



County of Los Alamos

Minutes

County Council – Regular Session

*Denise Derkacs, Council Chair, Theresa Cull, Council Vice-Chair,
Melanee Hand, Suzie Havemann, Keith Lepsch,
David Reagor, and Randall Ryti, Councilors*

Tuesday, December 12, 2023

6:00 PM

Council Chambers – 1000 Central Avenue

1. OPENING/ROLL CALL

The Council Chair, Denise Derkacs, called the meeting to order at 5:58 p.m.

Council Chair Derkacs made opening remarks regarding the procedure of the meeting.

Ms. Anne Laurent, Deputy County Manager, listed the county employees in attendance via Zoom.

The following Councilors were in attendance:

**Present: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann,
Councilor Lepsch, Councilor Reagor, and Councilor Ryti**

2. PLEDGE OF ALLEGIANCE

Led by: All.

3. STATEMENT REGARDING CLOSED SESSION

Councilor Lepsch read the following statement to be included in the minutes: “The matters discussed in the closed sessions of County Council held on December 7, 2023, that began at 3:30 p.m. and December 8th that began at 9:45 a.m. were limited only to the topics specified in the notice of the closed session, and no action was taken on any matter in the closed sessions. We request that this statement be included in the meeting minutes.”

4. PUBLIC COMMENT

None.

5. **APPROVAL OF AGENDA**

A motion was made by Councilor Ryti, seconded by Councilor Havemann, that Council approve the agenda as presented.

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

6. **PUBLIC COMMENT FOR ITEMS ON CONSENT AGENDA**

None.

7. **CONSENT AGENDA**

Consent Motion:

A motion was made by Councilor Ryti, seconded by Councilor Cull, that Council approve the items on the Consent Agenda as presented and that the motions in the staff reports be included for the record.

- A. Award of Bid No. 24-22 in the Amount of \$2,669,659.00 plus Applicable Gross Receipts Tax to Meridian Contracting for Construction of the Airport Fuel Farm Project, Establish a Project Budget in the Amount of \$3,550,000; and Approve Related Budget Revision 2024-38

I move that Council Award of Bid No. 24-22 in the Amount of \$2,669,659.00 plus Applicable Gross Receipts Tax to Meridian Contracting for Construction of the Airport Fuel Farm Project, Establish a Project Budget in the Amount of \$3,550,000; and Approve Related Budget Revision 2024-38.

- B. Approval of Services Agreement No. AGR24-17 with The Master's Touch in the amount of \$630,000, plus Applicable Gross Receipts Tax, for the Purpose of Utility Bill Printing Services

I move that Council approve Services Agreement No. AGR24-17 with Master's Touch in the amount of \$630,000 plus applicable gross receipts tax, for the purpose of utility bill printing and bill insert services.

- C. Contract for General Services, Agreement No. AGR23-53 with LSP Data Solutions in the Amount Not to Exceed Three Hundred Fifty Thousand (\$350,000), plus Applicable New Mexico Gross Receipts Taxes (NMGRT), for e-Discovery Services and Expertise in Response to Inspection of Public Records Act (IPRA) and of IPRA: NMSA 1978, 14-2-1 Requests

I move that Council approve agreement No. AGR23-53 with LSP Data Solutions in the amount not to exceed three hundred fifty thousand (\$350,000), plus applicable New Mexico Gross Receipts Taxes (NMGRT), for e-Discovery services and expertise in response to Inspection of Public Records Act (IPRA) and of IPRA: NMSA 1978, 14-2-1 Requests.

- D. Approval of County Council Minutes for the November 28, 2023 Regular Session

I move that Council approve the County Council Minutes for the November 28, 2023 Regular Session.

- E. Award of Bid No. IFB 24-24 for the Purpose of Bayo Lift Station Elimination Project with DUB-L-EE, LLC and Approval of Budget Revision 2024-33

I move that Council approve the Award of Bid No. IFB 24-24 for the Purpose of Bayo Lift Station Elimination Project with DUB-L-EE, LLC. in the Amount of \$2,181,108.53 and a contingency in the amount of \$317,044.42, for a total of \$2,498,152.95, plus Applicable Gross Receipts Tax. I further move that the Board of Public Utilities approve Budget Revision 2024-33 and incorporate the Budget Revision into the minutes for the record.

