement between the City and County of Santa Fe**
- E. **Matters from the County Manager**
 - 1. **An Update on MTC Discussions WITHDRAWN**
 - 2. **Consideration and Possible Action on Resolution No. 2004 – A Joint Resolution Creating a City-County Energy Task Force to Study and Make Recommendations to the Governing Body of the City of Santa Fe and the Board of County Commissioners of Santa Fe County Regarding Alternatives to Power Distribution Line Installations**
- F. **Matters from the County Attorney**
 - 1. **Executive Session**
 - a. **Discussion of Pending or Threatened Litigation**
 - b. **Limited Personnel Issues**
 - c. **Acquisition or Disposal of Real Property**
 - d. **Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights**
 - e. **Discussion of Purchases in an Amount Exceeding \$2,500 That Can Be Made Only From One Source**

XIII. ADJOURNMENT

The County of Santa Fe makes every practical effort to assure that its meetings and programs are accessible to the physically challenged. Physically challenged individuals should contact Santa Fe County in advance to discuss any special needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).

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SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

June 29, 2004

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:00 a.m. by Chairman Paul Campos, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

Commissioner Paul Campos, Chairman
Commissioner Mike Anaya
Commissioner Jack Sullivan
Commissioner Paul Duran
Commissioner Harry Montoya

Members Absent:

[None]

IV. Invocation

An invocation was given by David Sims of the DWI Program.

V. Approval of the Agenda

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

CHAIRMAN CAMPOS: Any amendments?

GERALD GONZALEZ (County Manager): Mr. Chair, members of the Commission, this is one of our longest agendas of the year as you probably recognize since we're getting into the end of this fiscal year and the beginning of the new one. So there are a number of changes in conjunction with that and other changes as well.

Under Section VI, Approval of the Minutes, we have the addition of three other sets of

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minutes, minutes for May 27th, and actually, I think these are informational, the June 2nd and 8th minutes of the City/County Water Committee.

Then under Section VIII, Matters from the Commission, we have the addition of two new items, C, that's the proclamation honoring Governor Viarrial, item D, a discussion item involving the GRT. Then under Section IX, item A has been tabled and item C has also been tabled or withdrawn.

CHAIRMAN CAMPOS: You're talking about IX, Presentations?

MR. GONZALEZ: No, I'm talking about Section X, the committee resignations, appointments, reappointments. So number A has been tabled and item C has been withdrawn.

Then in Section XI, on our mammoth Consent Calendar, item H has been withdrawn, item N has been withdrawn. Item II, we have a minor correction. A change to amendment number 1. On item NN, there's a request to withdraw that one. Item RR, there's a minor change. The dollar amount has been inserted, \$270,000. Item VVV. There's a correction in the IFB number to IFB number 24-53, and then we have the addition of additional items, DDD, EEE, FFF.

Then under Section XII, Staff and Elected Officials' Items, under Section A, Community Health and Development Department, item number 4 has been withdrawn. With respect to Section B, the Fire Department, item number 1, I just want to apprise the Commission that we do have some folks here, I believe from White Oaks Fire Department who are waiting to see what would occur with respect to that approval so there was a request as a courtesy if we could to move that up somewhere on the agenda. But no change in that item.

The under Section C, Sheriff's Office, item 1 has been withdrawn. Under Section D, where we have a new Section D, Utilities Department containing items 1 and 2. Then Section E, Matters from the County Manager, we have the addition of item number 2, and then under Section F, Matters from the County Attorney, the addition under 1, Executive session, the addition of item e, relating to purchases exceeding \$2,500. Those are all the corrections or changes that I have from this end, Mr. Chair.

CHAIRMAN CAMPOS: What about Consent Calendar withdrawals? Anyone want to withdraw any item from the Consent Calendar for discussion?

COMMISSIONER SULLIVAN: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just three things. On item D on the Consent Calendar, that has to do with the Home for Good program and I believe we're going to also discuss that. That's an agenda item XII. A. 4. It seemed like perhaps we should include that with the discussion of XII. A. 4 and pass that all at the same time. That's D.

COMMISSIONER MONTOYA: That's withdrawn.

COMMISSIONER SULLIVAN: Oh, has that been withdrawn? Okay, so that takes care of that. Don't tell me we've got differing lettering here. No, I don't see it in mine. Oh, I see. Well, if that's withdrawn then are we still doing item D on the Consent Calendar? That's the resolution having to do with that budget increase.

MR. GONZALEZ: Item D still is on there and if the Commission wants to go ahead and have the discussion that the request was made to withdraw we can still do that.

COMMISSIONER SULLIVAN: Well, are we still asking for the resolution?

MR. GONZALEZ: Item D, the resolution, yes.

COMMISSIONER SULLIVAN: Oh, it was just taken off the agenda because you thought it would go under the Consent Calendar. Was that the idea?

MR. GONZALEZ: I think there were two separate items. Just a moment, Mr. Chair.

COMMISSIONER SULLIVAN: Well, let's just discuss it. It's a \$211,000 resolution. I think we can dispose of it quickly when we get there.

CHAIRMAN CAMPOS: Do you want to discuss that?

COMMISSIONER SULLIVAN: Yes, let's just take that out, D. And the other two are J and K and they have to do with the detox/DWI grant programs. They go together, and I'd like to just discuss that for a minute. Then I would just make a note on KK. There's no staff report on KK. That had to do with the northern New Mexico agreement with the Presbyterian Health Care Services for ambulance service. Is there a staff report on that? Do we know? Or maybe we could just have the staff explain it to us because I didn't see any staff report.

MR. GONZALEZ: I don't think I remember seeing one.

COMMISSIONER SULLIVAN: There's an agreement in there. There's no staff report or recommendation.

MR. GONZALEZ: Hank Blackwell, the Fire Marshal is telling me that's with Española ambulance service apparently.

COMMISSIONER SULLIVAN: Well, let's just get a staff update on that then. KK. That's all I had, Mr. Chair.

CHAIRMAN CAMPOS: Anything else?

COMMISSIONER ANAYA: Gerald did you say that II was out?

MR. GONZALEZ: No, there was just a correction, Mr. Chair, Commissioner Anaya.

COMMISSIONER ANAYA: On II?

MR. GONZALEZ: The amendment is number 1. I think the original publication was a different amendment number.

COMMISSIONER ANAYA: Thank you.

CHAIRMAN CAMPOS: Okay. Any other issues involving the agenda?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER ANAYA: I would like to move item XII. B. 1 up on the agenda and we could place that under maybe IX. C. Presentations.

CHAIRMAN CAMPOS: What about the Maternal Council? They also requested to be moved up. Was it Maternal Council?

COMMISSIONER ANAYA: Yes, we could move them up.

CHAIRMAN CAMPOS: Can we put that after XII. B. 1.? Is there a motion to approve the agenda per the recommendations of our County Manager, per the suggestions of Commissioner Sullivan and Commissioner Anaya?

COMMISSIONER SULLIVAN: So moved.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER DURAN: Second.

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

VI. Approval of Minutes: May 25, 2004

CHAIRMAN CAMPOS: Is there a motion?

COMMISSIONER ANAYA: So moved.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER DURAN: Second.

The motion to approve the May 25th minutes as submitted passed by unanimous [5-0] voice vote.

May 27, 2004

CHAIRMAN CAMPOS: Is there a motion?

COMMISSIONER ANAYA: So moved.

CHAIRMAN CAMPOS: A second?

COMMISSIONER DURAN: Second.

The motion to approve the May 27th minutes passed by unanimous [5-0] voice vote.

June 2 & 8, 2004 (Canvassing)

CHAIRMAN CAMPOS: Is there a motion?

COMMISSIONER DURAN: Move for approval.

CHAIRMAN CAMPOS: Is there a second on that?

COMMISSIONER MONTOYA: Second.

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

VII. Matters of Public Concern - Non-Action Items

CHAIRMAN CAMPOS: Anyone from the public who would like to come forward and express or talk about any issue that's important to them and to the County? Please step forward. Come to the podium. Anybody else? Okay, there's one person. Please state your name and your address for the record, sir.

PEN LaFARGE: Good morning. My name is Pen LaFarge. My address is 647 Old Santa Fe Trail. I'm actually rather surprised and unhappy to be here today. But I had a very recent experience yesterday with the County and to a certain extent also the Police, the Sheriff's Division, the County jailhouse out opposite to the penitentiary, and the magistrate's court, and a whole series of events which I want to talk to you about. Because I'm really quite distressed as to what happened yesterday.

A friend of mine was arrested the night before last, on, essentially, I won't go into the details, but essentially a DWI. And I was called after his arrest by a very polite policeman who was very nice, and explained to me what was happening. He was very nice, and then told me that I would be able to set bail for this fellow or pay bail for him and get him out at his arraignment, which would be at nine o'clock in the morning.

So I got up and got ready and was just about to go to the arraignment, nine o'clock in the morning, when I decided first to talk to the lawyer that I'd hoped to obtain. Well, I didn't talk to the lawyer. In fact, I talked to his secretary. "Oh no," she said, "The arraignments don't take place at nine o'clock in the morning. They take place at 1:30 in the afternoon." So I went to the arraignment at one thirty in the afternoon.

This is the first of what became a pattern for the rest of the day. After he was arraigned and I was able to know what his bail was and I finally went and got the money and I was able to pay the bail to the magistrate's court, I was told that I had missed, because it was at one thirty, the first time that they released inmates. Evidently they don't release inmates the way they used to release them. I remember in the past that one came to the County courthouse, one paid someone's bail, and they were released. Now they release them at particular times. I don't know why. It seems to make it as inconvenient as possible. Well, I was told that I had missed the 1:30 release, so the next release would be at 3:30.

So I went home and I talked again to my lawyer's secretary. "There is no 3:30 release," she said. "The next release is at 5:30." So I called the County, your County jail, the place opposite the penitentiary, to confirm this and to find out whether in fact my friend would be released at 5:30. No. I got a recording. By the way, nobody answers the telephones. This is another complaint I have. Nobody answers the telephone out there. One is given a series of buttons one can push, zero being the operator. I waited five minutes with that telephone ringing. I timed it. No one ever answered. This was not a busy signal. It was ringing.

Well, they do have an option, I think the number two will give you what times people are released. Well, it's not 5:30. It's five o'clock, according to the recording. So

eventually, having again spoken to the lawyer's secretary because I was so frustrated, she gave me an extension I could call. So I called the extension for the records division, upon which the telephone was finally answered by a human being. It was answered by a woman who made it clear that speaking to a taxpayer, somebody who she, being a public servant, was supposed to be helping, that I was a nuisance. That I was interrupting her day, and that she wanted to get rid of me as fast as possible. No. The next release was neither 5:30 nor five o'clock. It was eight o'clock. That there are only three times that the County releases inmates, and that's six o'clock in the morning, eight o'clock at night, and eleven o'clock at night.

Now, the pattern here is again of the right hand not knowing what the left hand is doing. Everybody has absolutely certain information, and the absolutely certain information is incorrect information. The policeman doesn't know when the arraignment is. No one seems to be accurately knowing what time inmates are released. And the inmates' release times - six o'clock in the morning, eight o'clock at night, eleven o'clock at night - seem to me to be made as inconvenient as possible. Nothing during the day. They are released in the dark at any one of those times, and released onto the street with no place to go, because it's way out in the middle of nowhere, which strikes me again as being absolutely preposterous.

I resented the tone that the lady took with me, being that I was a nuisance. But even more what I resented is that then when I explained to her, "Your recording is wrong, you should change that. And you should also tell the lawyers and the people down at the magistrate's court what time inmates are released," she said, "Oh, they know." Now, that says to me either they're lying to me, or she's wrong. They don't know. This strikes me as, shall I say, unprofessional.

By the way, when I spoke to my lawyer's secretary and I told her my frustration at not being able to get a hold of anybody on the telephone, she said, "Yes, this goes on all the time." She, being a lawyer's secretary, is constantly trying to get a hold of people out at your facility, and, again, has a great deal of trouble actually talking to a human being.

There's no sign out there. One might say, "Well, you can't miss it," which is probably true. But in the dark, and if you're not used to going there, it is difficult to see even the penitentiary, which really does stick out like a sore thumb as a sign. I think it would be at the very least polite to have a sign directing people, "Go down this road to the facility."

I don't want to go on at a great length as to the experiences my friend had in your facility, because some of it will probably sound like whining from somebody who shouldn't have been there in the first place. But there are few items that I think would be worth your consideration. For instance, every time he asked to be given the time, what time is it, so he could keep track of the day and what time things were happening and whether he could get a hold of me or somebody else, they refused to give him the time. They refused to give him any sort of information as to whether his bail had been made or anything of that sort. In other words, whatever he asked for in the way of information was

denied to him.

It was freezing cold, he tells me, with no heat. I have mentioned that they are just released out onto the street. I suppose if they were released out onto the street and it were the old County courthouse here, that would be reasonable. They're in the center of town. They're released out onto the street in the middle of nowhere. This seems to me to be dangerous for a whole series of different reasons.

The guards out there evidently seem to enjoy humiliating the inmates. My friend was singled out, probably because it was his first time and he was scared, singled out, taken out of the cell in front of the other inmates, and yelled at, intimidated and humiliated, simply because – I don't want to compare this to what's happening overseas, but the principle is the same – it appears as though the guards, because they have the power, enjoy using the power to humiliate the inmates. And after he was humiliated, he was put back into the cell with the other inmates. It seemed to be for no other reason than just the amusing exercise of power.

When he left the facility last night – and it was not at the eight o'clock release time, he didn't get out of there until 9:45. So the release times not only are they not convenient and seem to be made as inconvenient as possible, none of them being during the daylight hours, but they're not accurate either. He wasn't released at eight o'clock. He was released at 9:45, and then had to wait outside for me for half an hour because it's half an hour from my house way out to the facility. When he left, he was not given back his money. He was not given back his watch or other jewelry. Nor would they give him a receipt for these things.

All of this seems to me to be wildly unprofessional. It's not what I would consider – I grew up in Santa Fe. I've lived here all my life. This isn't what I would consider to be old Santa Fe, charming, amusing, or eccentric. This seems to me to be simply unprofessional in a way that is a bizarre combination of the Keystone Kops and Twilight Zone. Nobody knows what they're doing, what they do know is wrong. Everybody contradicting the other people, and no one seems to desire to be helpful. Or if they do desire to be helpful – and some of them are quite nice, such as the policeman I talked to – the information they have is simply wrong.

You're intelligent men. I follow your careers. I read the papers. I vote. You're not stupid people. But your reputations as County Commissioners, the County itself, is going to be affected by these preposterous and inconvenient and simply unprofessional actions on behalf of everyone that is taking care of this facility and who interacts with it. For your own good, if you don't wish, I'm sure you do, but even if you don't want to do anything about this for us who pay the taxes, I ask you for your own reputations and your own careers as County Commissioners to try to do something about this. I really find this entire situation to be outrageous. And thank you for listening.

CHAIRMAN CAMPOS: Thank you. I'd like you to talk to some of our folks, Mr. Greg Parrish, and meet with him and give him the details so we can look into this. Thank you very much.

Okay, anyone else that wants to come forward? Okay.

COMMISSIONER SULLIVAN: Mr. Chair?

CHAIRMAN CAMPOS: Sir.

COMMISSIONER SULLIVAN: Just a note on that. Some of this we've brought up before, about the release times and the inconvenience of those release times, as well as having people out on the highway late at night. Also, there is no waiting facility there for people who are awaiting release. And I realize that they can't release them the exact minute that they may estimate because they have to confirm the paperwork, but there does seem to be a lack of coordination with the magistrate court on times and the lack of information and communication. And this is the only point, for many individuals in the public, that they interact with our corrections system, is bailing someone out, unless they happen to be unfortunate enough to be incarcerated. So we really need to take some action, whether it's more training, whether it's more coordination between the entities. Some of these issues which Mr. LaFarge brought up are not the County's responsibility, but nonetheless still doesn't mean that they're not problems for people who are trying to bail someone out. Thank you.

COMMISSIONER DURAN: Mr. Chair?

CHAIRMAN CAMPOS: Commissioner.

COMMISSIONER DURAN: At the risk of embarrassing myself, a lot of what Mr. LaFarge said is very accurate and true. And I speak from experience. And I think that something should be done. I think it is the County's responsibility. The company that's running that facility for us is representing the County under contract. And I think that something should be done. It's another example of why I think the County should consider taking over the facility and bring some professionalism to that facility out there. There are some people who find themselves in situations, get incarcerated, and I think that they should at least be treated like human beings out there. In some cases, they are not. Thank you.

CHAIRMAN CAMPOS: Thank you.

COMMISSIONER ANAYA: Mr. Chair?

CHAIRMAN CAMPOS: Commissioner Anaya.

COMMISSIONER ANAYA: I want to thank Mr. LaFarge for coming forward. And we will look at those issues. I know that we have the Sheriff here, we have the Undersheriff here, and we have the Major here. And we have deputies and captains in the audience, and they heard what was going on. So I think we will get on that and try to solve these problems as soon as possible. Thank you.

CHAIRMAN CAMPOS: Thank you. Mr. Gonzales, how long is executive session? Attorney Ross said it may take a long time.

MR. GONZALES: Sir, I think roughly we estimate at somewhere around two hours, given the items that we have.

VIII. B. Discussion of Vista Aurora Sub-Division Regarding Ongoing Problems with Sewage Treatment System (Commissioner Anaya)

COMMISSIONER ANAYA: Mr. Chair, thank you. And before I step down there in front of the podium, I'd like to recognize two of my kids that are with me here today. Art Anaya, he is attending Edgewood Middle School – oh, South Mountain Elementary, getting that straight. He's a sixth grade. Art, could you stand up? I also have Miranda Anaya here, she's going to be an eighth grader at Edgewood Middle School. Would you stand up, Miranda?

Mr. Chair, fellow Commissioners, County staff, guests, family members, and those of you that are at home watching, I want to thank you for being here. My name is Michael Anaya. I'm a County Commissioner For Santa Fe County, District Three. Commissioners, I want to take about fifteen minutes of your time this morning in honoring the military personnel from Santa Fe County that have served in the current conflicts overseas. Deputy David Bibb, Captain Terrence Delgado, Lieutenant Robert Riggs, and Deputy Rubel Tafoya.

Let's not also forget the many other soldiers that have served and that have lost their lives to protect our great country that we live in today. So on this day, I would like to present and read a proclamation to Santa Fe County, honoring these men.

"Whereas, the foundation of this country is embedded with the democracy and freedom that many people throughout the world long to experience. Our nation symbolizes the freedom that is naturally rooted into all American lives. A core element to a plentiful life, freedom is often taken for granted; and

Whereas, like everything else, freedom has its price. In order to establish and protect the liberty, justice, and safety of all Americans, we rely on the precious resource, the United States military, a remarkable organization whose members serve unselfishly and willingly. They have protected our country for centuries. America is one of few countries that possesses a democracy so consistent that protecting the freedom of every individual citizen is a significant priority; and

Whereas because of recent acts of terrorism, conflicts of war have occurred overseas. As a result, Americans have been called to protect the premises by which we live. In doing so, military men and women of the United States Armed Air Force have been called upon to assure that our safety and the safety of others in foreign countries is protected; and

Whereas these brave men and women are commended for their efforts in securing throughout the world. We recognize and honor the men and women of the United States military, who serve to protect the liberty, freedoms, and safety of all Americans. In honoring these individuals, we recognize that many of these brave soldiers, whom we are truly proud of, are members of our local community. We honor them and their bravery and thank them for their diligence. They have proven their ability and desire to serve our country unconditionally; and

Whereas, David T. Bibb III, Terrence M. Delgado, Robert Riggs, Rubel A. Tafoya, members of the Santa Fe County community, have recently served overseas in the United States military. As a symbol of our appreciation, we proudly honor and commend their efforts.

Now therefore, we the board of Santa Fe County Commissioners hereby proclaim the 29th day of June, today, and therefore David T. Bibb III, Terrence M. Delgado, Robert Riggs, Rubel A. Tafoya Day throughout Santa Fe County. Let's give them all a big hand.

Mr. Chair, with that we have about a five minute presentation that will be shown on the screen. [Presentation shown]

Thank you, David. After this if I could get you guys up to the front, we'll take a group picture.

David Bibb. Captain Terrence Delgado. Robert Riggs. Rubel Tafoya, Deputy. Let's give them all another big hand, and if we could get you guys up to the front.

COMMISSIONER DURAN: Mr. Chair?

CHAIRMAN CAMPOS: Sir.

COMMISSIONER DURAN: I would just like to personally thank all of you. I think it takes a lot of dedication and bravery to leave our community and fight for us in another world. And I do appreciate that. And I really do think that you guys are local heroes. Thank you.

CHAIRMAN CAMPOS: Great. Thank you very much. Next item is VIII. B, discussion of Vista Aurora Subdivision regarding ongoing problems with sewage treatment system. Commissioner Anaya?

COMMISSIONER ANAYA: Mr. Chair, we've had some ongoing complaints about the raw sewage and the smell that is going on in this Vista Aurora Subdivision. And we have some people here from the audience that want to speak to us about this issue. And I brought it up with Roman Abeyta, and he is going to brief us on exactly what is going on over there. Thank you, Roman.

MR. ABEYTA: Thank you, Mr. Chair, members of the Commission. Roman Abeyta, Santa Fe County Land Use Department. We did have an issue, and we still do have an ongoing issue, with a sewer line that was installed in the Vista Aurora Subdivision, their third phase. When it was installed in 1996, there was a two-grinder pump, temporary grinder pump systems that were installed. Both pumps have failed. As a result, the residents of the subdivision have had many problems.

Since then, we went back, we reviewed the original approval of that subdivision, and we found that those grinder pumps were temporary measures that were installed. And the developers had actually agreed to install a permanent sewer line once one was available. And it's been brought to our attention by the City of Santa Fe that there is a sewer line that is available for the subdivision to tie into.

A letter has been sent to the developers from the City of Santa Fe and the County Land Use Department requesting that they abandon these temporary grinder pumps and that they install the appropriate sewer line so that this problem will go away. I haven't heard

back from the developers, but we do have that letter. And it's my understanding that the cost for this new line would range between \$98,000 and maybe \$130,000, \$140,000. But it's the County's position that the developer is responsible for installing this line.

COMMISSIONER ANAYA: Mr. Chair?

CHAIRMAN CAMPOS: Sir.

COMMISSIONER ANAYA: This is a health and safety issue. And how do we go about moving this thing as fast as we can to get this problem taken care of?

MR. ABEYTA: Mr. Chair, Commissioner Anaya, I'll meet with the County Manager and the County Attorney's office and we'll see what we can do to get the moving on it. It's my understanding that the grinder pumps have been replaced. And I haven't heard that there's been a problem since, but again, it's just a temporary fix. So I'll make sure to get with the County Attorney and figure out what we can do to get the developers to install the appropriate line.

COMMISSIONER ANAYA: And I know those grinder pumps are going to go out again.

MR. ABEYTA: Yes.

COMMISSIONER ANAYA: And I want to start jumping on this and getting this line taken care of so that these residents don't have to live like that. Thank you.

CHAIRMAN CAMPOS: Mr. Abeyta, who is the developer?

MR. ABEYTA: Mr. Chair, the developers are Richard Cook and Phil Sena.

CHAIRMAN CAMPOS: Okay. How long do you think it'll take to get effective action, to get the connection made?

MR. ABEYTA: Mr. Chair, I hope to get with the County Attorney within the next day or two, and then get some kind of demand letter out to the developers in giving them maybe three or four days to respond. And then if we don't receive a response, then take the appropriate action. And I don't know if that would be a citation in court or what it would be.

CHAIRMAN CAMPOS: Do we have a bond? Are we holding a bond that we could go after?

MR. ABEYTA: Mr. Chair, unfortunately we're not. We were holding a bond, but that bond expired.

CHAIRMAN CAMPOS: Okay. Thank you very much. Any other questions? Okay. Thank you, Mr. Abeyta.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Do you have a question?

COMMISSIONER ANAYA: Yes, I believe that there are some residents here that would like to talk.

CHAIRMAN CAMPOS: Commissioner, I think we have the information that we need to know. We are heading somewhere and we have a big agenda.

COMMISSIONER ANAYA: Well, I know that but I told these folks that it if it was up to you to let them speak a little bit and tell us what the problem is. I know

if it was up to you to let them speak a little bit and tell us what the problem is. I know we're going to move forward.

VANESSA LARRANAGA: My name is Vanessa Larrañaga. I live at 955 Camino Vista Aurora. The main reason we're here is we've been trying to get help from the developers. We have tried to contact them. They will not return our phone calls. This is the second time that the sewers have gone out on us. The first time when they went out our development, our subdivision ended up paying for the two pumps last year, which was a total of \$7,000 that we had to pull out of our subdivision.

Now again, just now in May, we had the City of Santa Fe coming down twice a day, once in the morning, at 6:30 in the morning, and then at night, to suck out our sewage. We have extensive damage in streets over there. We don't know where to go anymore. We've asked, we've been trying to call Councilmen. We finally got a hold of Mr. Anaya and we've also gotten a hold of our City Councilor who is also here with us. We've tried to speak with Phil Sena. He gives us the run-around. Richard Cooke will not return any of our phone calls. We've been left with nothing, mainly. Right now those two pumps that are there, the City of Santa Fe paid for them to be put in. They also told us that they will be temporary pumps and they could break down within another six months because we do have a total of 75 homes that are over there.

They cannot be running on these pumps. The City also told us that these pumps, if we were private, each home would have to have a pump in front of their house for the sewage. So what we're doing is, the problem that we had in May is the sewage was draining into the Santa Fe River and at the time, that's when we had all the rainstorms and everything and the sewage was draining into the Santa Fe River which was going into the Rio Grande River.

We don't want this to be a health hazard and we don't want it to be our subdivision that is causing this health hazard. So we are coming to you for help. There's many things that these contractors left undone. The main thing that we wanted to talk about was the sewage. In 1996, there was a guaranteed loan guaranteed from First State Bank for \$98,000 which was supposed to put us in to the sewage that they're saying is open now. Well, that money - we don't know what happened to that money. None of the work was taken care of. The \$98,000, I got in touch with First State Bank and they say that they don't know what happened to the money. That the only person that we could speak with who would know anything would be Mr. Kavanaugh here at the County.

So he's the one person I haven't been able to get in contact with also. What we want to do is we want to know who was supposed to get all this taken care of because it's not just the sewage that was left. It's the sewage, the parks, everything. We were promised many things by these developers and nothing was ever done. So we're coming to you asking for your help. I've given you each a handout. I know you've got a lot on your agenda today. This is just the general information that we have right now, what we've been able to come up with. A lot of people are just saying, Oh, I have nothing to do with it. I don't know where this is coming from. I don't know who you can speak to. So we're

coming to you for the health hazards.

As a matter of fact, one of the City workers has asked us if the sewage has started going into our homes. That's how bad it was backing up. It was like a lake on Lopez Lane and Vista Aurora at the time, in May. We were trying to get Lopez Lane closed off because of this raw sewage that people were just running - cars were driving through there all the time, splashing this raw sewage everywhere. We don't want it to be a health hazard so we're coming to you for help. We have a general layout for you to look at and if you have any questions, you can call any of us at any time.

CHAIRMAN CAMPOS: Question. Are all the lots sold in that subdivision?

MS. LARRANAGA: Yes, all the lots were sold. We are a full subdivision now and when it was put in they said that once it was a full subdivision then we would have to be connected to Agua Fria. What's happening is we were connected to Rufina, so that means that everything's going uphill. This is why the pumps have broken down twice on us now.

CHAIRMAN CAMPOS: How many house in the subdivision?

MS. LARRANAGA: We have a total of 75 houses.

CHAIRMAN CAMPOS: This seems to be a pretty serious problem. I think something that Mr. Gonzalez will treat and move forward on this aggressively. It's something very serious and things like this shouldn't be let go. And that's something that - I'll push for that.

MS. LARRANAGA: Thank you very much, sir.

CHAIRMAN CAMPOS: Thank you, ma'am. Councilor, would you like to address the Commission?

COUNCILOR MIGUEL CHAVEZ: I would, Commissioner, and members of the County Commission. I certainly appreciate the time and I know that we're all busy. Certainly the people here have their full schedules. They have their families to take care of and their jobs that they're concerned with. And the call that I got from Ms. Larrañaga is a call that I felt I could not ignore. And the situation that's happening there, none of us should ignore. So I'm here to plead with you to take care of the situation. I in my capacity will do whatever I can to remedy the situation, but I think that also it sends us a message that we're in a pattern of planning not to plan. And I think that we need to get around that curve and to the best of our ability, come together and do a better job at planning so that we do not put individual subdivisions or individual families or individuals or our environment - it's being threatened. And I think that we need to rise above that and remedy this situation and be sure that this does not happen again. Thank you.

CHAIRMAN CAMPOS: Councilor, do you see the City taking action to allow this connection?

COUNCILOR CHAVEZ: Well, I think it's the responsibility of both governing bodies, but obviously, if there's a problem like this we need not let it happen again and I would say that we have some joint responsibility and some responsibility to remedy the situation and again to prevent it from happening in the future.

CHAIRMAN CAMPOS: No, I understand that, but does the City have a resolution saying no further hook-ups, etc.?

COUNCILOR CHAVEZ: Well, we've been in that dilemma, yes, because again we need to have a better plan as we accommodate new growth. As the City continues to grow we need to have a better plan to accommodate that new plan and yes, we do have a resolution that is questioning extension of water and City sewer. But we know in the Agua Fria Village we have accommodated that, we have provisions to deal with, especially the sewer because we do have the sewage treatment plant that can accommodate more inflow. But we have to plan better so that in this case the sewage can get from point A to point B in a cost-effective way and not impact the health and safety of residents or the environment.

CHAIRMAN CAMPOS: You don't see any obstacle at the City?

COUNCILOR CHAVEZ: Not in this case, no.

CHAIRMAN CAMPOS: Do you have to take action to allow the connection at the City Council?

COUNCILOR CHAVEZ: No, the connection is already there. The sewer lines are already there. I think we need to switch from one line to the other, get rid of the grinder pumps and everything is already in place to do that. But I think again, and in this case it seems that it's the responsibility of the developer and it's hard to point fingers. It's hard to point blame, but I think that if there responsible parties that could have remedied this situation before it comes to this, before it comes to a head like this, we should call them on it.

CHAIRMAN CAMPOS: We will.

COUNCILOR CHAVEZ: Thank you.

CHAIRMAN CAMPOS: Any other questions for the Councilor?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Anaya.

COMMISSIONER ANAYA: Councilor, thank you for coming over and helping us out on this because the only way we're going to do it is together. Gerald, I'd like to know, what are our steps? Where do we go from here? When is the letter going to go out? I'd like it as soon as possible, possibly tomorrow. I know we're busy, but can somebody tell me what our steps are that we need to do?

MR. GONZALEZ: Mr. Chair, Commissioner Anaya, obviously, the next step at the County Manager's level is to meet with Land Use and make sure that we know what the history of this is and whether there are any options still available through the approval process. And I have had a very brief discussion here with the County Attorney about whether there are ways of catching non-compliance when we have developers who come forward with other projects in the future. So that's a possibility for addressing these kinds of problems in the future when they arise. With respect to this particular problem we can begin drafting a demand letter of some kind to the developer, probably in the next day or two and send that out and then see what kind of response we have. If we're no more

successful than the residents have been then at that point we need to think about what sort of legal action we can take and we'll bring this back to the Commission and let them know where we'll go from there if we do feel that we need to take some kind of legal action.

CHAIRMAN CAMPOS: Thank you, Commissioner Sullivan.

COMMISSIONER SULLIVAN: Councilor Chavez, is this subdivision in the Extraterritorial Zone?

COUNCILOR CHAVEZ: I believe it is. I think the residents have some question about whether it was in fact a part of the traditional village or not, within their boundaries or not.

COMMISSIONER SULLIVAN: Because in the packet material they gave us, there is a letter from the City's Permit and Development Review Division to First State Bank advising them that the reserve issued to the Española Mercantile Company expired December 31, 2000. It is imperative that the letter of credit be immediately renewed for the remaining balance of \$98,000. Do you happen to know if that letter of credit was renewed.

COUNCILOR CHAVEZ: I have to say, Commissioner, no.

COMMISSIONER SULLIVAN: So in these situations, how do we handle the enforcement in the EZ on a case like this? Do we use City staff or County staff? Both?

COUNCILOR CHAVEZ: I think it's been a combination. Again, it seems to be sort of a no-man's land for lack of better words, and so we have that joint jurisdiction. I think the City, from what I can see, has been fairly responsible and responsive in replacing the pumps and at least taking the equipment out there to pump that raw sewage out before it impacts the line or overflows into streets or public right-of-way. Certainly, in the event that it would back up into private homes then I think we both have a liability issue on our hands that we're going to have to share jointly at some point, if that were to happen.

COMMISSIONER SULLIVAN: This subdivision is still in the county, hasn't been annexed by the City.

COUNCILOR CHAVEZ: No, it hasn't and I think that's another question that the residents are bringing up and I think, as they've indicated to me at least that they would support annexation at this time for obvious reasons and I wouldn't blame them at all.

COMMISSIONER SULLIVAN: And is it within the City's utility service area?

COUNCILOR CHAVEZ: Yes.

COMMISSIONER SULLIVAN: Okay. So it's one of these situations, as you say, where we're in kind of the black hole. We're within the City's utility service area, the subdivision is located in the county. The approval jurisdiction is the Extraterritorial Zoning Authority.

COUNCILOR CHAVEZ: Right. Which is a joint -

COMMISSIONER SULLIVAN: Which is a joint body, three County

Commissioners and two City Councilors, and when all of that gets said and done, the enforcement falls through the cracks is what seems to happen.

COUNCILOR CHAVEZ: And I think initially the plan can be questioned too and I think that again, I don't want to be too critical of that but I think it seems to me that we're in a mode of planning not to plan and we need to come up with a better way to conduct our business.

COMMISSIONER SULLIVAN: What steps now – you've heard what Gerald and his staff will start to do. Are you aware of any steps that the City is going to be pursuing?

COUNCILOR CHAVEZ: The only thing that I know right now Commissioner, is that we're trying to deal with the situation on a day to day basis. As far as enforcement or any legal action I don't know what position the City is in right now.

MR. GONZALEZ: Mr. Chair, Commissioner Sullivan, and I'm just getting caught up on this after having been out for a couple weeks vacation, but Roman and Steve Ross just informed me that the County has in fact sent out a demand letter and I think the City has also sent a demand letter of some sort to the developers. We haven't had a response yet but they have been informed that City sewer is available and that in the future that might be the desired course of action, would be to make that connection.

COMMISSIONER SULLIVAN: Is it necessary to get an easement through the International Institute of Chinese Medicine to put that sewer in?

COUNCILOR CHAVEZ: Those specifics I don't have at this time either, Commissioner.

COMMISSIONER SULLIVAN: Okay. I just wonder if there's some way of moving forward with an emergency grant from DFA, something of that sort, to get it started, and then seek reimbursement from these developers who obviously had a condition that required the construction of this.

COUNCILOR CHAVEZ: I think now that it's been brought to our attention, what I can do again in my capacity is maybe communicate this to our City Manager and then your County Manager can work jointly on this to see how we can remedy this for the long term and then understand that again, we should not let this happen in the future.

COMMISSIONER SULLIVAN: Thanks for bringing this to our attention.

COUNCILOR CHAVEZ: Thank you.

CHAIRMAN CAMPOS: Thank you. Any other questions or comments?

VIII. C. Proclamation: A Proclamation Honoring the Significant Leadership Contributions of Governor Jacob Viarrial (Commissioner Montoya)

COMMISSIONER MONTOYA: Thank you, Mr. Chair. We were fortunate to have honored some of our military personnel earlier this morning and we thank God that they came home alive. Unfortunately, we lost a good leader who served his nation in a way

that was I think very admirable and I'd like to read this for the record, Mr. Chair.

Whereas, a leader is defined as something or someone that shows the way. This word as defined is best used to describe the character of Governor Jacob Viarrial. A native of northern New Mexico, Governor Viarrial served America in the Vietnam War and continued his service as governor of Pojoaque Pueblo; and

Whereas, Governor Viarrial was an advocate for protecting the sovereignty of his government and defending the rights of his pueblo, his leadership abilities can be observed through his accomplishments and developing relationships throughout the region, state and country. He secured economic development and moved his government forward; and

Whereas, it is of significant importance to recognize great leaders. In doing so we must honor the life and accomplishments of Governor Viarrial. We are fortunate and grateful for his service and dedicated representation of Pojoaque Pueblo. Governor Viarrial served his government and people unselfishly and with integrity. Governor Viarrial was a man of vision. We mourn the loss of a great leader, yet honor his life.

Now, therefore, we the Board of Santa Fe County Commission, hereby proclaim the 29th day of June, today, and therefore Governor Jacob Viarrial Day throughout Santa Fe County.

He was buried earlier this morning and we will forward this proclamation to the Pueblo. I knew Governor Viarrial personally, having dealt with him not only through County Commission business but also previously as a school board member and he was always a pleasure. He had a real good sense of humor. Especially when he closed the road there for a little while. That was kind of an interesting way to get attention, but he did that we just honor his blessing and offer our blessings to his family as well.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER ANAYA: My condolences go out to the family and friends of the governor. Thank you.

VIII. D. Discussion and Possible Action on Purposed Amendment to the Capital Outlay Gross Receipts Tax (GRT) Permitting the Use of GRT Funds in the County's Solid Waste Program (Commissioner Duran)

COMMISSIONER DURAN: Gerald, when I spoke to you about this earlier, it was because I have some concern about the only way we're really going to get our solid waste program up to a level that I think the Commission would like for it to get to in terms of its service to the community - I asked you to check into how we might be able to use the GRT tax, the quarter percent GRT tax to do that. And my understanding is that the way that it was approved by the voters does not allow us to use that for operational uses. And my questions was whether or not we could go back to the voters and ask them for an amendment to that ordinance that we adopted that would allow us to use that money.

MR. GONZALEZ: Mr. Chair, Commissioner Duran, there are limitations not only in the ordinance that was adopted but in the underlying statutes and I think the statutes themselves contain some restrictions. Now, they do permit, and I think the ordinance itself also, the way it was adopted would permit employing some of those funds for the capital side of the solid waste operations. But the operational side is the place that we get stuck with so many of these GRT impositions and it would take imposing one of the other options that was provided by the legislature in the last session for operating purposes in order to do that, as opposed to within the existing GRT. I don't know if Susan - she can also add to that and I have had some discussions with the County Attorney and looked at the ordinance and the underlying statutes in the past.

But it seems to me in terms of providing operating funds, imposing the new GRT authority would be the way of doing that. The other option of course would be to use some of the existing GRT monies to cover capital outlay costs in a way that might perhaps allow us to do some general fund dollar-shifting and shift from the capital outlay side to the operational side, but that's something that we'd have to talk to finance about, so I don't know if Susan has any thoughts.

COMMISSIONER DURAN: Mr. Chair, Gerald, I think that that's a probably a more - an easier way to deal with the issue. Because if we have to change the statutes, that's going to take a considerable amount of time, but if we can free up general fund dollars by using the GRT to pay for other services that maybe we're paying now out of the general fund, that might be a way of dealing with it.

MR. GONZALEZ: It's just a question of how we cut the pie and how many pieces we splinter it into and where we send it.

COMMISSIONER DURAN: Well, the reason I'm bringing up right now is because I still - I don't think that we have yet had the discussion and made a decision on how we're going to use that GRT money. Have we had that discussion yet?

MR. GONZALEZ: No, and actually, that was one of the items I was going to bring up under the County Manager's items, is that I would like, and perhaps the Commission can think about this between now and the time we get there. I'd like to schedule a study session to look at that issue.

COMMISSIONER DURAN: Okay. I don't think I really need to hear from you, Susan, unless the Commission wants to. I understand what the problem is. What I think we're really trying to get to is how we can enhance the services out at the transfer stations. And it seems to me that you've kind of mapped out a solution if we could just pursue it.

MR. GONZALEZ: Yes. I think that discussion needs to occur among the Commissioners and with the staff present to support them for that discussion.

COMMISSIONER DURAN: Right. And that would come out of the discussion on how we're going to allocate funds out of that GRT.

MR. GONZALEZ: That's correct.

CHAIRMAN CAMPOS: Just a comment. We did have an option earlier where we could have increased the fees. That would have provided sufficient money to at least do

some of the things suggested by Commissioner Duran but that failed. The discussion that we had earlier, before that, was that we would create an agency that was self-supporting. That was our goal. The self-support would have been through revenue generation by charges to the users, so that we have had that discussion and I hope that we can keep it together so that we don't start piecemealing this discussion and let's look at it comprehensively.

COMMISSIONER DURAN: Mr. Chair, the problem still exists.

CHAIRMAN CAMPOS: Commissioner, we know the problem still exists and we try to address it and this Commission didn't come up a solution.

COMMISSIONER DURAN: We didn't want to do it the way that it was proposed.

COMMISSIONER SULLIVAN: Gerald, are you talking about the new one eighth GRT that we haven't committed to yet?

MR. GONZALEZ: That's correct. And the existing GRT in positions that we already have. I think that those also need to be visited in terms of allocation.

COMMISSIONER SULLIVAN: I understand. But in the new GRT as opposed to the old ones, does the new GRT allow for monies to be used for operational purposes? I'm talking about the one eighth now.

COMMISSIONER ANAYA: That's the correctional fund.

COMMISSIONER SULLIVAN: No, the correctional fund is one quarter. We've already passed the correctional fund. But there's also a one eighth that was passed too. We didn't pass that one but it was an option given to the counties. Does that one allow for operational?

STEVE ROSS (County Attorney): Mr. Chair, Commissioner Sullivan, you're talking about one sixteenth.

COMMISSIONER SULLIVAN: The one sixteenth. We have started the wheels in motion on the one eighth GRT.

MR. ROSS: That's correct.