- F. Committee Appointment(s) - Los Alamos County Health Council

I move that Council appoint Lisa Hampton to the Los Alamos County Health Council for a term beginning on January 7, 2024, and ending on January 6, 2026.

- G. Council's Action to Affirmatively Elect to Continue to Operate Under the County's Local Labor Management Relations Board

I move that Council affirmatively elect to continue to operate under the County's Local Labor Management Relations Board, and direct staff to submit this decision to the County's Labor Management Relations Board for its submittal to the State Public Employees Labor Relations Board before December 31, 2023.

- H. Approval of Budget Revision 2024-35 for Routine and Recurring Grant Agreements from the State Fire Marshal's Office, The New Mexico Department of Transportation and The New Mexico State Library

I move that Council approve Budget Revision 2024-35 as summarized on Attachment A and that the attachments be made part of the minutes of this meeting.

- I. Approval of Budget Revision 2024-39 related to the Cooperative Agreement extension for Year 10

I move that Council approve Budget Revision 2024-39 as summarized on Attachment A and that the attachments be made part of the minutes of this meeting.

Approval of the Consent Agenda:

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

8. PUBLIC HEARING

- A. Incorporated County of Los Alamos Code Ordinance No. 02-306, An Ordinance Amending Chapter 6 Animal Ordinance

Police Chief Dino Sgambellone spoke.
Mr. Paul Sena, Animal Shelter Manager, spoke.
Mr. Alvin Leaphart, County Attorney, spoke.

Public comment:
None.

A motion was made by Councilor Reagor, seconded by Councilor Hand, that the Council reject the Ordinance as presented.

Councilor Ryti offered the following Friendly Amendment: to clarify that the comments related to the Chapter 6 draft code will be addressed and that the key comments as summarized in the meeting will be addressed with changes to the revised ordinance. It was rejected.

The motion passed with the following vote:

Yes: 5 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Reagor, and Councilor Ryti

No: 2 – Councilor Havemann and Councilor Lepsch

9. BUSINESS

- A. Contract for General Services, Agreement No. AGR24-20 with Los Alamos Arts Council in the Amount Not To Exceed \$969,512 over Seven Years, for the Purpose of Art Center Operations and Community Arts and Cultural Programming**

Ms. Anne Laurent, Deputy County Manager, presented.

Public comment:

The Rector of St. Job of Pochaiv spoke.

Mr. Antonio Maggiore spoke.

Ms. Jill Lang spoke.

Ms. Sam McRae spoke.

Ms. Vanessa Feagin spoke.

Ms. Megan Green spoke.

Ms. Alex Jonko spoke.

Ms. Antonia Sanders spoke.

Ms. Rachel Pearson spoke.

Ms. Lisabeth Lueninghoener spoke.

Ms. Jillian Rubio spoke.

Ms. Jacquelyn Connolly spoke.

Ms. Melissa Mackey spoke.

A motion was made by Councilor Ryti, seconded by Councilor Havemann, that Council approve Contract for General Services, Agreement No. AGR24-20 with Los Alamos Arts Council in the Amount Not To Exceed \$969,512 over seven years if all extensions are executed, for the purpose of Art Center Operations and Community Arts and Cultural Programming.

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

- B.** Discussion and Possible Approval of Draft Term Sheet for a Local Economic Development Assistance (LEDA) Project with SALA Los Alamos Event Center, LLC (SALA)

Mr. Steven Lynne, County Manager, presented.
Mr. Allan Saenz, SALA Event Center Owner, spoke.

Public comment:
Mr. Kevin Holsapple spoke.
Ms. Sylvia Williams spoke.
Mr. Ted Galvez spoke.
Ms. Jillian Rubio spoke.

A motion was made by Councilor Hand, seconded by Councilor Havemann, that Council approve the draft term sheet for a LEDA project with SALA and direct the County Manager to return to Council with an authorizing ordinance and related project participation agreement for consideration.

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

RECESS

Councilor Derkacs called for a recess at 7:55 p.m. The meeting reconvened at 8:09 p.m.

- C.** Discussion of and Possible Action on the Draft Wildlife Feeding Ordinance and Review of Community Feedback

Mr. Steven Lynne, County Manager, spoke.
Councilor Ryti presented.

Public comment:
Ms. Sally Fellers spoke.
Ms. Sally Fitzgibbon spoke.
Mr. Michael Smith spoke.
Ms. Lynn Wysocki-Smith spoke.
Ms. Akkana Peck spoke.
Ms. Jillian Rubio spoke.