COMMISSIONER SULLIVAN: I had them doubled there. And that's in motion to provide operational funding for the prison, for the jail. But we did not set the wheels in motion for the one sixteenth. And my question was, does the one sixteenth have those same provisions that allow that money to be used for operational purposes?

MR. ROSS: It can be used for County general purposes.

COMMISSIONER SULLIVAN: General fund purposes.

MR. ROSS: Or anything. It's not limited to capital -

COMMISSIONER SULLIVAN: Like the other GRTs.

MR. ROSS: The other GRTs.

COMMISSIONER SULLIVAN: That's what I was getting at. I thought that's what Gerald was getting at is that the option he was saying that we really have if we're not going to do any significant change in the revenue structure of the Solid Waste Department is we have this one sixteenth GRT that we could pass and as I recall, again, correct me, Susan, that would give us something like \$2 million a year. Is that correct? To dedicate towards solid

waste. It's like the guy on the oil filter. You pay me now or you pay me later. You either pay me for gross receipts tax or you pay me through user fees.

I guess we'd have to study that in a work session and say what's more equitable? What's the right way to allocate the costs of solid waste? Would it be through a gross receipts tax increase, which is on food and doctor bills and everything like that or would it be on the users' fee of those who utilize the facility. That clarifies that. We do have that one sixteenth option that would allow us to, if we wanted to dedicate that money to operating expenses at the solid waste facilities.

MR. ROSS: That's correct.

COMMISSIONER SULLIVAN: Okay. Thank you.

CHAIRMAN CAMPOS: Any other comments?

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER DURAN: Gerald, my initial discussion about this was not specific to the sixteenth that we just passed and the potential of another sixteenth, but rather to the quarter percent that we passed several years ago. My question is, and you answered it but now that Commissioner Sullivan brought up this new tax that we passed, I was talking specifically to the quarter percent. We have not yet had discussion amongst the Commission as to how we're going to spend those funds, have we?

MR. GONZALEZ: Not in a specific way. I think there has been some general guidelines, there have been some general guidelines painted through the ICIP process with respect to some of those allocations, but again, the detail seems to me needs to be visited, not only with respect to what is in motion but also with respect to what is already in place.

COMMISSIONER DURAN: I guess my concern is that are we as a Commission going to have the opportunity to direct how those funds are spent? Or do I hear you say that staff is allocating those funds to needs or services that you have – that you're working on internally, without direction from the Commission?

MR. GONZALEZ: No. With the one quarter percent, there are two pieces for that. There's the piece of course that's the joint use between for regional uses and then there's the specific –

COMMISSIONER DURAN: I'm talking specifically about the money that the County has available to them for roads and other uses.

MR. GONZALEZ: And that piece, we have taken some direction from the Commission on an item by item kind of basis. And I'll let Tony amplify a little bit.

COMMISSIONER DURAN: I don't know when that happened.

TONY FLORES (PFMD Director): Mr. Chair, Commissioner Duran, yes, the Board has taken action on seven projects that have been funded through the GRT, roads and others portion. Avenida Eldorado Crossing, the Pojoaque wastewater system study, five facility projects and \$100,000 that was assigned or allocated towards County Road 55-A. The latest of the projects was the Pojoaque wastewater which was I believe two months ago. Prior to that was the Avenida Eldorado Crossing and in January of this year the Board acted on the five

facility projects and the \$100,000 for County Road 55-A. Those were the remaining balances on the FY03 and FY04 appropriations. Those have been the only projects that the Board has acted on that staff has recommended and brought forward for the GRT.

COMMISSIONER DURAN: So then, and I'm not saying this isn't an appropriate way of doing it but it seems to me then that we are not actually - we're doing this kind of piecemeal. Whenever a project comes up that we have a need for and we find the money wherever we can and oftentimes it's come out of that quarter percent.

MR. FLORES: Mr. Chair, Commissioner Duran, I agree with you 100 percent. It has been piecemeal.

COMMISSIONER DURAN: Okay. I'm not sure I have a problem with that so I accept - what I'd like to know now then, what is left out of the piecemealing of that GRT that might be allocated towards the solid waste program? And you don't need to answer that now, but -

CHAIRMAN CAMPOS: Let's move on. This is a big issue. We need to -

COMMISSIONER DURAN: It's a concern that I have.

CHAIRMAN CAMPOS: We should spend some time on this issue.

COMMISSIONER DURAN: I agree. I agree. I'm almost there. So I guess if you could just let us know how we might be able to deal with that issue with what's left out of that GRT.

MR. GONZALEZ: We can provide that information and that will be part of the study session issues that I wanted to set the study session for.

COMMISSIONER DURAN: Okay. Great. Thank you.

CHAIRMAN CAMPOS: Thank you. Okay, any other matters from the Commissioners, starting with Commissioner Anaya.

COMMISSIONER ANAYA: I have none. Thank you.

CHAIRMAN CAMPOS: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I have one item, Mr. Chair. It seems like today's meeting we are honoring people in various phases of transition in life and in death. I did want to bring to the Board's attention a tragic accident that occurred a little over a week ago in Eldorado where a lady, Mrs. Edith Cassini was killed, a pedestrian-automobile accident, on Avenida Vista Grande at Monte Alto Road. We send our condolences to the family of course and just so the Commission is aware, I've sent a letter to the family expressing the condolences of all of the Commission members. I want to ask the staff, we have looked at this intersection before and perhaps of Robert or James are here, maybe Robert you could come forward a moment. This is a difficult intersection. It's a high-volume intersection in both directions. It sits on the crest of a vertical curve. What would be your suggestions, Robert, here to improve the safety of that intersection?

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chair, Commissioner Sullivan, approximately two years ago we did do a traffic study on that intersection and it did not warrant a four-way stop. We've been requested in the past to explore the possibility of making that a four-way stop. But what I suggest is give us an opportunity to

do another traffic study. Maybe the warrants may have changed, and we can bring you back the information and get direction from the Board. If it still does not warrant a four-way stop the Board can certainly direct us to install one if they desire.

COMMISSIONER SULLIVAN: In the warrants evaluations, do they take into consideration traffic accident history?

MR. MARTINEZ: Mr. Chair, Commissioner Sullivan, they do.

COMMISSIONER SULLIVAN: I'm fairly certain with a death now at this intersection that those warrants may change. I certainly think that we need to move on that quickly to get stop signs. I don't think there are any stop signs on Avenida Vista Grande for its whole length until you get all the way to the western end. And it does have flashing lights at the school and near the fire department which are activated during school hours, but other than that, it's a racetrack out there. This tragic accident just accentuates I think that regardless of what the formulas may show we may need to put stop signs.

I was driving on Zia Road the other evening and I'm sure the warrants don't justify the stop signs out there. There's one on every intersection as you're coming down from Old Santa Fe Trail onto Old Pecos Trail. Again, I'm sure it was a safety issue that the City decided to do that. Could we get stop signs out there on some kind of a provisional basis to prevent something from happening again, or - I just don't know how much more information we need to try to make that intersection safer to be honest with you. Doing more studies and come back and say, Well, the studies don't warrant it and quite frankly, I think we have to use some common sense and say, Well, I think common sense says that it does warrant it.

MR. MARTINEZ: Mr. Chair, Commissioner Sullivan, there is some long-term fix for the problem when a commercial development is currently planned for that intersection. But in the interim we could do a traffic study and it may or may not warrant the stop, or the Board can direct us to install the stop. It's up to the Board at this time. I wait for your direction.

COMMISSIONER SULLIVAN: I recall, Mr. Chair, when there was a commercial proposal out there the developer said we will help this by contributing to a traffic light, and it was kind of like the more you go to the store and the more you shop the more you save because this commercial development would increase the traffic and make it more dangerous to the point where some type of traffic control was necessary and then they would contribute some portion of that to the traffic control. So I'm not sure that that answered the question although it would increase the traffic but then there would be either a stop sign or traffic light or something there.

I quite frankly would ask the Commission at this point to concur with me in direction to the staff to place a stop sign at Avenida Vista Grande at that intersection.

COMMISSIONER DURAN: Second.

COMMISSIONER MONTOYA: I don't think we can take action.

COMMISSIONER SULLIVAN: I think the direction was what Robert's looking for here. Is that -

COMMISSIONER ANAYA: That's fine with me.

COMMISSIONER DURAN: Forget the study; just do it.

MR. MARTINEZ: Mr. Chair, Commissioner Sullivan, that is enough.

COMMISSIONER SULLIVAN: Okay. We appreciate your work. This is in no way any kind of a criticism of your department. I know you follow the procedures but I think we get to a point where the answer sometimes is right in front of our face and I think in this case it is. Thank you, Mr. Chair. That's all I have.

COMMISSIONER ANAYA: Thank you, Robert, for coming up. Anything else? Commissioner Montoya.

COMMISSIONER MONTOYA: Thank you, Mr. Chair, I have a couple of other issues. I just wanted to remind the Commission that on July 23rd we will be having the intergovernmental summit with the different Pueblos and different other municipal and county governments. And also the 23rd, Gerald, they're having a groundwater infiltration and injection meeting in Albuquerque. So I'd like to see if maybe Diane, Doug or Steve could maybe attend this. I don't know, maybe they have notice on it, but I think that's kind of in line with what we were looking at when we went to Arizona.

Then I just needed to voice my concern regarding one of our submission to the New Mexico Department of Finance Authority regarding the connectivity to water systems to diverse sources and that's the construction of a pipeline from San Ildefonso to the Buckman and this is one of the concerns that the people in the Aamodt suit have regarding the diversion of water that's in the Pojoaque Valley Basin to sources outside of that particular water service area or proposed water service area. So we probably need some more information as to what that's about and why we did that.

And then the other piece, Mr. Chair, Gerald, maybe Tony can help with this one, the acquisition of some property from BLM in the Chimayo area. My understanding in meeting with some of the folks yesterday is that the governor can declare an emergency for BLM land and the situation in Chimayo regarding the water and the wastewater is still in an emergency state. So maybe if we could at least look at something in terms of contacting the governor's office and see what we can do in regard to acquiring some of that property. And it's different property, Tony, than the one we discussed. I actually already met with Sam DesGeorges and told him that it would be about a year but a year is kind of a long ways down the road.

MR. FLORES: Commissioner Montoya, can you tell me where that additional property is?

COMMISSIONER MONTOYA: Yes. It is to the northwest of the property that we currently have that the Headstart is on.

MR. FLORES: Okay. Of our current patent?

COMMISSIONER MONTOYA: Yes. Exactly. Then Mr. Chair, the other issue is regarding ATVs and I know I've talked to the Sheriff about this but there's some suggested policies and ways that people have handled it in other parts of the country, not unique to New Mexico, which is interesting, but I continue to have that as an issue that comes up again in my part of the county. So if we could forward that information to the appropriate policy developers on that.

Then Mr. Chair, Robert, where are we with the traffic calming policy?

Then Mr. Chair, Robert, where are we with the traffic calming policy?

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, that is still being worked on. We had sent it to legal and gotten numerous comments from the legal department. So we are still working on that draft policy.

COMMISSIONER MONTOYA: Okay. Do we know when legal is going to get it back with maybe some comments?

MR. MARTINEZ: I believe that legal has already gotten it back to our office and we're working on the changes and we will bring it back to the Board and soon as it's complete and signed off.

COMMISSIONER MONTOYA: Do we know more or less when that might be?

MR. MARTINEZ: I would say probably by the next meeting.

COMMISSIONER MONTOYA: By the next meeting?

MR. MARTINEZ: The next administrative meeting.

COMMISSIONER MONTOYA: Then Mr. Chair, just one last thing. At the last annual convention meeting, the Association of Counties, I was privileged to have been elected to serve on the National Association of Counties Board of Directors, representing New Mexico and the urban counties. So I just got additional work put on my plate, but it will be a privilege to do that. Thank you, Mr. Chair.

COMMISSIONER ANAYA: Commissioner Montoya, congratulations on that appointment. I know you'll do well. Commissioner Duran.

COMMISSIONER DURAN: Thank you, Mr. Chair. I was wondering if I could actually – I'd like to let the Santa Fe County Maternal Health and Child Planning Council come forward. From my understanding they have to leave before noon and I'd like to save the two or three things that I have from the Commission for after they make their presentation.

COMMISSIONER ANAYA: Okay. How does that sound, Commissioners? That's fine. Let's hear it.

XII. Staff and Elected Officials' Items

A. Community Health & Development Department

5. Update on Santa Fe County Maternal and Child Health Planning Council

KATE REYNOLDS: Mr. Chair, and Commissioners, thank you for letting us go, as I was watching the clock and feeling like, "Oh, I'm not going to get to update you." So, it's a pleasure to be before you today to update you on the status of the Santa Fe County Maternal and Child Health Council. My name is Kate Reynolds, and I am the chair.

I'd like to start by reviewing just a few of the highlights from this last year.

Despite the enormous amount of energy expended to stay afloat during the current political climate, the council has managed to expand and implement our efforts of the County bureau to three strategic plans. And some of the things that we're particularly proud of, one is that we had a very successful conference a few months ago entitled, Partnering With Parents, promoting infant mental health, preventing child abuse, and practicing early literacy. It was attended by more than 100 participants from the community at a very reduced rate. And the conference provided a forum for professionals to start to begin looking at an action plan to better serve families in Santa Fe.

The council secured funding through February of 2005 from the Early Learning Opportunities Grant Act, in association with the United Way of Santa Fe County to develop and distribute a parent resource guide for all new parents in the county, and to develop a curriculum to train staff for the County's telephone emergency, the 211 line, about resources for parents.

We're very excited about our breastfeeding promotion countywide. This program has initiated a bilingual breastfeeding health line, a breast pump subsidy fund, and has been doing a lot of advocacy and education for public breastfeeding.

We've been facilitating partnerships for families in order to reduce duplication of services, and to increase access to services for the families. The council has been instrumental in bringing the community together. We currently have partnerships with the Community Infant Program, the Health Policy and Planning Commission, United Way of Santa Fe, Community Centers for Excellence in Women's Health, Community Services Network, We Stand For Our Children, and the Young Fathers Project.

We've been doing a lot of administration advocacy and being totally dedicated to the Maternal and Child Health Plan Act. And we believe that the health of all New Mexicans depends on early education, prevention, and intervention for mothers and their families. We have been working with La Familia, the Promotora Outreach Program, fighting to reduce low birth weight babies and increase the overall health of mothers and children, and the teen health centers at both of the local high schools fighting to reduce teen pregnancies. And one of the things we are very happy with is that in an evaluation of those teen health centers, the State Department of Health was actually able to use some of our statistics from an evaluation we had done, some of the only statistics available in the state regarding teen pregnancy best practices.

Temporary childcare at the Santa Fe Community College is fighting to reduce child abuse through timely support for families and the breastfeeding promotion, fighting for the best emotional and nutritional start for mothers. Those are some of the highlights, some of the things that we've been doing.

One of the things, obviously, that's very important for me to say today is to update you on the negotiations of contract and funding for continued maternal child health programming. As you know, funding from the New Mexico Department of Health for MCH programs statewide has been reduced for the fiscal year 2005, despite recent appropriation of just over \$2 million by the New Mexico legislators. Santa Fe County is

still in the process of negotiating its contract with the Department of Health for the Maternal Child Health Program, and more than likely we will not have a contract in place by July 1st. So I'm here today to say that the future is uncertain. We'll be able to maintain our office in a very limited capacity through the end of September, only because we've been able to carry over some grant funding received last year from the Frost Foundation and from a federal grant in association with the United Way. Without this funding, the council would have had to close its doors on Thursday, and let our staff know that we would not have any contracts or funding for them.

A few weeks ago, the department offered the County a contract for \$50,000 for fiscal year 2005. This amount included funding only for coordination and no funding for direct services. Last year the MCH program was funded at \$177,000, which included approximately \$87,200 for direct services. And according to County staff members who met with the department, the department verbally indicated direct service funding would be available at 90 percent of last year's funding. But we have not seen any of that in writing. At this time, no written documentation is substantiating that offer. So for this reason, the council today maintains that direct service funding is at great risk. That direct service funding includes the Promotora program at La Familia for \$46,000 a year, the teen health centers at both high schools for \$30,000 a year, and the temporary childcare assistance at the community college for \$11,000 a year.

Additionally, the \$50,000 contract we've been offered for coordination is also a funding reduction of almost \$24,000 from last year. That reduction looks like there will be no program evaluations for direct services if that comes through. We will be cutting the breastfeeding promotion program for the county. And that will be a reduction in coordination activities by over 300 hours.

The contract being offered to the County currently outlines some terms related to restructuring the council. And that includes reporting requirements from the Health Policy and Planning Commission to the Department of Health. These requirements were reviewed by the Commission at the last meeting and deemed unacceptable. At this time, the Commission recommended that the County reject that contract. They did have a meeting last week with the Department of Health, but we have not been advised as to the outcome of that meeting. As the negotiation process with the department continues, we struggle to maintain our programs and support for families.

Also, I understand at this meeting at this time of the year, MCH usually gives you an update on our membership. However, we did put that on hold, as we don't know if we exist through the end of September or not, or will exist through the end of the year. So we did not appoint any new members at this time. If we are able to continue on, we will come to you in the future and ask for appointments.

In conclusion, I would just like a moment to share some of my concerns and my hopes, as this may be the last time that the Maternal and Child Health Council is able to speak before the Board. We understand that every community faces budgetary challenges and must prioritize its financial commitments. We also believe that resources and services

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for families with young children are not negotiable. They are not subject to shifting political agendas, and they should not be subject to administrative mishandling. They are fundamental to the overall health and wellbeing of the community. This intention was aptly expressed in the Maternal and Child Health Plan Act Statute. If you improve the health of women and families, you improve the health of all New Mexicans. This was the intent that originally inspired the MCH Plan Act, and continues to inspire the legislators to fund it. We cannot afford to further compromise that intent by accepting reductions in its appropriated funding by questioning the worthiness of its targeted focus, or by failing to acknowledge the measurable impact it has on such a vulnerable and vital population.

Through this statute, we have the opportunity to work preventatively. At the beginning stages of life, where research has proven a return on the investment to be the greatest. This spring, Art Wolnick visited Santa Fe on behalf of the United Way, and he reported a 16 percent return on the dollar when spent on early childhood education and prevention. 16 percent on your investment on the dollar. I think any financial advisor would tell you to go for it. Every dollar we spend increasing the birth weight of infants, promoting healthy attachment in families, and encouraging breastfeeding, we theoretically save six dollars in the future for community resources.

Every day in our community, we are increasing our medical debts, our prison debts, and our rehabilitation debts. And that is not a good investment on our money spent. It saddens me and members of the Council that the health and wellbeing of families with young children in New Mexico and Santa Fe County is negotiable. I know that as I stand here today in essence begging for about \$120,000 to do some really good work, I know that today as New Mexico continually comes in at the bottom of the list for statistics regarding the health and wellbeing of children, I just want to say that we can't be surprised. And it will continue to happen unless we commit to change.

These are really complex issues, the issues of prevention versus intervention and post-vention. And they require complex systems to change. The Maternal and Child Health Council believes in the leadership of the Board of County Commissioners. We believe in your ability to influence financial priorities. Our role is to advise the County. And we request that all future budgets reflect on love of children and families. Please require that one dollar be committed to early childhood education, prevention, and intervention for every six dollars that you spend on adults' rehabilitation and justice.

As budgets grow tight, the community needs to grow larger. This is the right thing to do. Today's invocation reminded me of that, as it called upon you to be wise, to be righteous, and to be generous on behalf of families with young children. This is a legacy that we can all be proud of. Change starts locally, and that has been the brilliance of the Maternal and Child Health Council of Santa Fe. We have had over a decade of success to show ourselves. And we hope in the 11th hours that we will be able to continue to serve the county. Please commit to sustainable funding for issues regarding maternal and child health. Thank you.

COMMISSIONER ANAYA: Thank you, Kate. Are there any questions of

Kate? Kate, I want to thank you for coming forward with your presentation. We know you all are doing an excellent job, and we want to try to continue with that. But the state – and maybe I could get some help back there from Steve Shepherd or Robert Anaya – the state is asking us to put you under a category under the Health Policy and Planning Commission.

MS. REYNOLDS: That's correct.

COMMISSIONER ANAYA: And we need to follow the state's rules in order to get funding. So we know that this a very important issue, and we're not putting it aside. And we're trying to find other funding to put into that. But we've got to work together with the Health Policy and Planning Commission so that we can move forward. Steve, did you have any other comment on that?

STEVE SHEPHERD: Mr. Chair, Commissioners, I just wanted to update you. Late last week, it was Friday evening, we had a meeting with the Department of Health, two Health Planning Commissioners, and a member of the Maternal and Child Health Planning Council. The status of the contract right now is that some changes were made to the wording of the contract which seemed to satisfy all three parties involved. The amount of the contract is probably going to be \$50,000 for coordination and 90 percent of our service money. Direct service money to the committee is approximately \$78,000 and change. And I expect that's what's going to be delivered to me either today or tomorrow in draft form from the Department of Health.

COMMISSIONER MONTROYA: Mr. Chair.

COMMISSIONER ANAYA: Commissioner Montoya.

COMMISSIONER MONTROYA: Steve, 50,000 plus 78 – so it'll be about the same level as what it was last year?

MR. SHEPHERD: Well, last year it was – this fiscal year that's ending right now it was \$177,000 and a few pennies more. This year we'll expecting it to be about \$128, \$129,000 dollars.

COMMISSIONER MONTROYA: So about a \$50,000 decrease.

MR. SHEPHERD: Right. And I do expect, in the next fiscal year – they have been real up-front about not funding direct services next year through the County, through any of the counties for MCH direct services.

COMMISSIONER MONTROYA: So that \$78,000 may disappear?

MR. SHEPHERD: That's correct. They've stated that to us. In the long run, I don't know what'll happen. But I would agree with Kate that that's in jeopardy for the next fiscal year.

COMMISSIONER MONTROYA: These are the Department of Health's priorities?

MR. SHEPHERD: Correct.

COMMISSIONER MONTROYA: So is there anything that we can do?

MR. SHEPHERD: I think, Mr. Chair, Commissioners, working through the legislature at the next session is one option. But I also think sitting down with the

Department of Health and trying to find out exactly what their direction's going to be over the next year is real important. I think they're committed to some of the actions they're taking. And I think we ought to figure out how Santa Fe County can work with the Department of Health and still access funding from them.

COMMISSIONER MONTROYA: Okay. Thank you, Kate.

COMMISSIONER ANAYA: Okay, we're going to go on to presentations. Presentation recognizing Santa Fe County Employee of the Quarter.

COMMISSIONER DURAN: Mr. Chair. Excuse me. I just had two things. I had had a conversation with Liza Vitale about bringing forward the consideration of amending the water conservation ordinance. Do you know anything about that? Roman, do you know why that's not on the agenda?

MR. ABEYTA: Mr. Chair, Commissioner Duran, that item will be on the July 13th agenda for authorization to public title and general summary.

COMMISSIONER DURAN: Thank you very much. The other issue is for a considerable amount of time now we've been trying to get an RFP out to hire a hydrologist, an independent hydrologist, to complete a study for us on wells out in the County so that it will help us make a decision as to whether or not our goal to develop a system. And I'm not trying to say that this is a system that would not be faced in regional efforts, but we do need to move forward on this RFP so that we have some information available to us so that we can make some decisions as to whether or not we are going to pursue our own water system, a regional system. A system that's going to be based on groundwater availability. And I don't know why this thing keeps getting hung up, but my understanding in talking to the Utility Department is that it is still not out there. And I'm wondering, Gerald, if you have had any discussion with the Utility Department, what's the status of that, and when are we going to do something about this.

MR. GONZALEZ: Mr. Chair, Commissioner Duran, I actually had a discussion yesterday afternoon with our incoming utility director Diane Quarles, and she's already begun working on that. So that is finally back in motion. I'm not sure exactly what caused the delay. But we did have some discussion internally about perhaps the need to do a global review, and also, as kind of a separate piece, taking a look at just the Santa Fe Basin. But I know that Diane has begun looking at the language that we can incorporate into the RFP. And we will be bringing that back to the Commission. As I recall, the direction was also that you wanted to look at the scope of work language before the RFP actually was issued.

COMMISSIONER DURAN: Okay. Thank you. One other issue. I spoke to you yesterday about the County's desire to move forward on some affordable housing projects. And you were going to meet with Robert Anaya about that. Can you give us a little update about that?

MR. GONZALEZ: I passed on the information that you had to Robert Anaya. And he was going to try to visit with you. But Robert and I have had a number of

discussions about how to develop both land and housing inventory for the County. One of the things that we discussed was taking a look at the parcels that may end up being identified for other purposes as we look at the possibility of the consolidated County center or County facility. Because that process is taking a look at what parcels may be available in the region. But we've also looked at other possibilities. And Robert may have some additional thoughts to add.

COMMISSIONER DURAN: My thought on that is that maybe what we ought to do is have a special study session with the Commission so that we can really bring out some ideas that we have, whatever goals, whatever vision that the County has in their effort to provide affordable housing to the community. Because I think it's a big issue. And the more I delve into it, the more I become aware of the need for affordable housing at every level. So I just would like to start moving forward on that.

MR. GONZALEZ: I think that's an excellent idea. And we've got so many things brewing, I'm glad that there's been some talk about having a number of different special study sessions. And it seems to me that looking ahead for the next year period, going into the new fiscal year, that we're probably going to want to do more of that. One, to keep the Commission much better informed on what's going on internally in the County, and two, to get more specific direction, rather than just what we can do here in the Commission meetings with respect to special areas like housing and other areas.

COMMISSIONER DURAN: Well, we have 18 acre-feet out of our 500 allocated to us. And there was some direction given months ago that that 18 acre-feet of water was to be used towards affordable housing projects. And I just want to make sure that we keep that thought, hold that thought, and that as we move forward into the discussions of how the County might get involved in affordable housing that this 18 acre-feet that we have is part of the equation.

MR. GONZALEZ: Okay. I was going to ask Robert if he had anything to add to that.

ROBERT ANAYA (CHDD Director): Mr. Chair, Commissioner Duran, I would just add that the task force that was set up to do the RPA is finalizing their recommendations that are going to be brought forward now at the end of July. I think the beginning of August, actually, is when they're bringing those formal recommendations back. So it's very timely for us to have a study session at the pleasure of the Commission to not only talk about the 18 acre-feet of water, but also about development options that we have relative to our own affordable housing funds. And I stand ready to do that whenever the Commission desires.

COMMISSIONER DURAN: Okay. Thank you, Robert. Mr. Chair, the last item I have is I was wondering if you could - actually, Mr. Flores, do you think you could get the information on the St. Kate's property to our needs assessment individual at the company? I think that Judge Vigil - is that who it was, Steve, that spoke to you? Judge Vigil still has an interest in maybe doing something on that St. Kate's property. And

maybe that would work for a consolidated County facility.

MR. FLORES: Mr. Chair, Commissioner Duran, two and a half weeks ago when we had the preliminary meeting with them, we did identify that site as one of the players in the mix.

COMMISSIONER DURAN: Oh, good.

MR. FLORES: What we can do is I can call him right now and make sure they're going to include that in the final package, which is due tomorrow.

COMMISSIONER DURAN: Well, a real estate company called Grubb and Ellis has it listed and I heard about a month or two ago that it was actually going under contract. So you might want to find out if it's even available.

MR. FLORES: Okay, Mr. Chair, I'll follow through on that.

COMMISSIONER DURAN: And I think we would probably have to work with the state to get access from their property, rather than try to build a facility with access through the residential area.

MR. FLORES: Okay. I'll follow up.

COMMISSIONER DURAN: Thank you. Thank you, Mr. Chair.

COMMISSIONER ANAYA: Thank you, Commissioner Duran. That concludes the matters from the Commission.

IX. Presentations

A. Presentation recognizing Santa Fe County Employee of the Quarter for period of July 1st 2004 to September 30th, 2004

MR. ABEYTA: Thank you, Mr. Chair. Our employee of the quarter is Wayne Dalton. Wayne is responsible for reviewing complex development proposals for consideration by the Land Use Committee. He has been involved in reviewing development proposals that are subject to regulation for the Highway Corridor District, the Community College District, the Extraterritorial District, and many other ordinances. These responsibilities include accomplishing multiple deadlines per month and working with multiple communities per month in public hearings and addressing land use issues that affect the health, safety, and welfare of the general public. Mr. Chair, it is my honor to present Wayne Dalton as the County's Employee of the Quarter.

COMMISSIONER ANAYA: Wayne, congratulations and keep up the good work.

CHAIRMAN CAMPOS: Commissioner Anaya, where are we? We finished all matters from the Commission, presentations?

COMMISSIONER ANAYA: We're on presentation B.

CHAIRMAN CAMPOS: Did you do XII. B and XII. A. 5, the maternal and the two that you moved up?

COMMISSIONER ANAYA: Just A. 5.

CHAIRMAN CAMPOS: A5 has been done?

COMMISSIONER ANAYA: Yes.

CHAIRMAN CAMPOS: Okay. Do we want to break for lunch now?

COMMISSIONER ANAYA: Real quick, we have one more presentation and then XII. B.1 is moved up.

IX. B. Presentation for Review and Approval of the Correctional Advisory Committee Annual Report on the Santa Fe County Detention Center

GREG PARRISH (Corrections Department Director): Mr. Chair, you have before you the annual report of the Corrections Advisory Committee. And the Chairman, Steve Marvin is here to make a very brief presentation.

STEVE MARVIN: Commissioner Campos, Commissioners. I had to work very hard to get Mr. LaFarge to come in today. And we need to address some of the issues that he brought up. I'll try to give you – since you've got an eight page report in front of you, I don't want to either be an apologist for the contract, nor do I think that it's appropriate to flog them any further, because we have an ongoing negotiation, contract negotiations with them. So let's just talk about – try to give you a little snapshot of some of these.

First, at the adult facility we've had endless medical problems that are about to get better just simply because the sub-contractor has withdrawn from consideration. We have asked that they not be considered. We've been sitting in with the Department of Health Policy and Planning to talk about the involvement of more community providers. We've gotten the aid of the Department of Health itself to do an infectious disease screening.

It's difficult. There is only a jail, there isn't a detox facility in this town, there isn't a mental health ward. So everybody goes to jail. And sometimes they go to St. Vincent's Hospital first, and they're rejected and told to take them over to the jail. There's no reason that they can't be treated better in booking. Booking is one of the areas, booking and release, are one of the troubling areas.

But as far as medical goes, we know that – I think in our report we asked for a facility to become tobacco-free. And we've since heard from the new warden, Terry Dixon, that it will become tobacco-free on August 1st. And I think a couple of weeks before then the commissary is going to stop selling tobacco products so that people can start to wean themselves down, although it's not going to be easy.

Release times continue to be a problem. One of our committee members, Dr. Joe Gallagher, used to run the entire Pennsylvania prison system. And he's very familiar with the – there is no New Mexico case law about people being held hours longer than the judge sentenced them. So we put him together with Warden Dixon and Deputy Warden Osuna, and they're going to come up with some more reasonable times that we stick to. And I think that Mr. LaFarge is right. They need to be probably like eight o'clock in the

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morning, at noon, and at four o'clock. They are getting mixed messages from us because there have been incidents, at least one that I can remember, where the wrong person was released. There have been incidents time and time again where people were released without carrying their supply of medicines with them. And so we've instituted and asked that there be this sort of procession of stations of the cross, that they have to get signed out of medical, they have to get signed out of property. And that's why it's an imprecise science. They don't get released exactly at the time that they should be released.

Transportation. What can we say about transportation? Commissioner Anaya knows, spoke about a pedestrian automobile accident. We know we can't release these people at two o'clock in the morning when there's no light, there's no place for them to go. There are avenues being explored. It seems to me, as Commissioner Duran is talking about, that taking over, perhaps the County re-acquiring the facility – everything we do, I think ought to allow us an easier path to that. For example, rather than taking a competitor of PNA, who has been the medical supplier, maybe we can work within the County and the existing departments that we can have these things in place if that day comes. Maybe when it comes to transportation, rather than getting the buses or the cab companies or getting a sub-contractor through the jail contractor, maybe we could use some County vans and put in some driver protection and add a couple of County employees who when they're not driving can work for the newly formed Corrections Department, which is short-handed, needless to say.

But the people that work in this Corrections Department are very dedicated. And I heard Sheriff Solano referred and the undersheriff and the major. I think that you're on the right path. While it's true that these things still happen, you're to be complimented for creating this Corrections Department and getting Greg Parrish to run it. We're on the right road. I think you'll find that now that the County has taken over the Youth Development Program, I think you'll find that there's a lot less in the way of abuses that go on there. And my guess is that we'll need to take it over eventually ourselves. But I don't think if you asked Sheriff Solano or you asked Director Parrish if they wanted to take it over now before the new contract comes up, I don't think anybody's prepared to. I think that you have to crawl before you walk. And we're going in the right direction, taking over one of the facilities. And I think that there are improvements being made. With experience, I think there are issues that can be brought into the contract negotiations for the next period of time. At the youth development program there's progress being made everywhere since the County took over. In visitation, there are more family-friendly areas. There are going to be couches and chairs instead of these bolted to the ground octagonal tables and little seats that come up from them. Because there are families that come and visit.

Programming has been improved upon dramatically after Nesbit who's resident there is well-schooled. She's dedicated. She's got good models of treatment. She's got regularly scheduled reviews of progress of the individuals involved. They're getting assistance from Santa Fe Community College and Vo-Tech and Director Parrish is looking into the University of New Mexico Law School assistance.

We had concerns in our last report about the modality, how they were handling the inmates. Now they've instituted something called Safe Crisis Management. And we saw it in slow motion. We saw how it worked in slow motion, with three officers and one supposed inmate. And it works very well. It's humane, and it takes into account letting the inmate control the situation. If they escalate the situation then there will be an escalatory response. If they choose to de-escalate, then people back off them a little bit. And there's a lot of talking. So we're comfortable with that.

They have a different thing over at the adult facility but it's an incident management system as well that they have because these are adults and in there for very serious crimes, some of them. They use what they call a SORT team, a special operations response team, that you could liken to a SWAT team that comes in with shields if necessary. We are going to get to see Safe Crisis Management at full speed on July 21st. On July 22nd, we're going to be out at the adult facility looking at taking a pod and turning it into a mental health type ward. Or maybe turning it into a multi-purpose type pod so that we're just concerned with mixing, if we make it a multi-purpose pod we're concerned about mixing people who are just coming in from post-operative, let's say, with people who are having their mental health problems who are going to be loud and act out and these may have to be things that are off the premises and working with, having a meeting with Betty Cardenas and Larry Martinez and the people there involved in health in the county, Presbyterian Medical Services. I understand that there's something that's going to provide some more beds. I can't remember the name of the road was on but I see that the whole building is sort of being dedicated for that.

The CARE Connection is involved. While Mr. LaFarge is right, it's very difficult to coordinate this and especially at a for-profit facility where the turnover in staff which was part of our last report and is an ongoing problem here, it happens so quickly. Every study that you've seen about guards and prisoners, it doesn't matter who plays the guards and who plays the prisoners, whoever has the power abuses it. I think that at the Youth Development Program, when they're under the watchful eye of the County, and now they're County employees and they have these things as careers and not just fill-in jobs as some of the people at MTC probably do and things get better. They don't want to be thrown out. They don't want to lose their medical benefits. They don't want to lose their pension and they don't want to take chances. And people will talk about abuses that they witness by their fellow workers.

So where we have to go from here, I think that the things we need to do for the next, till we see you again is we need to coordinate and keep a close eye on the medical situations. We need to keep a close eye, we need to institute something in the way of transportation, and we are going to. We're just asking for somebody to get struck by a car on Highway 14. There's got to be some plan put into place. And as we all know, nothing happens without money so when you talk about the GRT, there's going to have to be - I picked up that there's a portion of it that's going for corrections and while I can't stand here and cite figures. I can't see you're going to get a 16 percent return on the dollar. I don't have any kind of figures like this, but we're going to approve the facilities and we're going to limit our liability and we're going to start treating people as they ought to be treated.

these abuses overseas. Going to jail is enough. The loss of your freedom is enough. To be then prey to a predatory system, either from other inmates or from the people guarding the facility itself is completely unacceptable. We've worked very hard doing this. I know that when Mr. LaFarge came on and talked about this, it just sounds ghastly. It sounds like no progress has been made, but it has. There has been progress made. And it continues to be made. And I can't say that we can work any harder at this. We're all volunteers and we're all meeting twice a month and now we had been doing one month for adult issues and one month for juvenile issues. These can't wait that long. So we're now changing it to every week, we're changing the focus and the priority.

You've got a Santa Fe Corrections Department, County Corrections Department that is going to do the right thing. And Sheriff Solano and Director Parrish are on the right road. I'm sure that you're going to come out of this contract negotiation better than we went in it. If you've read the report you'll see that we're critical of a lot of things and we have a lot on our plate, a lot to do. But there has been, in the two years that this has been working, a lot of progress made. And if you have any questions.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: Mr. Marvin, first of all, thank you for the work that you've done along with Greg and the other committee members. I know Mitch Busek is out there as well. Are there any other members of the committee?

MR. MARVIN: Annette Farrelly is here.

COMMISSIONER MONTOYA: Annette, thank you as well.

MR. MARVIN: From the Public Defenders Office.

COMMISSIONER MONTOYA: The questions that I have have to do with the tobacco - you're cutting out tobacco at the adult facility. Are there going to be some tobacco cessation people that are going to be working with the inmates?

MR. MARVIN: Yes. We asked Major Osuna at the very last meeting if they're going to have some programs and some people working on this because - I just saw myself quoted in the paper the other day when I said to Major Osuna, having been a heavy smoker for a long time, I said, I just hope you're prepared for the response to people coming in there. There are people going to be smoking two packs a day and they're going to say, No, no cigarettes. You're not getting any cigarettes, boys. And these are very stressful times. There are going to be hostile responses and people are going to have to watch themselves.

Somebody in one of the meetings said, It's jail; not Yale. It is difficult. I don't think if it was my facility I would put a clock in the booking area. I don't think I would. It would just give everybody in the booking area a chance to say, I've been here for a half an hour. I've been here for 45 minutes. I've been here for - There are people working as best they can. If they're humiliating people it's just completely unacceptable. If people are not getting their possessions back nor getting receipts for the them, it's completely unacceptable. And those are vis-à-vis areas that we need to stay on in terms of medical, booking and release and transportation. Those seem to be the big three to me.

Those seem to be the big three to me.

COMMISSIONER MONTOYA: My other question has to do with – so there will be smoking cessation.

MR. MARVIN: There will, sir.

COMMISSIONER MONTOYA: Classes, personnel. Because, yes, you're absolutely right. Irrate people who are quitting smoking are not real pleasant to deal with some time.

MR. MARVIN: The other thing, I don't mean to interrupt you, Commissioner Montoya, but the other thing we have to know is every time we do something good it has another consequence. In other words, we asked for all these forms and that delays releases. And we are making it tobacco-free and so we're making another contraband item. Cigarettes are going to be worth \$5 apiece before long. There's just nothing done without paying the price for it. Pay me now or pay me later I think Commissioner Sullivan said.

COMMISSIONER MONTOYA: Since we've taken over – when was it? January 28th we took over the Youth Development Facility. What's the turnover rate been since that time?

MR. MARVIN: I'd have to ask Director Parrish to respond to that.

MR. PARRISH: Chairman Campos, Commissioner Montoya, I don't have the exact figure but approximately about seven employees have left since we took over the facility in January.

COMMISSIONER MONTOYA: Seven out of how many?

MR. PARRISH: Sixty-plus.

COMMISSIONER MONTOYA: Sixty-plus. All right. Thank you, Mr. Chair.

CHAIRMAN CAMPOS: Other questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Anaya.

COMMISSIONER ANAYA: Steve, I want to thank you and your committee for all the hard work that you put volunteering your time. I know we're moving in the right direction and the issue that the gentleman brought up earlier, for example, answering the telephone. I know I've called down there and the phone rang and rang and rang and nobody picked it up. And that's an issue of mine too. And treating people with respect, I know that some people are out there that you don't want to treat them with respect but those people that work in that facility need to treat the people that come in to that facility. They know that they made a mistake, for example, a DWI, they're in there, they're embarrassed. They don't want to be treated bad. They want to go through the process and get this taken care of.

And I know that it's difficult sometimes when you have difficult people in there, but we have to continue as employees of the jail to treat people with respect.

MR. MARVIN: Commissioner Anaya, I understand completely. I myself have been a guest and it's demeaning and I understand about that. I want to just go back for one second –

COMMISSIONER ANAYA: Excuse me one second. Let me finish. Answering

that telephone is very important. I don't want to have an answering machine. I want to have a person that will get on that telephone right away and treat the public with respect. Their loved ones are in that jail and they need to know as soon as possible what is going on with the individual in that jail and we need to treat those people with respect. Thank you, Steve.

MR. MARVIN: I agree with you, Commissioner. I just want to know from what I've seen out there, there's an insufficient waiting area, there are people in there who have blood feuds waiting to see their own relatives. There's only one person on that telephone and it's a jail. And when something happens everybody runs to the hot spot and they let telephones ring and if somebody, if the warden needs to say something, or the major, the telephone rings. I understand there are just things that only get solved with more money. So that there are more - if it rings in booking, it rings at the front desk and it rings in somebody else's office who never leaves their office.

There are things, there are ways to fix it but I agree with you. They've got to be answered. People are freaked out that their loved ones have been picked up. I know there's got to be a better system. And I think that between Sheriff Solano and Director Parrish, the heat is really on the contractor to fix these things. Thank you.

CHAIRMAN CAMPOS: Any other questions, comments? Mr. Martin, thank you very much. Appreciate your time and all the work and I wish we could move along faster. We have a resource problem and we're going to try to remedy that soon..

MR. MARVIN: Thank you for your time.

CHAIRMAN CAMPOS: Thank you, sir.