A motion was made by Councilor Cull, seconded by Councilor Ryti, that Council direct the County Manager to move ahead with wildlife education in a manner similar to the outline shown in Attachment C and take no further action at this time on the draft Wildlife Feeding Ordinance.

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

D. Presentation, Update, and Possible Action on the Bear Resistant Roll Cart and Dumpster Programs

Mr. Eric Martinez, Deputy Public Works Manager, presented.
Mr. Armando Gabaldon, Environmental Services Manager, presented.
Mr. Steven Lynne, County Manager, spoke.
Mr. Juan Real, Public Works Manager, spoke.

Public comment:
None.

A motion was made by Councilor Havemann, seconded by Councilor Lepsch, that Council approve continuation of the bear resistant roll cart program by request only and request staff revisit the program in 12 months.

Councilor Ryti offered the following Friendly Amendment to the motion: to modify “in 12 months” to “within 12 months.” It was accepted.

The amended motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

E. Discussion and Possible Action on Temporary Fee Reductions for Season Passes at the Golf Course Due to Construction in 2024

Ms. Katherine Hudspeth, Recreation Superintendent, presented.

Public comment:
None.

A motion was made by Councilor Hand, seconded by Councilor Havemann, that Council approve temporary fee reductions, as per Attachment A, for season passes at the Los Alamos County Golf Course for calendar year 2024, due to planned construction throughout the season.

The motion passed with the following vote:

Yes: 7 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Lepsch, Councilor Reagor, and Councilor Ryti

10. COUNCIL BUSINESS

A. General Council Business

1) Discussion and Possible Approval of Revisions to the Council Procedural Rules

Vice-Chair Theresa Cull presented.
Mr. Alvin Leaphart, County Attorney, spoke.
Mr. Steven Lynne, County Manager, spoke.

Public comment:
None.

Councilor Lepsch left during the discussion of this item, at 10:30 p.m.

A motion was made by Councilor Cull, seconded by Councilor Hand, that Council approve the revisions to the Council Procedural Rules as indicated and amended in Attachment A.

The motion passed with the following vote:

Yes: 5 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, and Councilor Ryti

No: 1 – Councilor Reagor

Absent: 1 – Councilor Lepsch

RECESS

Councilor Derkacs called for a recess at 10:39 p.m. The meeting reconvened at 10:45 p.m.

B. Appointments

None.

C. Boards and Commission Vacancy Report

No report.

D. Board, Commission, and Working Group Reports

Councilor Hand reported on the Historic Preservation Advisory Board.

Councilor Havemann reported on the Environmental Sustainability Board and the Parks and Recreation Board.

E. County Manager's Report

County Manager Steven Lynne gave an update on ARPA grants and loans for business assistance.

F. Council Chair Report

Chair Derkacs thanked Vice-Chair Cull for standing in during her absence, gave thanks to Councilors and Staff for their hard work, and wished everyone a happy holiday season.

G. Approval of Councilor Expenses

None.

H. Preview of Upcoming Agenda Items

1) Tickler Report of Upcoming Agenda Items

Chair Derkacs noted the additional Special Sessions scheduled for December 15th and December 18th.

11. COUNCILOR COMMENTS

Councilor Hand attended a meeting for the North Central Regional Transit District Finance subcommittee.

Councilor Ryti attended the State 4H awards and a recent Energy Community Alliance webinar. He also wished everyone Happy Holidays.

12. ADJOURNMENT

The meeting adjourned at 10:55 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

Denise Derkacs, Council Chair

Attest:

Naomi D. Maestas, County Clerk

Meeting Transcribed by: Allison Collins, Deputy Clerk

Budget Office Revision 2024-35

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	Fire Marshal Fund	14461444	3425	\$ 161,207			\$ 161,207
2	Fire Marshal Fund	14461444	8369		\$ 161,207		\$ (161,207)
3	General Fund/Fire/ FEMA Grant	01162611	3319	\$ 173,528			\$ 173,528
4	General Fund/Fire/ FEMA Grant	01162611	8369		\$ 173,528		\$ (173,528)
5	Transit/ Other Grants	65173293	3329	\$ 50,585			\$ 50,585
6	Transit/Other Grants	65173293	8369		\$ 50,585		\$ (50,585)
7	General Fund/CSD/Library	01151515	3435	\$ 15,529			\$ 15,529
8	General Fund/CSD/Library	01151515	8519		\$ 15,529		\$ (15,529)
9							\$ -
10							\$ -

Description: The purpose of this budget revision is to adjust the Fire Marshal Grant to align with the Grant Award , adjust the Transit Grant from NMDOT to Align with the Grant Award received and to Budget Funds for the FEMA Grant received and the Library Grant Recieved from the State of NM.