XII. B. Fire Department

1. Resolution No. 2004-68. A Resolution Requesting Authorization to Donate Surplus Fire Equipment and Apparatus to Needy Fire Departments in New Mexico

HANK BLACKWELL (Fire Marshal): Mr. Chair, members of the Commission, this is something that we do periodically with surplus equipment that still has life in it and consequently, we actually put out the notice to many departments around our area in the state and tell them we have this available. They come up, if they're interested. They look at it and at that point in time they commit their letter of interest. That's what this resolution is about and as you can see there are several pages of apparatus that I think will be able to be donated that are surplus to us. To the three departments that expressed interest, one is White Oaks from Lincoln County.

Also as you can see, if you'll look at some of the other items, I think we have Rio Arriba County as well as San Miguel. And we appreciate your moving this up on the agenda. We have three members of the White Oaks Fire Department that have made the long trip up here from Ruidoso and this way at least they know what the outcome is and how to proceed once we finish with the paperwork. Then they can get home. So I'll stand

for questions.

CHAIRMAN CAMPOS: Any questions?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER ANAYA: I think this is very important. I know I was a volunteer for the Galisteo Fire Department and when we got a new, used piece of equipment we were very happy and excited and I'm glad to see that we did send out paperwork and people responded. Thank you.

COMMISSIONER SULLIVAN: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER SULLIVAN: Hank, could you introduce the gentlemen from White Oaks?

MR. BLACKWELL: Absolutely.

COMMISSIONER SULLIVAN: Anyone that comes all the way from Lincoln County to Santa Fe deserves at least to say Hi.

MR. BLACKWELL: Absolutely.

COMMISSIONER MONTOYA: And then we'll be breaking for lunch right after.

CURTIS BENSON: I'm Curtis Benson. I'm the current fire chief for the little community of White Oaks in Lincoln County. We have a real need for this. We have about 16 square miles of fire district out there, about 85 structures. Currently, we've got an old '72 model Ford with a 500 gallon per minute pump on it and I had to get an exemption from the Fire Marshal's office before we could use it because they require a 750 gpm. Our next truck is a 1959 AFD. It's a combination brush/structure truck. Anyway, these two units are the only thing that we currently own and anyway, we have more and more people trying to move into our district all the time. We can really put these units to good use and we will certainly appreciate it.

COMMISSIONER SULLIVAN: I had one question, Chief. And that was does the department have a position on the exhumation of the Billy the Kid remains? I just wondered if you had a position on the DNA testing of the Billy the Kid remains. You don't need to answer that. It seems like Lincoln County has been in the national news quite a bit lately.

CHIEF BENSON: Yes, we've had some pretty good fires up there lately. It's been real hectic for about the last month.

COMMISSIONER SULLIVAN: Mr. Chair, I'd move for approval if it's appropriate for a motion at this point?

CHAIRMAN CAMPOS: Any other discussion?

COMMISSIONER ANAYA: Second.

CHAIRMAN CAMPOS: Okay, there's a second. I have a question of Mr. Blackwell. How did you select the three counties?

MR. BLACKWELL: Mr. Chair, members of the Commission, what

happens is when we have surplus property and we do this actually through the Finance Department and it's actually monitored by the state for government excess property, we have a notification process that actually goes out to all of the departments in the state and we tell them we've got these pieces of equipment. If they're interested they need to submit a letter of interest for support. And we go through that whole notification and response process in these three organizations. These three entities are the ones that responded to this mailing, this publication this year. The only ones.

The motion to approve Resolution 2004-68 passed by unanimous [5-0] voice vote.

COMMISSIONER ANAYA: Thank you all for coming down.

X. Committee Resignations/Appointments/Reappointments
B. Request Re-Appointment of Correctional Advisory Committee Members for Another Term

MR. PARRISH: Mr. Chair, Commissioners, as you're aware, the Correction Advisory Committee was created by a resolution. We have seven members from different factors in the community. I think from the presentation you just saw they're a very passionate and involved group and they have all requested to be reappointed at this time. As you can see from the memo, there are staggered terms where several of them are for two years and then four of them are for one-year terms.

CHAIRMAN CAMPOS: Mr. Parrish, does the City appoint one or more members?

MR. PARRISH: Yes, the City appointed Mitch Busic.

CHAIRMAN CAMPOS: So Mitch, we're not going to appoint him, the City is going to.

MR. PARRISH: They recommend him and you appoint him.

CHAIRMAN CAMPOS: So he's been nominated.

MR. PARRISH: Yes. He's been recommended by the City.

CHAIRMAN CAMPOS: Okay. Is there a motion?

COMMISSIONER MONTOYA: So moved.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER ANAYA: Second.

The motion to reappoint the members of the Correctional Advisory Committee as recommended passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

XI. CONSENT CALENDAR

- A. Request Authorization to Enter into Amendment #3 for Professional Services Agreement #23-0029-HR for the Pre-Employment Offer Physical and Drug/Alcohol Screening for Santa Fe County (Administrative Services Department)**
- B. Request Authorization to Enter into Amendment #1 for Professional Services Agreement #24-0012-CL for Recording and Stenography Services for the Santa Fe Clerk's Office (Clerk's Office)**
- C. Request Authorization to Enter into Amendment #1 to Professional Services Agreement #24-0030-CL for the Document Imaging Project for Santa Fe County (Clerk's Office)**
- D. Resolution No. 2004 - A Resolution Requesting a Budget Increase to the General Fund (101)/Home for Good - El Norte Program for a Joint Powers Agreement with the New Mexico Department of Health for Expenditure in Fiscal Year 2005 (\$211,928) (Community Health & Development Department) [Isolated for discussion]**
- E. Resolution No. 2004-69, A Resolution Requesting an Increase to the General Fund (101)/Frost Foundation to Budget Prior Fiscal Year 2004 Cash Balance for Expenditure in Fiscal Year 2005 (\$3,749) (Community Health & Development Department)**
- F. Request Authorization to Enter into Amendment #5 to Professional Service Agreement #23-31-IN with Edith Powers for Coordination of the Maternal and Child Health Programs to Extend the Term of the Agreement until September 30, 2004 and Allocate Additional Compensation for Services (Community Health & Development Department)**
- G. Request Authorization to Enter into Amendment #5 to Professional Service Agreement #22-23-IN with Las Cumbres Learning Services, Inc. to Provide Santa Fe County with Parent-Infant Therapeutic Mental Health Services to Extend the Term for Another Year and Allocate Compensation (\$138,000) (Community Health & Development Department)**
- H. Request Authorization to Amend Professional Services Contract with The Life Link Training Institute to Include Additional Classes in Community Reinforcement Approach, Motivational Interviewing, and Community Reinforcement and Family Training, and to Increase Contractual Compensation (\$32,800) (Community Health & Development Department)
WITHDRAWN**
- I. Request Approval of Fiscal Year 2005 Memorandum of Understanding between Santa Fe County and Participating Entities of the Care Connection (Community Health & Development Department)**
- J. Request Approval of Fiscal Year 2005 DWI Grant Agreement #05-D-J-G-27 with the Department of Finance and Administration for \$20,000 (Community**

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- Health & Development Department) [Isolated for discussion]
- K.** Request Approval of Fiscal Year 2005 DWI Detox Grant Agreement #05-X-J-G-27 with the Department of Finance and Administration for \$300,000 (Community Health & Development Department) [Isolated for discussion]
- L.** Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-51 New or Used Mobile Health Care Van (\$142,310) (Community Health & Development Department)
- M.** Request Authorization to Enter into Amendment #4 for Professional Services Agreement #23-0036-DW with Millenium Treatment Services Inc., for DWI Outpatient Treatment Services (\$30,000) (Community Health & Development Department)
- N.** Request Authorization to Enter into Amendment #3 for Professional Services Agreement #23-0037-DW with Los Alamos Family Council, Inc., for DWI Outpatient Treatment Services (\$5,000) (Community Health & Development Department) WITHDRAWN
- O.** Request Authorization to Enter into Amendment #4 for Professional Services Agreement #23-0038-DW with the Life Link for DWI Outpatient Treatment Services (\$57,165) (Community Health & Development Department)
- P.** Request Authorization to Enter into Amendment #5 for Professional Services Agreement #23-0039-DW with Hoy Recovery Program, Inc., for DWI Outpatient Treatment Services (\$25,000) (Community Health & Development Department)
- Q.** Request Authorization to Enter into Amendment #4 for Professional Services Agreement #23-0057-DW with John Tourangeau, LISW to Provide Adolescent and Family Counseling Services for the Teen Court of Santa Fe County (\$7,933) (Community Health & Development Department)
- R.** Request Authorization to Enter into Memorandum of Understanding #25-0003-DW with the City of Santa Fe for DWI Clerical Services (\$19,788) (Community Health & Development Department)
- S.** Request Authorization to Enter into Memorandum of Understanding #25-0006-DW with the City of Santa Fe for DWI Compliance Monitoring Services (\$14,382) (Community Health & Development Department)
- T.** Request Authorization to Enter into Amendment #3 for Professional Services Agreement #22-0182-CHDD with the Santa Fe Boys and Girls Club (\$75,000) (Community Health & Development Department)
- U.** Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0059-IH with Heart Hospital of New Mexico for Hospital Healthcare Services (\$120,000) (Community Health & Development Department)
- V.** Request Authorization to Enter into Amendment #5 for Professional Services Agreement #22-0060-IH with Presbyterian Healthcare Services for Hospital

- Healthcare Services (\$50,000) (Community Health & Development Department)**
- W.** Request Authorization to Enter into Amendment #5 for Professional Services Agreement #22-0062-IH with University of New Mexico Health Sciences Center for Hospital Care Services (\$85,000) (Community Health & Development Department)
- X.** Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0063-IH with Ayudantes Incorporated for Alcohol and/or Substance Abuse Treatment Services (\$65,000) (Community Health & Development Department)
- Y.** Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0066-IH with Recovery of Alcoholics Program, Inc., for Alcohol and/or Substance Abuse Treatment Services (\$180,000) (Community Health & Development Department)
- Z.** Request Authorization to Enter into Amendment #7 for Professional Services Agreement #22-0067-IH with Rio Grande Alcoholism Treatment Program Incorporated for Alcohol and/or Substance Abuse Treatment Services (\$90,000) (Community Health & Development Department)
- AA.** Request Authorization to Enter into Amendment #5 for Professional Services Agreement #22-0068-IH with Una Ala Clinic for Alcohol and/or Substance Abuse Treatment Services (\$30,000) (Community Health & Development Department)
- BB.** Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0069-IH with Santa Fe Family Center, Inc., for Mental Health Treatment Services (\$12,000) (Community Health & Development Department)
- CC.** Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0071-IH with La Familia Medical Center for Healthcare Services (\$510,000) (Community Health & Development Department)
- DD.** Request Authorization to Enter into Amendment #7 for Professional Services Agreement #22-0075-IH with Women's Health Services for Healthcare Services (\$80,000) (Community Health & Development Department)
- EE.** Request Authorization to Enter into Amendment #3 for Professional Services Agreement #23-0178-IN with First Choice Community Healthcare/Mountain and Valley Regional Health Center for Healthcare Services (\$30,000) (Community Health & Development Department)
- FF.** Request Authorization to Enter into Amendment #6 with Millenium Treatment Services Inc. for Professional Services Agreement #22-0065-IH for Alcohol and/or Substance Abuse Treatment Services (15,000) (Community Health & Development Department)
- GG.** Request Authorization to Enter into Amendment #6 for Professional Services Agreement #22-0070-IH with Health Centers of Northern New Mexico for

- Healthcare Services (\$18,000) (Community Health & Development Department)
- HH. Request Authorization to Enter into Amendment #3 for Professional Services Agreement #22-0074-IH with Pecos Valley Medical Center Inc., for Healthcare and Ambulance Services (\$3,000) (Community Health & Development Department)
- II. Request Authorization to Enter into Amendment #1 for Food Service Agreement with Compass Group, USA Inc., for the Santa Fe County Youth Development Program (\$60,000) (Corrections Department)
- JJ. Request Authorization to Enter into Amendment #1 for Professional Services Agreement #24-0048-FI with Impressions Advertising for Lodger's Tax Advertising & Promotional Services for Santa Fe County (\$250,000) (Finance Department)
- KK. Request Approval of Professional Services Agreement with Presbyterian Healthcare Services, Espanola Hospital to Provide Ambulance Services in Northern Santa Fe County (\$10,000) (Fire Department) [Isolated for discussion]
- LL. Request Authorization to Enter into Amendment #1 for Professional Services Agreement #24-0013-FD with Emergency Medical Providers for the Medical Director Services for Santa Fe County Fire Department (\$22,500) (Fire Department)
- MM. Request Authorization to Enter into Amendment #2 for Professional Services Agreement #24-0050-FD with Ann Marie Wright for Database Entry and Other Related Services (\$10,000) (Fire Department)
- NN. Request Authorization to Enter into Professional Services Agreement #24-0181-CM with Pojoaque Valley Schools for Providing a Summer Recreational Program to the Youth of Santa Fe County (\$20,000) (Manager's Office)
WITHDRAWN
- OO. Request Authorization to Enter into Amendment #1 for Indefinite Quantity Price Agreement #23-0195-PFMD with C & C Distributors for Janitorial Supplies for Santa Fe County (Project & Facilities Management Department/Building Services)
- PP. Request Authorization to Enter into Amendment #4 for the Indefinite Quantity Recycling Processing and Marketing Price Agreement #23-0024-PW with Waste Management of New Mexico (Public Works Department)
- QQ. Request Authorization to Enter into Amendment #1 for the Local Government/Department of Transportation Railroad Crossing Cooperative Agreement #D10729 with the New Mexico Department of Transportation (NMDOT) for the Avenida Eldorado Railroad Crossing (\$3,786.06) (Public Works Department)
- RR. Request Approval and Execution of the 2004 Severance Tax Agreements for

- Various County Road Projects from the New Mexico Department of Transportation (NMDOT) (\$270,000) (Public Works Department)
- SS. Request Approval of Amendment #1 to the Severance Tax Agreement for Road Improvements to County Road 84-E and County Road 113-A from the New Mexico Department of Transportation (NMDOT) (\$71,000) (Public Works Department)
- TT. Request Approval of Amendment #1 to the Severance Tax Agreement #1 to the Severance Tax Agreement for Road Improvements to County Road 55-A from the New Mexico Department of Transportation (NMDOT) (\$50,000) (Public Works Department)
- UU. Request Approval of Amendment #2 to the Severance Tax Agreement for Road Improvements to County Road 8 from the New Mexico Department of Transportation (NMDOT) (\$100,000) (Public Works Department)
- VV. Request Approval of Amendment #1 to the Severance Tax Agreement for Stabilization and Bank Improvements to Camino Carlos Rael from the New Mexico Department of Transportation (NMDOT) (\$75,000) (Public Works Department)
- WW. Request Approval of Amendment #1 to the Severance Tax Agreement for Road Improvements to County Road 16 from the New Mexico Department of Transportation (NMDOT) (\$100,000) (Public Works Department)
- XX. Request Approval of Amendment #1 to the Memorandum of Agreement with the City of Santa Fe for Joint Sponsorship of the 2004 Household Hazardous Waste Drop Off Day (\$13,061.97) (Public Works Department)
- YY. Request Authorization to Accept and Award a Construction Agreement to the Lowest Responsive Bidder for IFB #24-52 for the Ground Water Monitoring Well at the Agua Fria Landfill (\$42,327) (Public Works Department)
- ZZ. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-42 Road Maintenance Buildings for Public Works Department (\$45,746) (Public Works Department)
- AAA. Request Authorization to Accept and Approve the Final Invoice to Wilson & Company for Construction Management Services for the Agua Fria Phase II Water, Sanitary Sewer, Drainage and Road Improvements Project (\$20,237.50) (Public Works Department)
- BBB. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-53 RB1 for Uniforms for the Sheriff's Office (Sheriff's Office)
- CCC. Request Authorization to Enter into Amendment #3 for the Professional Services Agreement #22-0038-SD with Adlerhurst International for Training of the Police Patrol K-9's from the Santa Fe County Sheriff's Office (Sheriff's Office)
- DDD. Request Authorization to Enter into a Contract with American Correctional

Association for Accreditation for the Santa Fe County Detention Facility (\$10,355) and the Santa Fe County Training School (\$10,355) (Corrections Department)

EEE. Request Authorization to Enter into Amendment #1 for the Professional Services Agreement #24-0011-CL with Professional Document Systems for Microfilming Services for the Santa Fe County Clerk's Office (Clerk's Office) LATE ITEM

FFF. Request Authorization to Accept and Award a Construction Agreement to the Lowest Responsive Bidder for IFB #24-58 for the Removal/Installation of Storage Room Doors and Close Line Units for the Housing Services Division Sites (\$34,163.67) (Community Health & Development Department) LATE ITEM

COMMISSIONER SULLIVAN: Mr. Chair, move to approve the Consent Calendar with the exception of items D, J, K and KK.

COMMISSIONER MONTOYA: Second.

The motion to approve the Consent Calendar with the exception of H, N, and NN (withdrawn) and D, J, K and KK (isolated for further discussion), passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

CHAIRMAN CAMPOS: All these items, have they been put into other places or do we want to discuss them right now?

COMMISSIONER SULLIVAN: Mr. Chair, they have not been put into other places with the exception of one pertains to an item as best I can tell is still on the agenda, which is XII. A. 3. Request authorization to establish two new 1.0 FTE program specialists for Home for Good.

CHAIRMAN CAMPOS: Should we just go through them then?

COMMISSIONER SULLIVAN: Yes. That's fine.

XI. D. Resolution No. 2004-___. A Resolution Requesting a Budget Increase to the General Fund (101)/Home for Good – El Norte Program for a Joint Powers Agreement with the New Mexico Department of Health for Expenditure in Fiscal Year 2005 (\$211,928) (Community Health & Development Department)

COMMISSIONER SULLIVAN: Mr. Chair, I brought forward this one and perhaps Mr. Shepherd could explain what's being requested here. And there were no packet items on item XII. A. 3, so could you give us some explanation of what we're being asked to do here.

STEVE SHEPHERD (Health Department Director): Mr. Chair,

Commissioners, this item should have been withdrawn and that's our error. It should have been withdrawn with the contract, which is item XII. A. 4 and it was just an error that it wasn't.

CHAIRMAN CAMPOS: XI. D should be withdrawn?

MR. SHEPHERD: XI. D. should be withdrawn. And it will come back at the next administrative meeting.

COMMISSIONER SULLIVAN: So that will come back at the next meeting. And I was confused and hopefully when you bring it back you can delineate a little better about the in-facility programs and the out of facility programs and that would be a help to understand because I understand Home for Good did not allow out of facility funds or we weren't approved out of facility. I just want to get an update on that when it comes back.

MR. SHEPHERD: Mr. Chair, Commissioner Sullivan, we will.

CHAIRMAN CAMPOS: Do we need a motion on XI. D to withdrawal at this point?

COMMISSIONER SULLIVAN: Move item XI. D. for withdrawal.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER ANAYA: Second.

The motion to withdraw item XI. D passed by unanimous [5-0] voice vote.

- XI. J. Request Approval of Fiscal Year 2005 DWI Grant Agreement #05-D-J-G-27 with the Department of Finance and Administration for \$20,000 (Community Health & Development Department)**
- K. Request Approval of Fiscal Year 2005 DWI Detox Grant Agreement #05-X-J-G-27 with the Department of Finance and Administration for \$300,000 (Community Health & Development Department)**

COMMISSIONER SULLIVAN: Let me just throw out some of my questions and you can answer them in your explanation. In the second one, I had - well, in both instances I had questions about who is going to do this work. And then secondly, on the \$300,000 grant I had a question about what's the \$100,000 capital outlay proposed to be for. And in both, in the first one, I had questions about there was only \$20,000 and the scope of work seemed to be very aggressive. It seemed to include screening, outpatient jail-based treatment and compliance monitoring, tracking, all for \$20,000 and then could you respond also to the part of the scope where it says that the outpatient treatment program is a fee-structure requiring offenders to order insurance to pay for the cost of the treatment.

And then my last question was how does the \$20,000 program, what's the difference between it and the \$300,000 one? How do those two work together.

DAVID SIMS (DWI Coordinator): Mr. Chair, Commissioner Sullivan, I'll

try to remember all those questions.

COMMISSIONER SULLIVAN: If you don't I'll remind you.

MR. SIMS: First of all, the application for the funding for the first contract, the \$20,000 was presented to the Department of Finance and Administration for funding in the same, exact application as our distribution funding, which is around \$700,000 for FY05. And we actually applied for \$43,000 in the grant and were awarded this \$20,000. So the reason that it is a small amount but has a large scope of work is that it's done in tandem with the distribution funding.

And essentially what this \$20,000 will do will be a portion of one of our treatment contracts for FY05. I had some of the same questions you raised when I got this contract. When we get the distribution we actually don't have a contract with DFA because it's awarded not at a specific amount but it's awarded as the tax revenues are collected on the sale of alcohol throughout the year and are distributed to all of the counties based on the formula. So we technically don't have our contract, so this is a new item for me as well in terms of this because we got awarded a grant in addition to the distribution and we got the contract.

But the short answer is that all of this \$20,000 will be used for treatment and in order for us to receive that money then we have to agree to the other standards for the other parts of our programs which we are doing.