Fiscal Impact: 0.00

Budget Council Revision 2024-39

	Fund & Department	Org	Object	Revenue (decrease)	Expenditures (decrease)	Transfers In(Out)	Fund Balance (decrease)
1	Fire Cooperative Agreement Fund	663xxx	8xxx		\$ 14,703,568		\$ (14,703,568)
2	Fire Cooperative Agreement Fund	66360939	3316	\$ 11,064,696			\$ 11,064,696
3	Fire County Share- CA Interdepartmental Expenditure	01162810	8795		\$ 3,638,872		\$ (3,638,872)
4	Fire Administration - Interdepartmental Revenue	66360929	5165	\$ 3,638,872			\$ 3,638,872
5							\$ -
6							\$ -
7							\$ -
8							\$ -
9							\$ -
10							\$ -

Description: The purpose of this budget revision is to adjust the expenditure budget in the Fire Fund and County's cost share for the extension agreement executed to closeout the previous Fire Cooperative Agreement year 10, from what was originally estimated at the time of the budget adoption.

Fiscal Impact: This results in a net impact to the Fire Fund Balance of \$ 0 and a decrease to the General Fund Balance of \$ 3,638,872.

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Amended Online Public Comments

Proposed Ordinance 02-306
Amending Chapter 6, Animals

Proposed Ordinance 02-###
Prohibiting the feeding of Waterfowl & Wild Animals

Includes all online comments at
<https://lacnm.com/Animal-Wildlife-Ordinances>

Friday, December 8, 2023

LOS ALAMOS

County Manager's Office | 1000 Central Ave., #350, Los Alamos, NM | 505.662.8083

Los Alamos County Council
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Sent: Sunday, November 19, 2023 6:44 PM
To: Williams-Hill, Julie <julie.williams@lacnm.us>;
Subject: [EXTERNAL]Proposed animal ordinances

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern:

Upon careful reading of the proposed ORDINANCE AMENDING CHAPTER 6, ARTICLE I, ADDING SECTION 6-22 TO THE CODE OF THE INCORPORATED COUNTY OF LOS ALAMOS PROHIBITING THE FEEDING OF WATERFOWL AND WILD ANIMALS,

I think an exception could be made for children feeding the denizens of Ashley Pond. I grew up in a town where a much-loved summertime kid's tradition was feeding the ducks at Lake Shore Park. Perhaps the County could do as my hometown did: install a few coin-operated dispensers of approved duck/goose food around the pond (similar to parking meters), which would assure that a) the feed would be acceptable as duck/goose food, b) the small amount of food wouldn't attract wild animals to the pond, and c) the duck/goose food dispensers ultimately would pay for themselves.

For INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-306 - A CODE ORDINANCE AMENDING CHAPTER 6, ANIMALS, OF THE INCORPORATED COUNTY OF LOS ALAMOS CODE OF ORDINANCES, my objections are:

1) Requiring sterilization of a six-month old puppy is inhumane. Canine long bones grow until the puppy is 18 to 24 months old; requiring sterilization at 6 months is equivalent to sentencing that puppy to crippling deformation of its skeleton, essentially destroying the chance for the adult dog to have a normal life.

2) The American Kennel Club (AKC) makes and enforces the rules for many of the dog sports in the United States. Under AKC rules, a sterilized or neutered dog cannot participate in dog shows or many dog sports; obviously, it cannot be bred. The county should make every effort to determine if a shelter dog is a pure-bred; the adopter may want to breed or participate with the dog in dog sports from which neutered/sterilized dogs are barred.

3) For 45 years, we have lawfully kept, bred, raised, trained, and shown pure-bred AKC Champion Standard Schnauzers with AKC Performance titles and have competed regularly with these dogs at AKC-sanctioned dog shows and performance trials.

Although our dogs are well-trained and under our supervision, on very rare occasions when somebody comes unexpectedly to the front door either to make a delivery or obtain a signature, one or more of our dogs may break free through the open door. We usually can call them back, but if a rabbit or squirrel or other furry rodent-like animal (e.g., rabbit, squirrel, chipmunk, skunk, rat or mouse) is within their sight, their natural instincts take over, and they give chase. On occasion, we have had to scour the neighborhood for quite a while to retrieve our dogs.

On some days, we have seen an animal control truck patrolling the neighborhood. I think animal control officers should first determine whether the dogs' keeper/owner is engaged in an active search for the dog(s) before catching and impounding the animal as a loose dog or stray.

Respectfully submitted,

~Suzanne T. Smith (Los Alamos, New Mexico USA)

<https://GoodFoodGreatDogs.com>

Wüstefuchs Standard Schnauzers since 1967, AKC Breeder of Merit

AKC - SSCA Sportsmanship Award 2009 (with Ron Smith)

Standard Schnauzer columnist for AKC *Gazette* 1970 - 1977, 2010 - present

Amazon author page <https://www.amazon.com/Suzanne-T-Smith/e/B001JPC5LC>

Public Online Comments (lacnm.com/Animal-Wildlife-Ordinances)

First Name	Last Name	Posted	Replying To	Text
Concerned	Democrat	Nov 08 2023 03:19 PM		Mind your business. You people must be real good friends with Donald Trump with how you keep tryin to add more and more laws to your autocratic government.
Lee	Petro	Nov 08 2023 05:12 PM		I'm cancers about the number of days you say you'll keep an animal at the shelter. 5 days and you'll euthanize? That's ridiculous. This is a rich county. We should have a no kill shelter.
Paige	Ramsey	Nov 30 2023 06:10 AM	Reply	Agreed!
Cheryl	Thrasher	Nov 30 2023 01:14 PM	Reply	Agree! 5 days is ludicrous!
Sallye	Sibbitt	Dec 06 2023 08:32 AM	Reply	And I agree with this. 5 days? Who proposed all these stupid changes?
Michael	Smith	Dec 06 2023 11:12 AM	Reply	I agree with this too. A no kill shelter or at least more than 5 days. I don't know who came up with this but it's absurd.
Just	Wondering	Nov 09 2023 04:06 PM		Will the County have an enforcement officer at Ashley Pond to cite townsfolk and visitors who feed the ducks? And how about bird-caused spillage from birdfeeders that attracts non-feathered, ground critters to gobble it up?
Teresa	DuBois	Nov 10 2023 04:57 PM		This is one of the county's attempts to control deer populations which they believe is causing the increase in lion sightings. We are in a severe drought and all animals including bears, deer, and lions are hanging around town for water sources. While you're at it county, why don't you tell us we should not put water out. And I can't wait to see how this is going to be enforced. I agree, feeding deer things like corn is counter to their good health, but they will hang around anyway to get the fruit we have an abundance of during the fall and summer. Not to mention all of the gardens around. Please, let's get some education going to our public. I have been unsuccessfully trying to work with the county to get a flier in the bills telling people how best to live with the predators we have (lions) but so far have had absolutely no resolve. Pets in at night. Escorted in their yards at night. Stable owners securing animals. The deer have it made in our county and no public ordinance is going to solve that problem.
Elizabeth	Bluhm	Nov 20 2023 01:38 PM	Reply	You are correct. The deer aren't stupid and have it made without bird feeders. They know exactly where to go in certain neighborhoods. I haven't seen them pit stop at bird feeders but they know all the homes with fruit trees, water sources, and gardens. Its kinda entertaining to watch the large bucks make their way up Trinity and hit up every house with apple trees or other deciduous plants. They even stop to eat all the fallen crab apples. There must be at least one mature apple tree on every block if not more. A recent photo this past week emerged of a bear hanging out at the top of a tree in the Western area. Sure enough, it was an apple. The bear was helping himself to all the old fruit that didn't fall to the ground. The deer also like to hang out on the golf course. Is the county going to remove all the grass? Heck no. They just place the burden back on residents because that's the easy lever to pull.
Sherri	Savino	Nov 11 2023 08:34 AM		I hope the law is written in a way that allows me to feed my birds year round. I have multiple feeders located in my fenced back yard.