COMMISSIONER SULLIVAN: Let me just stop you a second. One of the - in the \$300,000 grant it says that it's to provide monetary support to expand the number of pods at the detention center, the adult facility, to provide treatment to alcohol abusers while in custody. Are we - I thought we weren't providing any alcohol abuse treatment at the facility at this point.

MR. SIMS: One of the things we wanted to do was to give us as broad a - some of that verbiage is from previous contracts for this \$300,000 and keep in mind that the \$300,000 contract is for money that's legislatively allocated at that funding level, out of the excise tax on alcohol. And the actually application that we've submitted for this year did include some capital money that you alluded to earlier as well as operational money.

One of the things that has been - we again applied for the funding in several different categories recognizing from day one that we would need to adjust those funding levels as the CARE Connection develops and as those programs are actually implemented. It's our anticipation at this point for FY05 that the \$300,000 will, the funding for FY05 will actually be used in part to pay for the program manager for the CARE Connection and then capital and/or operational funding for the CARE Connection in FY05. And we'll make those appropriate adjustments as we know more detail about that with DFA to make sure that the funding is in the right category so it can be spent as decided on by the County Commission, the CARE Connection, the Health Policy and Planning Commission and others that are involved in that process.

COMMISSIONER SULLIVAN: Do we do alcohol treatment in the jail now?

MR. SIMS: Not specifically with this funding. In the past we have used some of this funding for that when we had the Wings to Freedom program in the detention center and had a pod that was specifically for substance abuse treatment. We did at that time use it for – we provided support materials. We provided curriculum. We provided AA books and other materials for use in the detention center that are still being used, actually. As far as I know they are still at the detention center.

COMMISSIONER SULLIVAN: So we will not be providing, at least under this grant, an alcohol abuse program. The only place we'll be doing that will be under Home for Good. Is that right?

MR. SIMS: Mr. Chair, Commissioner Sullivan, I think you're probably on target with that. A lot of things are still up in the air as far as the exact details of how things could be done in terms of the CARE Connection and how that's going to relate and interact with the detention center even as we heard in earlier discussions today.

COMMISSIONER SULLIVAN: And what were the \$100,000 capital improvements for?

MR. SIMS: At this point, Mr. Chair, Commissioner Sullivan, the exact details of that is not known. It's possible that we would use that funding for either construction or renovation to provide for the detox portion of the CARE Connection, that is phase 2 of the CARE Connection.

COMMISSIONER SULLIVAN: Okay, so that's good if we can do that. So to summarize, what I'm seeing here is that neither of these grants is doing anything at the jail that's going to be involved with the CARE Connection and the programs you're dealing with under the state appropriation. Or is there anything under these two scopes of work that will be involved in prisoner treatment?

MR. SIMS: Mr. Chair, Commissioner Sullivan, not specifically. No, sir.

COMMISSIONER SULLIVAN: Okay. I'm sorry. I didn't mean to cut your presentation if you had something else you wanted to say. I just wanted to ask those questions while they were in front of my mind.

MR. SIMS: If you have any other specific questions I'd be glad to answer them.

COMMISSIONER SULLIVAN: Those are the questions I had, Mr. Chair.

CHAIRMAN CAMPOS: Any other questions? Okay, is there a motion on J and K?

COMMISSIONER ANAYA: So moved.

COMMISSIONER MONTOYA: Second.

CHAIRMAN CAMPOS: To approve J and K. Discussion?

The motion to approve Consent Calendar items J and K passed by unanimous [5-0] voice vote.

XI. KK. Request Approval of Professional Services Agreement with Presbyterian Healthcare Services, Espanola Hospital to Provide Ambulance Services in Northern Santa Fe County (\$10,000) (Fire Department)

COMMISSIONER SULLIVAN: Mr. Chair, this was one that Commissioner Montoya was working on and I just thought perhaps he could, since there wasn't a staff report, perhaps he could update us on what had finally been agreed to. No? Okay, I think Chief Blackwell can.

MR. BLACKWELL: Mr. Chair, members of the Commission, this is a renewal of an agreement we have with Española Valley ambulance which is run by the hospital in Española. And it goes further than the compensation amount in there, which I think is much more realistic than it has been in the past in terms of a much more appropriate sum than it used to be. I think it used to be more.

What the resolution also does is it totally identifies those areas where if there's a disagreement we can count on Española ambulance to respond to our medical calls in northern Santa Fe County. That helps us because both Chimayo and La Puebla fire districts do not have any ambulance service. Some of our fire districts do and then of course we have regional advanced life-support ambulances. What this does is it helps ensure rapid response and medical coverage for those areas that border southern Rio Arriba and northern Santa Fe County. So this is a reiteration of that response district to make sure we always have a rapid response to provide the necessary service to the folks in northern Santa Fe County.

COMMISSIONER SULLIVAN: And you have your problems worked out with regard to the delineation of the districts. That meets your criteria now.

MR. BLACKWELL: Yes, sir, it does.

COMMISSIONER SULLIVAN: That's all the questions I had, Mr. Chair.

CHAIRMAN CAMPOS: A question. This Española hospital does provide ambulance service to areas that we don't cover, right?

MR. BLACKWELL: Mr. Chair, that's correct.

CHAIRMAN CAMPOS: And they bill whoever uses the services.

MR. BLACKWELL: Mr. Chair, that's correct.

CHAIRMAN CAMPOS: And if they can't afford money and they go to the Indigent Fund then the Indigent Fund pays for those services.

MR. BLACKWELL: Mr. Chair, that's correct. The fund will pay for some of those services. I can use our ambulance service as a comparison. Your collection rate, number one, is never 100 percent. So your cost of doing business and providing emergency medical services is always much higher than your income, than your revenues. So that's one of the problems with emergency medical services because in many cases we may not be able to collect those funds due to billing, due to Medicare, Medicaid requirements and some of the HIPAA requirements that we have now.

So this again is a way for the ambulance service to actually move out of their

district with the approval of Santa Fe County and the state of New Mexico to make sure that we have a rapid response. For some of those areas it would take quite a bit longer for our northern region personnel to get there.

CHAIRMAN CAMPOS: So how did you calculate the \$10,000?

MR. BLACKWELL: Mr. Chair, I can't answer that question.

CHAIRMAN CAMPOS: Pulled it out of the air?

MR. BLACKWELL: No, no.

COMMISSIONER MONTOYA: That has been the amount that has been previously -

CHAIRMAN CAMPOS: I understand that. But I don't know what the basis for the -

COMMISSIONER MONTOYA: Well, in meeting with the hospital staff, they actually, about three years ago at the request of Commissioner Trujillo, itemized what it would actually cost in terms of if we were to contract with them. It would be about \$27,000.

CHAIRMAN CAMPOS: If we were to contract.

COMMISSIONER MONTOYA: Yes, if we were to pay for that service as opposed to the set amount that has been in place I guess for about ten, twelve years. Previous to -what was it? 1999, when we stopped -

MR. BLACKWELL: Mr. Chair, Commissioner Montoya, I believe that was '98 that that happened. What they did was look at their cost, their response, their mileage, the time of their response, the number of their responses and that's how this has been computed. Why I say in terms of the fact that this is a fairly realistic amount is the call volume is increasing substantially, both for Santa Fe County and for that area of our county, so it's increasing for Española Valley as well. Consequently, the increased call volume, versus the fact that this cost is remaining the same actually means that we're getting a better service for the cost because of the increase in calls.

COMMISSIONER MONTOYA: Right.

CHAIRMAN CAMPOS: Okay, but there are billings? There are insurance companies. There is the Indigent Fund and you're saying this shouldn't be included in the billing pricing structure. This should just be kind of lumped out somehow.

MR. BLACKWELL: Mr. Chair, I think part of this - it's an agreement with this compensation ensures that Española Valley with this agreement will respond into the county, into these areas and make them part of their response area, which without this agreement is not in their service area. So that's one of the things it does as well. It actually expands their service area.

CHAIRMAN CAMPOS: They have been responding?

MR. BLACKWELL: Yes, sir. Under this agreement.

CHAIRMAN CAMPOS: This is continuing the same.

MR. BLACKWELL: Yes, sir.

CHAIRMAN CAMPOS: Okay, is there a motion?

COMMISSIONER ANAYA: So moved.
COMMISSIONER MONTOYA: Second.
CHAIRMAN CAMPOS: Moved and seconded.

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

[The Commission recessed from 12:45 to 2:00.]

XII. Staff and Elected Officials' Items

A. Community Health & Development Department

1. Request Approval of FY 2004 Amendment to Memorandum Of Agreement between St. Vincent Hospital and Santa Fe County

MR. SHEPHERD: Mr. Chair, Commissioners, I have got the fiscal year 2004 amendment to the MOA with St. Vincent Hospital. This runs through September 20, 2004. The 2005 amendment runs from October 1, 2004 through September 30, 2005. I'll just go through them one at a time. The major difference in the MOA, other than some language changes and restatements are that the amendment to the MOA adds \$750,000 to the total amount of the contract of which that money will be targeted towards indigent care funding and medical care for residents in custody.

I'd stand for any questions.

CHAIRMAN CAMPOS: Ms. Shepherd, when you say it increases by \$750,000, does that mean that the County adds \$750,000 to the pot?

MR. SHEPHERD: No, that means that St. Vincent Hospital will dedicate \$750,000 to community projects.

CHAIRMAN CAMPOS: Okay. Any other questions?

COMMISSIONER MONTOYA: Mr. Chair, Steve, could you just refresh my memory? What was it that we were - was that about what we were negotiating at in terms of what you all were requesting?

MR. SHEPHERD: Mr. Chair, Commissioner, I'm not sure.

COMMISSIONER MONTOYA: Okay, when we were negotiating this piece of the contract with them we had a set amount that ideally we would receive. Is that what that amount is?

MR. SHEPHERD: It's a little lower than what we asked for but I think we did very well.

COMMISSIONER MONTOYA: A little lower than what we asked for?

MR. SHEPHERD: Yes, I think we asked for somewhere around a million dollars.

COMMISSIONER MONTOYA: Okay, that's what I thought. Mr. Chair, move for approval.

COMMISSIONER ANAYA: Second.
CHAIRMAN CAMPOS: Any discussion?

The motion to approve the amendment to the FY04 MOA with St. Vincent's passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

XII. A. 2. Request Approval of FY 2005 Memorandum Of Agreement between St. Vincent Hospital and Santa Fe County

MR. SHEPHERD: Mr. Chair, Commissioners, this is almost the identical document for next fiscal year with the exception that \$200,000 is added to the clinic healthcare support item which will be used to support clinics and programs within the County. It will be added to the existing \$425,000.

CHAIRMAN CAMPOS: Any questions?

COMMISSIONER ANAYA: Move for approval.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER SULLIVAN: Second.

CHAIRMAN CAMPOS: Okay. Discussion?

The motion to approve the FY 05 MOA with St. Vincent Hospital passed by unanimous [5-0] voice vote.

XII. A. 3. Request Authorization to Establish Two New 1.0 FTE Program Specialists for the Home for Good Project

LINDA DUTCHER (Community Health Department): Mr. Chair, Commissioners, as Commissioner Sullivan noted earlier, the Home for Good Project funded by the Department of Education allows us to work with prisoners while they're in the County jail. We are at the moment negotiating a contract for a new award from the Behavioral Health Services Department of the New Mexico Department of Health, which would allow us to continue work with the families and with the prisoners when they're out of the jail.

So that is not quite yet ready, which is why we pulled those two items from the agenda. But we do have money in the Home for Good Project from the Department of Education to go ahead and move towards hiring two new positions, which can then be transferred over to the El Norte Project. It would be very helpful if we could do that at this time to get them started and get them trained and get them underway and that's why we're making this request.

CHAIRMAN CAMPOS: Any questions?

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COMMISSIONER ANAYA: Move for approval.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER DURAN: Second.

CHAIRMAN CAMPOS: Any discussion?

COMMISSIONER SULLIVAN: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER SULLIVAN: Linda, it's my understanding that these individuals would only be from the northern part of Santa Fe County. What about the rest of Santa Fe County?

DR. DUTCHER: The grant from the Department of Health, the New Mexico Behavioral Health Services Department would be for persons who are going to be returning to reside either in Santa Fe County north of the city limits or in the lower part of Rio Arriba County. However, if those people, once we begin working with them, do move back down into here or to some other part of the county, the program manager has agreed that we can continue to work with them so we won't be abandoning them.

COMMISSIONER SULLIVAN: The first- there seem to be two paragraphs in your memo and the first one talks about inmates returning to Santa Fe County.

DR. DUTCHER: Right. That's the Department of Education federal money.

COMMISSIONER SULLIVAN: And that's the one that's been withdrawn?

DR. DUTCHER: No, it's the one we already have that we entered into last October.

COMMISSIONER SULLIVAN: Okay, so we're providing those services now?

DR. DUTCHER: We just finished an RFP for a therapist for those services. We haven't yet contracted with them. We've provided community training under that contract, under that grant already.

COMMISSIONER SULLIVAN: And then what's the difference between that - because Santa Fe County obviously includes northern Santa Fe County.

DR. DUTCHER: Yes.

COMMISSIONER SULLIVAN: What's the difference between that and what you're proposing to do now?

DR. DUTCHER: Well, the second pot of money, which is what will be coming from the New Mexico Department of Health has this geographic limitation on it. The bad news is, from my point of view as a director and trying to provide services, is that it's limited to persons just living north of the city or down in southern Rio Arriba. But the good news is it lets us work with the families. So the Department of Education money could be used to begin working with people while they're in the jail and then we could move if they are in this geographical area over to the New Mexico money, thereby enriching the program.

COMMISSIONER SULLIVAN: Okay, so the Department of Education

money, which you're just bringing out an RFP for now, is only for treatment and reintegration services to inmates and that's while they're in jail, right?

DR. DUTCHER: Right. We can work with the inmates while they're in jail and we can do a little bit of follow up with them but we can't work with their families with that money.

COMMISSIONER SULLIVAN: So then the Department of Health money for some reason allows you to work with family members and inmates outside the jail. Is that correct?

DR. DUTCHER: Correct.

COMMISSIONER SULLIVAN: But only north of Santa Fe and lower Rio Arriba County.

DR. DUTCHER: Correct.

COMMISSIONER SULLIVAN: Okay. So the obvious third question is then what about the rest of Santa Fe County and why can't we work with families and inmates after they've been released from jail in the rest of Santa Fe County?

DR. DUTCHER: Because we don't have any money yet that will allow us to.

COMMISSIONER SULLIVAN: Because we don't have a grant, because of the paperwork.

COMMISSIONER MONTROYA: I'll attempt to answer that as well. The funding that this is coming from is a special allocation from the governor's office, administered through the Department of Health. It's a one-time funding and the parameters that we set by the governor's office are exactly what's being described here. That's the reason. The scope is very limited in terms of the catchment area to be covered.

COMMISSIONER SULLIVAN: And this is going to be a one-term FTE for two people?

DR. DUTCHER: Two people, but they're both term positions, limited by the funding.

COMMISSIONER SULLIVAN: And so what if anything is being done to try to provide similar services to the rest of the county?

DR. DUTCHER: Well, we did just submit the grant to the Center for Substance Abuse Treatment, which would be making available services to families as well as to the inmates, regardless of the geographic. That one would be restricted by the age of the inmates. I'm sorry it's such a hodge-podge but I don't have control over the funding parameters.

COMMISSIONER SULLIVAN: And in terms of the program you're doing now, the Department of Ed. program, is that substance abuse training?

DR. DUTCHER: Substance abuse treatment, yes.

COMMISSIONER SULLIVAN: So it would be DWI, drug, any substance abuse?

DR. DUTCHER: We will probably not be working with folks using

injectable drugs. Our treatment providers, first of all are not necessarily licensed or well-versed in that, and the other thing is that by far the majority of persons in trouble are not using injectable, they're using alcohol. They're using marijuana.

COMMISSIONER SULLIVAN: Okay, so once you get a response back from this RFP then we will finally start to have a program in the jail, addressing DWI and marijuana issues.

DR. DUTCHER: Yes.

COMMISSIONER SULLIVAN: And we'll have half of a program. Or we'll have a whole program and half the area for follow-up outside the jail.

DR. DUTCHER: That's a good description.

COMMISSIONER SULLIVAN: Well, we're making progress. I think I understand now.

DR. DUTCHER: Poco a poco.

COMMISSIONER SULLIVAN: Hopefully we can continue to battle the bureaucracy and get funds that serve the whole county. Thank you.

CHAIRMAN CAMPOS: Any other questions?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: This is the funding from the governor's allocation, correct?

DR. DUTCHER: Mr. Chair, Commissioner Montoya, the FTE positions that we're asking to establish would be paid initially out of our current federal funding because we've got that in hand, but as soon as the governor's funding comes through it's switched over to that, yes.

COMMISSIONER MONTOYA: Okay, so then it's a one-year term is what we're looking at.

DR. DUTCHER: Correct. Two one-year terms.

COMMISSIONER MONTOYA: Was there thought to maybe contracting these individuals as opposed to them becoming FTEs?

DR. DUTCHER: Well, I did give thought to that. I think there are various reasons why it would be more useful to have them be County employees. One is the level of supervision that can be exercised. As you know, contractors cannot truly be supervised. We will be contracting quite a few other services, including the family training for example.

COMMISSIONER MONTOYA: Well, I think if you include it as a part of scope of work and responsibilities contractually, they can be required to be there for supervision. I don't see why not. And I guess the only question that I have is that we're going to probably take a couple months at least to hire somebody and then they have until, what? June 30th?

DR. DUTCHER: June 30, 2005 for this particular money, assuming the governor does not renew it in anyway.

there's going to be any other additional funding. That was just a question that I had in terms of bringing someone on for a short period and then having to lay them off after a year's period.

DR. DUTCHER: Well, that is a concern. We are of course continuing to seek other funding and hope they would be able to be maintained. With all considerations, I believe that we'll be able to do a better job of providing these particular services through employees and the other ones through contractors.

COMMISSIONER MONTOYA: Okay.

CHAIRMAN CAMPOS: Is that it? Any other questions? Is there a motion to authorize the adoption -

COMMISSIONER ANAYA: So moved.

CHAIRMAN CAMPOS: Second?

COMMISSIONER MONTOYA: Second.

CHAIRMAN CAMPOS: Discussion?

The motion to authorize two new FTEs passed by unanimous [4-0] voice vote.
[Commissioner Duran was not present for this action.]

XII. B. 2. Resolution No. 2004-70. A Resolution Adopting the Santa Fe County Fire Department 5-Year Strategic Development and Improvement Plan

MR. BLACKWELL: Mr. Chair, members of the Commission, since the adoption of Santa Fe County Ordinance 1997-11 which consolidated all of our fire districts into one fire department we have made I think some remarkable gains. We actually presented a five-year plan to this Commission almost six years ago that was approved that became the blueprint for our improvement plan, our consolidation, our capital improvement plan, our regionalization, on and on and on. And if you look at the five-year plan, obviously a list of some of our primary accomplishments, which I think is about six pages long, is listed there.

But again, this was a blueprint that enabled great strides for us to provide to the citizens and the visitors here in Santa Fe County. We're now before you with our second five-year strategic and improvement plan for your approval, because this again becomes the blueprint for all of us in the fire department from fire administration to all of our fire districts to follow.

With that, I would like to - there are obviously many of our volunteers, over 400. Most of them could not be here today because of their real jobs, if you will, but fortunately we have a number of our personnel here today. We have several of our fire district chiefs. We have our assistant chief for media relations, John Wheeler. We have our vice president of the chiefs association, Jed Dean, district chief Charlie Velarde and district chief from Tesuque - Charlie's from La Cienega as you know, Scott Hicks, and also our district chief from Pojoaque, Marty Malcy. And they're here to support this and so I think they have a brief statement to read

Marty Maley. And they're here to support this and so I think they have a brief statement to read to you and then we'll stand for questions and comments for this which we think is a very important document. Thank you.

CHAIRMAN CAMPOS: How much time do you think this will take?

MR. BLACKWELL: I would imagine we'll be through with this statement in a matter of minutes, Commissioner, and then we'll stand for questions.

CHAIRMAN CAMPOS: Thank you.

JED DEAN: Mr. Chair and Commissioners, my name is Jed Dean. I'm the chief of the Hondo Fire District and the vice president of the Santa Fe County Chiefs Association. I'd like to make a brief statement on behalf of the Chief's Association and the members of the 15 fire districts in support of the Santa Fe County Fire Department five-year plan document that you're now considering.

I'd like to thank the Board of County Commissioners for their support in the past. The Chief's Association pre-dates the creation of the Santa Fe County Fire Department and in those early years you always supported us. Since the creation of the Santa Fe County Fire Department more than five years ago, your support has continued to be very important. As the department grows in the future, to meet emergency services needs of the residents of Santa Fe County your continued support will be critical. I'm here as a representative of more than 40 full-time, paid department personnel and over 440 Santa Fe County volunteer district members to pass along our thanks for your help and your considerations going forward.

Each and every one of us knows how important you are to the work we do. The second five-year plan document, as Hank said, contains a list of accomplishments that's been achieved by the department over the last five years and we're very proud of that list. The list begins on page 9 of my draft. I don't know if it's been updated in your final draft and I'm certainly not going to go through the entire list. But I would like to highlight a few of the achievements so that you, the Commission, can relate to your constituents some of the broad, positive changes you have helped to bring about through your support to the fire department.