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Public Online Comments (lacnm.com/Animal-Wildlife-Ordinances)

First Name	Last Name	Posted	Replying To	Text
Akkana	Peck	Nov 11 2023 05:56 PM		<p>The proposed ordinance would ban feeding of ground-eating birds like doves, quail, towhees, juncos, all of which prefer to eat from the ground or from a platform feeder, not a hanging seed feeder. I feed these birds and I think a lot of other residents do too, but we'd be criminals according to the proposed ordinance.</p> <p>Also, the paragraph about Waterfowl/Anseriformes/Anatidae is silly since it then turns around and includes gulls (Charadriiformes). And then there's a third definition, "any bird that swims, frequents the water, or lives around rivers, lakes, or other bodies of water" which includes plovers and sandpipers, pelicans, osprey. What are you actually trying to ban in terms of waterfowl feeding? Only one specific order, all waterfowl, or something in between? It sounds like you're not sure with these conflicting definitions.</p> <p>"Each ongoing day of the violation(s) shall constitute a separate offense". So if you feed your backyard towhees, doves or quail for a week and get cited for it, you're facing a fine ranging from \$625 min to \$3100 max for that week. That seems wildly excessive for bird feeding.</p>
Doris	THIELEMAN	Nov 12 2023 03:34 PM		<p>Ground feeding birds are a large part of our songbird population. All birds do not feed in feeders. Some (including bears) eat the berries on native plants. Feeders even 4 feet high can be reached by deer, bears, and raccoons. I support restriction the actions of some who intentionally feed coyote, bears and deers but question if the ordinance is too limiting on the feeding of birds.</p>
Linda	Gutgsell	Nov 13 2023 01:14 PM		<p>When I moved here in 2002 my neighbors all had dogs (2-4) which they would leave out in the yard all day/night. I was undergoing cancer treatment at the time and could not sleep due to the noise. I am ALL IN FAVOR of section 2, ordinance 6.6 Unreasonable animal noise PROHIBITED. With the influx of people moving to Los Alamos if we don't get control of this issue now it will quickly get out of control again.</p>
Sally	Fitzgibbon	Nov 14 2023 10:00 AM		<p>I feed one of our deer herds. We burned down and destroyed their habitat so I feel responsible. I feel like the County Council should spend our tax dollars to refurbish the wildlife habitat around Los Alamos instead of harassing the population about our interactions with the wildlife in our town.</p> <p>Thanks for your consideration</p> <p>Sally Fitzgibbon</p> <p>resident for 46 years</p> <p>Former Los Alamos High School teacher</p>
Sally	Fitzgibbon	Nov 14 2023 10:15 AM		<p>Also, helping our deer herd is one of the few pleasure I have nowadays. I hope you won't take this away. I only feed feed from Pet Pangea made for horses-Alfalfa, oats, and grains.</p>

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Public Online Comments (lacnm.com/Animal-Wildlife-Ordinances)

First Name	Last Name	Posted	Replying To	Text
Sally	Fellers	Nov 16 2023 08:19 PM		<p>I wanted to share my feelings regarding the county's possible up- coming restrictions limiting our freedom to feed wild birds and animals on our own property.</p> <p>I recently read on the Mountain Lion Foundation website:</p> <p>https://mountainlion.org/about-mountain-lions/frequently-asked-questions/#:~:text=On%20average%2C%20a%20lion%20will,feral%20hogs%2C%20and%20even%20porcupines</p> <p>"On average, a lion will kill a deer about once a week. They also dine on coyotes, raccoons, rodents, elk, feral hogs, and even porcupines."</p> <p>Los Alamos has most of the 7 animals mentioned! It's preposterous to think that regulations limiting how we can feed wild birds, who scatter their food on the ground regardless of the feeding station used, will help keep predators out of town! Have you noticed there are no longer streams or ponds in our canyons? The drought and past fires have destroyed much of the animals and birds habitat and food and water sources! The animals were in town looking for something to eat even before the drought began! Now that their natural food source is drying up can we not have a little more compassion and concern for the wildlife that is left in our area? I remember animals in town since the early 50's when we moved here! This enriches the experience of living in such an unusual town! This past August my husband and I drove through the Valle Grande National Preserve. We stopped to talk to a group of scientist attempting to catch insects. They told us they were documenting the mysterious lack of insects and birds in the Preserve. Most of them had vanished after the past fires and never returned! Do the county rule makers want to drive the birds and creatures away from Los Alamos ?</p> <p>Those who want to prevent unwanted animals from entering their yards can put up higher fences! The changing world should make us more concerned about the hardships on animals as well as on people, not more selfish!</p> <p>I love the birds and animals in my yard! It should be my privilege to care for them if I choose! Imposing unrealistic rules will only create frustration it won't stop hungry birds and animals from trying their best to survive!</p> <p>Also I am appalled that our county recommends our animal shelter be a kill shelter! It's absolutely wrong that a county with as much wealth and intelligence as Los Alamos can't find a better solution than killing healthy dogs and cats! Some communities with less resources even sponsor rehabilitation programs for injured animals. In Los Alamos money goes to much less worthy causes!</p>
Carl	Necker	Nov 20 2023 08:31 AM		<p>Several comments, particularly on Animal control. The revised section on 'habitual' noise and 'unreasonably disturbing the peace' are setting up animal control and the judicial system for unenforceable situations. How is 'habitual' defined? I'm sure it differs from person to person. Additionally, 'unreasonably disturbs' is also poorly defined. One person's idea of unreasonable will differ from my idea. And as we learned, having had 7 near-neighbor properties in White Rock, some people (usually not dog lovers) will complain about the least amount of barking that most people wouldn't define as 'habitual'. So please think about how to improve the wording in place of habitual and unreasonable. Please maintain the subsection on noises brought on by other stimulus. Roaming neighborhood cats in White Rock regularly got our dogs barking when the cats would sit by the fenceline, taunting our dogs.</p>
Paige	Ramsey	Nov 30 2023 06:10 AM	Reply	<p>100% agree. This is too open ended and can lead to people calling the police for one bark etc. I am not a fan of this change.</p>