ISO ratings were improved for Galisteo, La Cienega, Edgewood, Turquoise Trail, Glorieta, Hondo, La Puebla, Pojoaque, Stanley and Tesuque. These rating improvements created thousands of dollars in savings for Santa Fe County residents through lower insurance costs. We have standardized some of our apparatus and equipment that is used in the county. This has created savings in maintenance and in the purchasing process. More importantly, the standardized training and equipment we now have in place allows us to work with each other more efficiently when we have large incidents anywhere in the county.

We've reduced the average age of the fire-fighting apparatus in our fleet and we can now respond more quickly, more safely, we have more tools and more technology than ever before. And the last thing I'll highlight is that we have created and trained and equipped the wildland team with capabilities second to no department in the state. We are better prepared to deal with wildland incident in our home county than ever before. Parts of our team are frequently requested statewide when large fires occur.

In the plan you can see the other specific accomplishments. They are the result of a lot

of hard work, careful thought and thorough planning. But most important they are the result of the support that we've had from this Commission and the citizens of Santa Fe County. We think that you are getting a terrific deal and there are two main reasons we think so. Our budget is not funded by the County general fund. On page 94, you'll see the sources of revenue for our department. Your continued support of the fire department does not jeopardize funding from any other County functions or departments.

The second reason we think you're getting a terrific deal is because we operate with a very strong volunteer group that cannot be replaced. The reason that you do not see a large number of volunteers in uniform here today is because they're at work right now, or they're at home in the districts protecting the areas they live in. Those members spend many hours each month in meetings, in trainings, maintaining equipment and responding to emergencies. Like most of the United States, Santa Fe County relies on volunteers. Ninety percent of the fire department members in Santa Fe County are volunteers.

You know that we cannot afford to fund a fire department as large as Santa Fe County. If we were to replace the resources provided by our volunteers we estimate personnel costs of \$6.3 million a year. Looking to the future we see several issues that this Commission and this department will need to address in order to continue to provide excellent emergency services to the citizens of Santa Fe County. We face a dwindling number of volunteers due to inadequate incentives for district volunteers and we hope to address this in the near future with a recruitment and retention plan for our county volunteers.

Additionally, some of our funding sources, such as impact fees can be jeopardized. They are subject to periodic review and approval by this body. They are a key element for the success of our five-year plan. The fire department is counting on your continued support. The first five-year plan was a great success, thanks to the support of the previous Commission. We urge you to adopt our new five-year plan so we can continue the high level of emergency services the Santa Fe County residents have come to expect and to deserve. Thank you, Mr. Chair and Commission for your time and dedication to the residents of Santa Fe County. We stand for questions.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: I guess, I first of all would like to thank you all, all the volunteers. The only question that I have is just regarding the actual resolution, line 11 on page 1 and line 17 on page 2, which refer to the Board of Bar Commissioners.

COMMISSIONER SULLIVAN: I kind of like that.

COMMISSIONER MONTOYA: That's a typo, right?

MR. BLACKWELL: Mr. Chair, Commissioner Montoya, yes, sir. I apologize.

COMMISSIONER MONTOYA: Because I'm still learning all the acronyms

and -

MR. BLACKWELL: My apologies.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER ANAYA: Are you done, Commissioner?

COMMISSIONER MONTOYA: Yes.

COMMISSIONER ANAYA: I want to thank all of the staff and all of the volunteer fire department, members that are here and that are not here, and most of them aren't here. I know they work very hard. And I've told you time and time again how I was a volunteer fireman and this job doesn't allow me to do that anymore.

But I remember - I've got a little story and I remember when we had a new department in the Village of Galisteo and I believe there's a 1967 pumper. We were coming back from a scene and the steering wheel came off. And I had it in my hand and I looked over at the guy next to me. I think it was my cousin, Basil Davis, and he looks at me and right away we look up to see if there was any oncoming cars, and luckily there wasn't. Because the wheel kind of collapsed and we went off into the ditch.

So that's just a little example of where we've come now and I know the volunteer fire department in the Village of Galisteo has brand new equipment and we have come a long way, and I know that in other - in the 19 districts that are here, they all have new equipment. Well, we went on and I think we had that engine for another year and we put the steering wheel back on. I think we sent it to another department out of state. We fixed it. But we've come a long way and we want to continue to support the chiefs, the assistant chiefs and all of the volunteers. You all are doing an excellent job. Keep it up and thank you.

MR. BLACKWELL: Thank you.

CHAIRMAN CAMPOS: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Hank, let me add my thanks for the staff and the volunteers as well and this 100-page report is certainly an eye-opener in terms of all of the accomplishments that you've made. There's one thing that I don't see in here that I would like to see in the five-year plan and that is a substation in the Rancho Viejo area. As you know there was a fire out there just recently and those buildings are very close together. The good news is that the department put it out and the building was totaled but the adjacent buildings were not. So how you did that, I don't know.

The bad news is that it took 20 minutes to get out there to do that from the La Cienega district. So that is our most rapidly growing area. Am I missing that somewhere in the report or should that be in here in terms of future planning?

MR. BLACKWELL: Mr. Chair, Commissioner Sullivan, in terms of the specific notation of growth of stations that's not in here but that's part of our capital improvement plan, which encompasses that kind of a growth in the fire department in terms of impact of residential and industrial and commercial expansion. I might add, as far as Rancho Viejo and also College Heights, as part of our negotiations early on with Rancho Viejo, one of our conditions was once we had enough of an impact and I think Chief Velarde from the La Cienega District who's here today can speak more specifically if you need him to.

We actually - one of the agreements was that Rancho Viejo would provide us a location and deed us that land for a substation. The issue has to do with state recognition of all our substations so that they get state funding for maintenance. We have to meet those conditions

in terms of how far away those stations are from one another. We're close approaching that point where we might be able to place a substation at the outside of Rancho Viejo and get that distance between substations so that we can qualify for recognition by the State Fire Marshal's Office.

So that's already been in negotiation as well as, even though it's several years down the road, the whole College Heights District as well.

COMMISSIONER SULLIVAN: Okay. During the primary campaign I met with some of the members who were in both the College Heights section and also the Windmill Ridge II. They're different homeowners associations but they asked about the obvious need to get a station and I said that I didn't think at that point that Rancho Viejo had committed any land to it and I still don't think that they have. But the homeowners association representatives did say that they were going to meet with Rancho Viejo and try to get some land tied down for that.

Now, obviously, they were thinking of areas that should be here or should be there and I said, Well, you've got to remember these are big trucks. They don't turn like cars and you want to be where you can access parking and where you can access the problem areas. So my suggestion was that they get with you all and get those negotiations and discussions going because where they're thinking, because they see a piece of vacant land, Oh, that would be a good place for a fire station, may not be a good, convenient place along a major artery for a fire station. But before all of that land is built out, which is rapidly occurring, could you get those discussions going with them out there and see if we can - at the rate they're building out we're very close to needing that now. And I'd like it, if you can mention somewhere in here that that's certainly a future need. Because it is a long way from La Cienega. Does La Cienega include the station that used to be the headquarters right along the frontage road? The I-25 frontage road? That's the La Cienega, what you call the La Cienega Substation.

MR. BLACKWELL: Mr. Chair, Commissioner Sullivan, yes, sir. That's the main station. La Cienega has two stations so far and that is La Cienega's district. We will, we've already met with some of the neighborhood association regarding this issue. We will facilitate that and that's easy enough to put in the five-year plan.

COMMISSIONER SULLIVAN: I'd like to see that. So get into Rancho Viejo, the closest way is you go down Route 14 and then you go up Rancho Viejo Boulevard. Is that how you get there?

MR. BLACKWELL: Mr. Chair, Commissioner Sullivan, that's correct.

COMMISSIONER SULLIVAN: That's kind of a long trek. Okay, good. Glad to see that that's on track. Thank you, Mr. Chair.

CHAIRMAN CAMPOS: Any other questions? Okay, is there a motion to adopt the Santa Fe County fire plan fire department five-year strategic development and improvement plan?

COMMISSIONER DURAN: Move for approval.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER MONTOYA: Second.

CHAIRMAN CAMPOS: Any discussion?

The motion to approve Resolution 2004-70 passed by unanimous [5-0] voice vote.

COMMISSIONER SULLIVAN: With the typographical amendments on pages 1 and 2.

CHAIRMAN CAMPOS: We're not going to worry about the typos.

MR. BLACKWELL: Yes, sir. On behalf of all the volunteers and all the members, thank you again for the support.

CHAIRMAN CAMPOS: Thank you. You're doing great work.

XII. D. Utilities Department

1. Consideration of the Water Right Transfer Agreement between the City and County of Santa Fe

MR. ROSS: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

MR. ROSS: Mr. Sayre I thought was going to be here but I can certainly give you an introduction to this item. Actually, 1 and 2 under D are companions to one another. These are the product of the small group of Commissioners and Councilors who have been working on some of the water issues jointly over the last few months. What you have here in the packet is a water rights transfer agreement and an agreement that authorizes the transfer of some of the funds earmarked by the RPA for the construction of 10 through 13 of the City.

The transfer agreement, permits the County to transfer water rights to the Buckman wells up to 1325 acre-feet of such water, for offsetting purposes only. The County's problem, as you're aware, over the last couple of years is we've had no place to transfer water rights that we're in the process of requiring and one of those transactions is in dire need of being consummated. This agreement would permit the County to transfer those water rights up from the Middle Rio Grande, post them at the Buckman wells, park them if you will and then later transfer them to the diversion project when it comes on line.

The agreement is fairly straightforward. In fact the language itself is kind of an amalgam of language that the County has drafted and language that the City has drafted over the past several months.

The second agreement, as you know under our capital outlay gross receipts tax, a written agreement is necessary to transfer money for those regional projects that are subject to the 50 percent allocation under that ordinance. And this agreement permits that transfer to occur. Consistent with that ordinance the County has to make certain findings about the ownership, construction, operation and maintenance of the infrastructure where the funds are transferred. Those findings are made. There also has to be a dispute resolution clause

and that's included as well. The amount that's recited there is the amount that was approved by the RPA. Last week we verified that the City has in fact spent more than that amount on that project. This would reimburse them for that project as it is complete.

Both agreements recite that the parties are going to continue to work on the other outstanding issues, such as the issues surrounding the operation of the Buckman Direct Diversion, regional management of water resources, allocation of the San Juan/Chama project water and conjunctive water resource management. None of these ideas have been discussed at length during the committee meetings and they'll be the subject of future agreements.

With that I'll stand for any questions.

CHAIRMAN CAMPOS: Questions? Commissioner Duran.

COMMISSIONER DURAN: Steve, in paragraph number 1, I went through that and I don't see a problem with that paragraph except where the last sentence says, "The County may at a time in the future transfer the rights that have been moved to the City's Buckman Groundwater Permit for offset purposes pursuant to this paragraph to the Buckman Direct Diversion Project." And if we move forward on this agreement, I think it would be appropriate to add to that sentence something like, "or any other permitted point of diversion." And my thought on that is that if we transfer rights to - if we park the rights at the Buckman well field and decide at some point in the future that we actually don't want to transfer them directly to the diversion project, I think the County should have the right to move those to any other permitted point, with the understanding that the City still has the right during the permitting process to object or protest or whatever. So once that point of diversion is approved and permitted, we would have the right to move it there rather than just to that one point.

MR. ROSS: Mr. Chair, Commissioner Duran, we had that same discussion last week and language had gone - as you recall in my draft of the - I called it something like the bridge agreement, I had language like that in there. The City came back with language, this very same language but with instead of the word "may" the word "shall" which actually, in my view, restricts us from transferring the water rights from Buckman to any place other than the direct diversion.

We talked to them and got them to change the word "shall" to the word "may" and I actually visited with John Utton about this extensively and we think that we can transfer and this sentence says we can transfer them to Buckman but doesn't restrict us from transferring them to any other place. The thinking being that this is the first agreement of many. When these drafts were first developed they covered a whole range of issues. They were comprehensive agreements. Taken in isolation, this particular agreement could be the only agreement that is ever reached. So we do need probably to have the flexibility to transfer water rights out of the Buckman if this is the only agreement that's ever reached, and that's I'm sure what your thought is. If the whole thing collapses we don't want our water rights marooned at the Buckman well field. That's I think what you're getting at. We think that this gives us the necessary discretion.

COMMISSIONER DURAN: Well, that, and if we are successful as City and County government in developing a regional plan, a regional water utility, that what we agreed to in this document would prevent us from moving it to some other point that was permitted. So anyway, we think that the way it's written right now is sufficient and would not restrict us from moving water rights to another location.

MR. ROSS: We think it gives us that flexibility. The other thing, it gives us the ability to do is even if we get agreements in all these other areas, one of the issues that's been discussed a lot is conjunctive use. So when you're conjunctively using water that you draw from the river at Buckman you also need to have some of these rights associated with a well. So there needs to be some flexibility in where we move our water and how we do it. We think the word "may" gives us that flexibility, given the fact that everybody is expecting that all this water will eventually move to the diversion project.

COMMISSIONER DURAN: Maybe Mr. Harwood would have - do you want to comment on that at all, Kyle? You don't want to comment on that?

CHAIRMAN CAMPOS: I think we've gone over this, Commissioner.

KYLE HARWOOD: We've got a reconciled draft that is in the City Council packet tomorrow that does reflect the concerns raised last week.

COMMISSIONER DURAN: So you don't know what their position on that is?

MR. HARWOOD: I've had discussions with many of the Councilors as you all have but we don't know what the full Council is thinking until tomorrow.

COMMISSIONER DURAN: Okay. Until tomorrow.

MR. HARWOOD: And I suppose if there are amendments we can figure out how to work on that, but the one that's in the packet now is the one that's in the City Council packet.

COMMISSIONER DURAN: Are you doing this in executive session or in the public hearing?

MR. HARWOOD: Public hearing as far as I know.

COMMISSIONER DURAN: Okay. Thank you.

CHAIRMAN CAMPOS: Okay. Any other questions?

COMMISSIONER SULLIVAN: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER SULLIVAN: Steve, was there any reason in the one whereas - and I'm comfortable, by the way with the "may". I think the "may" handles that situation that essentially the City is saying You may transfer to the Buckman Direct Diversion. As you say, you may also transfer it anywhere else that's legal as well. In the whereas of the water right transfer agreement, you outline some things that are still outstanding to be resolved. Regional water issues and solutions, growth and development, options for future wholesale water deliveries to the County, joint construction, operation and maintenance of the proposed Buckman Direct Diversion project, joint water use planning and other issues.

In the gross receipts tax agreement, you specifically mention under item 2, you specifically mention the allocation of the San Juan/Chama contract amount. Was that on purpose that that issue which of course has been an important issue throughout the negotiations for the last couple months, is there any reason that that's mentioned in one and not the other or does it just belong there?

MR. ROSS: Mr. Chair, Commissioner Sullivan, this document keeps evolving and one of the things that happens when you do that sort of thing is that you don't reconcile differences like that very well. There's no particular reason and the way I analyze whereas is very basically your statement of reasons for entering into the contact and have basically no legal effect. I think what's important is in paragraph 3 of the GRT agreement and the same paragraph in the transfer agreement and that is that the parties continue to keep talking about these very important issues. So if it's paragraph 3, the parties are agreeing to talk about that. If it's left out I don't think it has any -

COMMISSIONER SULLIVAN: Okay. As long as it's in 3, that's a key issue in negotiations. Looks good to me.

CHAIRMAN CAMPOS: Okay is there a motion to approve the water right transfer agreement between the City and County of Santa Fe as explained by our attorney?

CHAIRMAN CAMPOS: Okay, is there a motion to approve the water right transfer agreement between the City and County of Santa Fe?

COMMISSIONER SULLIVAN: So moved.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER ANAYA: Second.

The motion to approve the water rights transfer agreement with the City passed by unanimous [5-0] voice vote.

XII. D. 2. Consideration of the Water Gross Receipts Tax (GRT) Agreement between the City and County of Santa Fe

MR. ROSS: Mr. Chair, I think I covered both of them at the same time, not realizing you would take them separately. The GRT agreement just basically authorizes the transfer.

CHAIRMAN CAMPOS: Do we need any addition presentation from staff on the GRT agreement? Any questions? Okay is there a motion to approve?

COMMISSIONER ANAYA: So moved.

COMMISSIONER SULLIVAN: Second.

The motion to approve the GRT agreement with the City passed by unanimous [5-0] voice vote.

XII. E. Matters from the County Manager

2. Consideration and Possible Action on Resolution No. 2004-__ . A Joint Resolution Creating a City/County Energy Task Force to Study and Make Recommendations to the Governing Body of the City of Santa Fe and the Board of County Commissioners of Santa Fe County Regarding Alternatives to Power Distribution Line Installations

CHAIRMAN CAMPOS: Is that the only issue? Are we only concerned about power line installations? I don't think so. I thought it was broader than that.

MR. GONZALEZ: That was the immediate focus and that's why the language reads that way but obviously this is a discussion item and it's open for the Commission to change the draft that we have before them as they may see fit. This is the version as I understand it that was adopted by the City, so we presented it in that fashion just so you can see it.

CHAIRMAN CAMPOS: Is that the second full document?

MR. GONZALEZ: Hopefully you've got the signed version in front of you, and if it is it's what was sent over from the City.

CHAIRMAN CAMPOS: They sent another one where they reduced the membership from 13 to 8. This is back to 13. Okay. Sir.

COMMISSIONER SULLIVAN: I just wanted to offer a couple comments on this. I think my understanding of this initiative to create this joint City/County energy task force stems from the powerline issue along the Arroyo Chamiso Trail when there was a proposal to put new powerlines along that trail. And I would just - and I think, as far as I know, the Public Service Company has no problem working within this task force and discussing these issues. There is a paragraph that I wanted to point out to you on the second page at the bottom, (b). If we do want to adopt a similar resolution you'll notice that the last sentence down there says, "If PNM concludes that the timelines put forth in this section may create a threat to the health, safety or welfare of the citizens of Santa Fe they may apply to the City Public Utilities Committee for the ability to proceed on a project or projects irrespective of the time lines in this section." If we were going to adopt this as a joint agreement or as a stand-alone Commission agreement, I would put after City Public Utilities Committee, "or the Board of County Commissioners, as applicable" depending on where the project might be and as we know, there will be some projects coming to the County Commission regarding undergrounding and so forth.

So that's one issue you might want to consider. And the only other one that I had in looking at it was the City some years ago did a similar committee like this that looked at some of the powerline plans for the future and I'm wondering why we're only considering PNM if we do this. If we as the County - I understand why the City's only considering PNM because only PNM serves the city. But the County is also served by Jemez Electric Co-op and there's also, I believe another co-op down in the Edgewood area called Central New Mexico. Is that

right? Central New Mexico.

So if we're looking at this as a countywide planning tool and coordination tool with the utilities, which is what I look at it as, it would seem we would want to include those two co-ops in the mix as well.

CHAIRMAN CAMPOS: Okay, would you like to make a staff presentation, Mr. Gonzalez?

MR. GONZALEZ: I don't know whether a presentation per se, but I did want to say that in our internal staff discussions that the issue that Commissioner Sullivan just referred to was raised and actually I think there were four or even five cooperative utilities within the county. So that's an issue that the Commission may want to consider, whether to include those additional co-ops somehow in the process as outlined in the resolution.

CHAIRMAN CAMPOS: What would the reasoning be? These are small co-ops, aren't they?

MR. GONZALEZ: They're small co-ops but for some purposes I understand that they may be occasional customers of PNM and there are also co-ops whose ability to serve the periphery surrounding Santa Fe may be implicated in what we're talking about here with respect to studying the transmission circuitry around the city periphery.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER ANAYA: Yes, there is another one and that is San Miguel Co-op that services part of Glorieta.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: I would be for including the co-ops. If we're looking at this as countywide, and that's what it's saying, a countywide task force, I think we would need to include those co-ops that service Santa Fe County and not have it carved off from some of the things Commissioner Sullivan mentioned before, but looking at the bigger, the whole county.

CHAIRMAN CAMPOS: Let me ask a question. PNM's ten-year plan, is that for what area? Do we know what area that encompasses?

MR. GONZALEZ: That I do not know although I know we have a PNM representative here, Mr. Chair.

CHAIRMAN CAMPOS: Ms. Mitchell, could you define that term for us please?

MS. MITCHELL: Chairman Campos, Commissioners, the ten-year plan that's referred to in this resolution is the ten-year plan that encompasses the north central area operation, which includes Santa Fe, the City of Santa Fe, and the County of Santa Fe.

CHAIRMAN CAMPOS: The entire county?

MS. MITCHELL: Yes, sir.

CHAIRMAN CAMPOS: Okay. Thank you. Another issue that staff raises about too many people, where are we going to get the dollars, things like that. Are we going to

have to get a consultant or are we going to have to designate staff? Could you address those issues, please.

MR. GONZALEZ: That issue, I think the resolution attempts to finesse by indicating that individuals with that expertise would be appointed to the committee, but again, that's dependent on finding the appropriate people who would be willing to serve on the committee. If not, then staffing could be an issue.

CHAIRMAN CAMPOS: I'm concerned by the lack of information that we're getting here from staff as far as what we're going to do on this thing and where money's coming from. Are we going to have staff support? Where are we going to get money to have consultants? Is that as much information as we have right now?

MR. GONZALEZ: Yes, that's correct.

CHAIRMAN CAMPOS: What about the number of members? The City is proposing 13.

MR. GONZALEZ: Again, I presume that the number of members was designed to allow to add members with expertise who could serve on the body. It is a large number and could be a little unwieldy. I know we've had problems before with committees that get too large. But on the other hand if the membership is limited in a way that doesn't allow us to draw people with the kind of expertise that are called for for appointment to the committee and if we don't allow, if the druthers are of the Commission for adding membership that would come from the co-ops that might be potentially impacted then that could be a problem as well. So if the Commission desire to make sure that the other co-ops participate there are two ways to address it. One would be to give them a sort of *ex officio* status on the committee in the same way that PNM has allowed to or else bring them all to the table.

Presumably, if the other co-ops or if the cooperatives are made part of the process, they would be interested in bringing expertise to the table that otherwise might not appear if the resolution were adopted in the form that it currently is.

CHAIRMAN CAMPOS: Any questions? Is this an action item? We have the option to consider this?

COMMISSIONER ANAYA: Mr. Chair, I think there are still a lot of things that we need to look at. We've got other co-ops. I think we need to talk to them. I think we need to get more input. I don't want to just single out PNM. I think we need to go back to the drawing table and look at these issues more before we can take a vote. That's how I feel.

CHAIRMAN CAMPOS: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chair, I'd also like to look at the original. I understand there was a different resolution that was submitted for City Council's review and I'd also like to see what that particular one was as opposed to this one and see how it differs in terms of what the City pared down.

MR. GONZALEZ: We could provide those copies. If the sense of the Commission is they want to have some additional discussion, explore potential participation by the cooperatives, I'm sure we can initiate the dialogue with them in a way that would allow you to make a little more informed decision. This was placed on the agenda as a courtesy to the

Councilors who had submitted it because they had requested that it be brought before the Commission.

COMMISSIONER SULLIVAN: Mr. Chair, I'd agree with that. I think we could schedule that for the next administrative meeting and in the meantime see what response the co-ops would come back with if they're interested in participating and I hope they would be. Again, this starts out as a City issue. It's typical of a lot of legislation that we look at. It starts out as a City issue and then when it comes to the County, the City realizes that the County is a regional entity and our boundaries extend beyond Agua Fria and we have other entities that may want to sit at the table here. So I would suggest that we give that direction to staff and defer this to next month if that's acceptable.

COMMISSIONER ANAYA: Second.

CHAIRMAN CAMPOS: Is that a motion to table?

COMMISSIONER SULLIVAN: Motion to table till next administrative meeting.

CHAIRMAN CAMPOS: Which is when?

COMMISSIONER SULLIVAN: Which would be the last Tuesday in July?

CHAIRMAN CAMPOS: Okay. There's a motion, there's a second.

Discussion?

The motion to table consideration of the joint energy task force passed by unanimous [5-0] voice vote.

MR. GONZALEZ: Mr. Chair, I did have three other quick items, just sort of information. One was the request concerning a study session, possible GRT study session in the near future and I think that PFMD has a window of time that they think would be the most appropriate for purposes of doing that.

COMMISSIONER MONTOYA: Mr. Chair, is this for the GRT?

MR. FLORES: Yes.

COMMISSIONER MONTOYA: Is there a meeting tomorrow?

MR. FLORES: No, I don't have anything scheduled for tomorrow. Mr. Chair, Commissioners, after discussing with Susan regarding the polling data research company that's going to be conducting the surveys for us in July, we have just spoken and we would anticipate that they are to be completed with their survey of any bonding questions or future bond questions for the constituents or the residents. They'll be completed with that survey by July 31st of this year, so in a month.

We anticipated maybe having a study session the second week of July but after discussing with Susan it appears that it would make more sense to have that study session and a potential action item Commission meeting after the 10th of August, prior to the 23rd. The 23rd is the window, it's the last window of the Board issuing any notice of intent to sell any bonds the 23rd of August. So after discussing this with Susan we feel that we'd probably have the study session around August 10th, 11th or 12th, schedule permitting. We were hoping to have it a little

bit sooner but if we can wrap everything together, GRT, bonding, the other eighth or the sixteenth all at one time it may help.

CHAIRMAN CAMPOS: Where are you coming from, Mr. Flores? Is that where staff is taking us?

MR. FLORES: Mr. Chair, we asked for a study session to talk about the existing capital outlay GRT and we would also like to present to you the results of the polling service of the direction of this Commission to go out and potentially sell bonds.

CHAIRMAN CAMPOS: You're going to do it all at one time?

MR. FLORES: Yes, Mr. Chair.

CHAIRMAN CAMPOS: And you're going to request GRT on the additional, what is it? One sixteenth?

MR. FLORES: Mr. Chair, that was purely an item that we could put on there for discussion.

CHAIRMAN CAMPOS: I thought we'd already discussed that.

MR. FLORES: Mr. Chair, we have not discussed the sixteenth which was brought up today about solid waste issues.

CHAIRMAN CAMPOS: At our last meeting we discussed it. We decided we didn't want to go that route. We want to go with one for the corrections facility because we thought we'd have a better chance of getting it approved.

MR. FLORES: Then what we can do on the study session is talk about the existing quarter percent capital outlay GRT and a process for that as well as the results from the polling service that is conducting the survey from July 16th through the 31st. And limit the scope of that study session to those two issues.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: I think if we're going to discuss everything I think we should discuss the one sixteenth. That doesn't mean we're going to have to do anything with it but I think we need to throw it into the equation as far as bonding everything that has been discussed repeatedly. I just question as to whether August 10th in one day we're going to be able to do all that and if there's some way that maybe we can start piecing things together at least maybe one two-hour session up to maybe August 10th and maybe we look at doing something in that regard. I don't know.

MR. FLORES: Mr. Chair, Commissioner Montoya, we had actually looked at possibly the week of July, actually on the date of July 13th, which is a Tuesday. The Board has its regular meeting at 3:00 that afternoon and we had felt that might be a good day to start the discussions or the study session on the existing quarter percent capital outlay GRT and how the process will work. Capital outlay GRT.

With the discussion with Susan, she's saying and I tend to agree with that that it might make more sense to have it after we get the results from the polling firm but we can break it up. It's not set in stone on any date at this time.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER ANAYA: This existing quarter percent money is for water, wastewater projects, roads and others.

MR. FLORES: And open space.

COMMISSIONER ANAYA: I've got people lined up for this money. So I'd like to get these discussions going so that we can open that door and let them in here and we can start giving them money, if we want to do our bonding or if we want to just flat out give it to them. But these guys are ready to go and I'm waiting on this process to get going.

COMMISSIONER SULLIVAN: Mr. Chair, what if we started on the 13th. We have from noon to 1:30, we have our joint meeting with the St. Vincent Board that day. And then we've got down-time from 1:30 to 3:00 before the Commission meeting.

CHAIRMAN CAMPOS: I don't think we'll have much down-time. They do want to do a quick tour of the emergency room which will take maybe 30 minutes. So the formal meeting would end about 1:30. They'd give a tour of the ER. We'd just have time to get back here.

COMMISSIONER SULLIVAN: All right.

COMMISSIONER DURAN: What day is that?

CHAIRMAN CAMPOS: That's July 13th.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: Tony, do you know I have a GRT meeting scheduled for tomorrow at 4:00.

MR. FLORES: I don't, Mr. Chair. I don't have that on my schedule.

COMMISSIONER MONTOYA: There wasn't some type of a meeting being set up?

COMMISSIONER SULLIVAN: That's the jail meeting.

COMMISSIONER MONTOYA: The jail meeting.

COMMISSIONER SULLIVAN: That Commissioner Campos set up.

CHAIRMAN CAMPOS: That's to discuss the new GRT proposal. To start organizing an effort to get it passed.

COMMISSIONER MONTOYA: Oh, okay. That's what that one is.

COMMISSIONER ANAYA: What day is that?

CHAIRMAN CAMPOS: That's tomorrow at 4:00.

COMMISSIONER ANAYA: Tomorrow?

COMMISSIONER DURAN: A full meeting of the Commission or just a couple of us?

CHAIRMAN CAMPOS: I'm just meeting with the Manager and the Sheriff and if there's another Commissioner that would like to attend that would be fine. I think Commissioner Montoya planned on attending.

COMMISSIONER SULLIVAN: Now you know what you're meeting about.

CHAIRMAN CAMPOS: How much time do we need?

COMMISSIONER MONTOYA: What are the different work study sessions we're talking about? This, and what we're the other ones, Gerald?

MR. GONZALEZ: You mean in terms of special meetings?

COMMISSIONER MONTOYA: Yes.

MR. GONZALEZ: We were talking about bonding, we were talking about GRT, and housing.

CHAIRMAN CAMPOS: Why don't we do it the 13th in the morning? If we're going to be here all day, might as well just be here all day.

COMMISSIONER SULLIVAN: That's a hearing day. That's an evening hearing meeting the 13th. My preference would be, Mr. Chair, would be to attack it fresh. It's going to take two hours at least.

MR. FLORES: Mr. Chair, would Monday the 12th work. Trying to back it up closer.

CHAIRMAN CAMPOS: We've got to work some time, Mr. Flores. That's kind of tough.

COMMISSIONER DURAN: How about Sunday afternoon?

MR. FLORES: I can come in.

MR. GONZALEZ: We might be in the right frame of mind.

COMMISSIONER DURAN: Yes. We might be a little bit nicer to each other.

COMMISSIONER SULLIVAN: How about some time on the 20th of July?

COMMISSIONER DURAN: What day is that?

COMMISSIONER SULLIVAN: Tuesday.

COMMISSIONER DURAN: I could do that.

COMMISSIONER MONTOYA: I'll be at the NACo.

CHAIRMAN CAMPOS: How many days is that? Four? Three?

COMMISSIONER MONTOYA: Four. Saturday, Sunday, Monday, Tuesday.

COMMISSIONER DURAN: What about over a lunch hour? We could have a lunch hour and then an hour after that.

CHAIRMAN CAMPOS: It's a public hearing, right? We'll be here meeting in public, right? For the study session.

COMMISSIONER DURAN: They can watch us eat. A brown bag lunch.

CHAIRMAN CAMPOS: Are we ready for the next item.

COMMISSIONER DURAN: Did we pick a date yet?

CHAIRMAN CAMPOS: We can't decide.

MR. FLORES: What we can do, Mr. Chair, is we can get together a schedule of potential dates and then let the Board, the County Manager's office conduct a poll to see when we could meet.

COMMISSIONER SULLIVAN: What about the 14th over lunch time that Commissioner Duran suggested? 11:30 to 1:30?

COMMISSIONER ANAYA: That's fine with me.

COMMISSIONER DURAN: 11:30 to 1:30?

COMMISSIONER MONTOYA: The 14th of July?

COMMISSIONER SULLIVAN: Another NACo meeting.

COMMISSIONER MONTOYA: I'll be an San Juan Pueblo.

COMMISSIONER ANAYA: That date's taken?

COMMISSIONER MONTOYA: No, I can do it.

COMMISSIONER SULLIVAN: We have a Commission meeting the day before, an evening Commission meeting so I don't know if you can stand two meetings in two days.

COMMISSIONER MONTOYA: That's hard.

COMMISSIONER SULLIVAN: It is hard.

COMMISSIONER ANAYA: That's okay.

CHAIRMAN CAMPOS: Or 3:00 to 5:00.

COMMISSIONER SULLIVAN: 3:00 to 5:00 is okay with me too. On

Wednesday?

CHAIRMAN CAMPOS: On Wednesday, the 14th.

COMMISSIONER ANAYA: I like 11:30 to 1:30.

COMMISSIONER DURAN: Yes, me too. That way we only us up another

hour.

COMMISSIONER SULLIVAN: I'm okay either way. I've got a 6:30n appointment I've got to be at here.

CHAIRMAN CAMPOS: Commissioner Montoya has to out of here at 5:30 and we've got a long executive session so let's make a decision.

COMMISSIONER ANAYA: 11:30 to 1:30 on Wednesday the 14th.

CHAIRMAN CAMPOS: Is there agreement on that?

COMMISSIONER DURAN: Yes.

CHAIRMAN CAMPOS: I don't like it. Anybody else not like it? Okay, 11:30.

MR. FLORES: Thank you.

COMMISSIONER SULLIVAN: And don't cause any more trouble.

CHAIRMAN CAMPOS: Anything else, Mr. Gonzalez?

MR. GONZALEZ: Two other quick things.

CHAIRMAN CAMPOS: Quick. That one took us half an hour.

MR. GONZALEZ: Depends on who's doing the quick. First of all, I have passed out to each of you a memorandum on solid waste and how we're proposing to meet the needs once we cross over to the new fiscal year, given the fact we don't have additional funding or FTEs. Basically, in brief, the proposal would be to shut down one day in Jacona and one day at the Eldorado station to allow for maintenance that's been put off and also additional work that needs to be done out there. The handout that you've been provided indicates that those are the low-use times for each of those two transfer stations.

So that's the way until we do get ourselves back in a funded place that we're proposing to be able to try and meet the needs of those two locations for solid waste purposes. And once we do get to the place of dealing with the funding issues maybe we can come back and revisit

the hours and the staffing.

And then the other item that I had, I just wanted to probably indicate and announce that Roman Abeyta will be coming over to the front office as Deputy County Manager and at the same time he'll be wearing two hats. He'll also for the time being he will be wearing a bridge hat continuing his work as director of the Land Use Department. Just to inform the public.

And I guess one other brief item. I have set up a schedule of presentations at Que Suave on Thursdays, Thursday morning, Issues and Answers, will be County issues and answers. And that will be going on on an ongoing basis. It's 8:00 on Thursdays on Que Suave. It's just a way of getting our County message out there.

COMMISSIONER ANAYA: Mr. Chair, what days were you recommending closures on Eldorado and Jacona?

MR. MARTINEZ: Mr. Chair, Commissioner Anaya, we were recommending to close the Jacona transfer station on Tuesday and the Eldorado transfer station on Mondays.

COMMISSIONER ANAYA: So is that clear direction? Or do we need to take a vote on it or what?

MR. MARTINEZ: Mr. Chair, Commissioner Anaya, the days and hours of operation are not set by resolution or ordinance. All we need is your concurrence or direction. Whatever you feel is appropriate.

COMMISSIONER ANAYA: I don't have a problem with it.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: Robert, currently, Jacona isn't closed at all?

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, that is correct. They are open seven days a week.

COMMISSIONER MONTOYA: And the hours were expanded when?

MR. MARTINEZ: The days of operation were expanded about two years ago, but the hours were just recently changed back from 8:00 to 5:00 as opposed to 7:00 to 4:00 at Jacona.

COMMISSIONER MONTOYA: So if we went back to 7:00 to 4:00, then we don't have to close Jacona.

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, the changing of the hours from 7:00 to 4:00 as opposed to 8:00 to 5:00 doesn't do us anything.

COMMISSIONER MONTOYA: Okay, then how was it open then previously and it wasn't impacting the budget from 7:00 to 4:00, seven days a week and now it is?

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, the impact is not the hours of operation at Jacona. The 7:00 to 4:00 and 8:00 to 5:00 is basically the same. The big impact that we had to our solid waste budget was opening Eldorado seven days a week from 5:00 which took place May 1st, I believe it was.

COMMISSIONER MONTOYA: Okay. So if we were to go back to the original schedule of just closing Eldorado for that one day, we would be back to where we started from.

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, actually, Eldorado was

only open five days a week prior to May 1st, not six.

COMMISSIONER MONTOYA: Okay, so then they open it up seven.

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, that's correct.

COMMISSIONER MONTOYA: I don't know. I kind of have an issue with closing if it's traditionally been open on Tuesdays at the Jacona transfer station.

MR. MARTINEZ: Mr. Chair, Commissioner Montoya, we tried to accommodate both Eldorado and Jacona through a building block that would have given the Solid Waste Division one FTE that would have accommodated seven days a week at both transfer stations but that was not approved, as you know. So basically, what we're trying to do is provide equal service to the Eldorado area as we are providing to Jacona. Those are our two largest volume transfer stations.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Anaya.

COMMISSIONER ANAYA: It's the Eldorado transfer station but it's not just the Eldorado area. Glorieta uses it. Galisteo. I use it and I live in Stanley. Lamy. There's a lot of other villages that come into that area. Thank you, Mr. Chair.

MR. MARTINEZ: Mr. Chair, can I take a minute to introduce our Solid Waste Manager?

CHAIRMAN CAMPOS: Certainly.

MR. MARTINEZ: This is Auralee Ashley-Marx. She's been with us since May 1st.

AURALEE ASHLEY-MARX: Nice to meet you all. And thank you for your consideration of this proposal.

CHAIRMAN CAMPOS: Thank you.

MR. MARTINEZ: So, Mr. Chair, basically, what I would like is some direction on our proposal here.

COMMISSIONER SULLIVAN: I think silence is consent.

CHAIRMAN CAMPOS: Go for it.

COMMISSIONER ANAYA: Yes.

COMMISSIONER SULLIVAN: I think just a clarification in Jacona is that the commercial operators still have keys up there. They can still get in on those days. So it's open seven days a week to them, regardless. Is that correct, Robert?

MR. MARTINEZ: Mr. Chair, Commissioner Sullivan, that is correct.

COMMISSIONER SULLIVAN: It says that in the memo. So it's kind of six days plus for the Jacona station.

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Duran.

COMMISSIONER DURAN: I think that shutting these two facilities down for a day when everyone is used to using them seven days a week is a big problem. I think that we're going to find more trash out in the arroyos. I think what we need to do is between now and the new fiscal year, try and find money to supplement the program so that we keep them open

seven days, not give staff direction right now until we've been able to explore all these options that are available to us to fund the program properly. Thank you.

CHAIRMAN CAMPOS: Well, we have three votes in the affirmative.

COMMISSIONER DURAN: Point of order, Mr. Chair. You could just give them direction if you want to have them adopt this plan, you need to publish it and bring it on so that the Commission can vote on it.

CHAIRMAN CAMPOS: I don't think so. I think the County Manager can make that decision.

COMMISSIONER DURAN: Mr. Chair, we just gave three votes to two to do something that wasn't noticed on this agenda.

CHAIRMAN CAMPOS: It was direction, Commissioner. That's all that was requested. We've gotten that. We've done that before.

COMMISSIONER DURAN: My question is how can we give staff direction – not direction, we're asking you to make a policy change. How can we direct you to make a policy change without having a public hearing on it?

MR. ROSS: Mr. Chair, Commissioner Duran, these are always difficult questions with the direction that is given during these meetings. I haven't fully analyzed the ramifications of that. Did we count votes?

COMMISSIONER DURAN: I'll withdraw my objection.

XII. F. Matters from the County Attorney

1. Executive session

- a. Discussion of pending or threatened litigation**
- b. Limited personnel matters**
- c. Discussion of possible purchase, acquisition or disposal of real property**
- d. Discussion of possible purchase, acquisition or disposal of water rights**
- e. Discussion of Purchases in an Amount Exceeding \$2,500 That Can Be Made Only From One Source**

Commissioner Sullivan moved to go into executive session pursuant to NMSA Section 10-15-1 (2, 6, 7 and 8) to discuss the matters delineated above. Commissioner Montoya seconded the motion which passed upon unanimous roll call vote with Commissioners Anaya, Campos, Duran, Montoya and Sullivan all voting in the affirmative.

[The Commission met in executive session from 3:20 to 5:35]

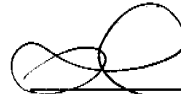
Commissioner Duran moved to come out of executive session having discussed only the matters outlined in the agenda, and Commissioner Anaya seconded. The

motion passed by unanimous voice vote.

ADJOURNMENT

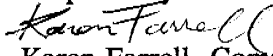
Chairman Campos declared this meeting adjourned at approximately 5:35 p.m.

Approved by:



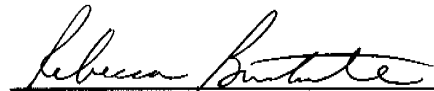
Board of County Commissioners
Paul Campos, Chairman

Respectfully submitted:

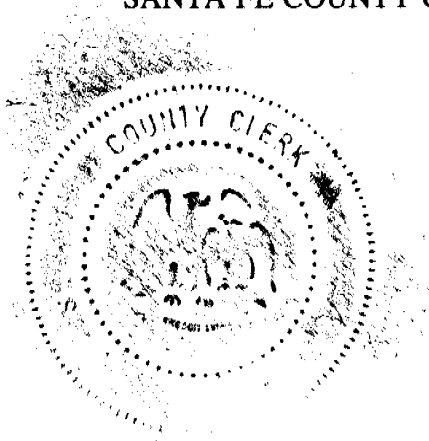


Karen Farrell, Commission Reporter

ATTEST TO:



REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



SFC CLERK RECORDED 08/23/2004