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Public Online Comments (lacnm.com/Animal-Wildlife-Ordinances)

First Name	Last Name	Posted	Replying To	Text
Carl	Necker	Nov 20 2023 08:56 AM		Please review the details of sterilization of adopted animals, particularly dogs. I understand the 'band-aid' for reduction of unwanted pets is to ensure sterilization. I would hope that veterinarians would step in to provide more appropriate wording relative to the risks and benefits of 6 month sterilization. It is very clear that significant evidence has been collected and published over the last 20+ years that establishes the risks of early sterilization. If you pull the article by AKC, it nicely summarizes that the reasonable age for sterilization (not just for pure bred but all dogs) varies according to dog size, breed type, sex among other variables. Early sterilization inhibits proper growth of dogs and puts the dog's future health and therefore the owners pocket book at higher future risk. I personally would suggest the following: if dog owner wish to maintain an unsterilized dog, they establish that they are a responsible owner and have solicited a veterinarian who will help guide them for the age appropriate sterilization. I noticed this sterilization topic only affects the adoption section of the proposed ordinance change. As a fellow dog fancier suggested, it would be nice for the ordinance to define dogs which are to be maintained unsterilized, as pure-breeds, for the condition of dog showing or other performance sports that are better performed with unsterilized dogs. Other area animal ordinances include that kind of language (see Rio Rancho ordinance). I don't know how often Animal control has pure-bred dogs for adoption but you still may want to include appropriate language dog.
T	Clay	Dec 05 2023 08:20 PM	Reply	It's also now proven that sterilizing animals is bad for their health. Let me ask you men if you had your balls cut off do you think it would make you healthier or would that not affect you mentally emotionally and physically especially your hormones? And the same goes for a woman's ovaries do you sterilize a baby or young child and call that healthy. And the same goes for micro chips the electro magnetic static. Just because there is such a thing as surgery and technology doesn't mean it's good for you or that it's being used responsibly. It is bad for the animal to do any of those things for them and it should be up to the owner whether or not they want to have that done. What if you don't want to adopt a sterilize dog. The county should not be spending money on this kind of thing when they are in the shelter they should be given food and water but all that other stuff can wait until they're adopted if the owner wants that done to the animal.
Cheryl	Thrasher	Dec 06 2023 06:07 PM	Reply	Unfortunately, shelters are overrun with all types of dogs, pedigrees or not. It is irresponsible for shelters to release unaltered dogs back into the community. Animals are not adopted out to become show animals, breeding animals or the difficult life of hunting animals ie "performance sports". They are released to live the protected life of beloved pets.

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Elizabeth	Bluhm	Nov 20 2023 01:01 PM		<p>First, I would like to ask what problem the county is trying to solve with the new wildlife ordinances. If the county is trying to tackle the nuisance deer population, then the ordinance should be specifically written to address the primary feeding of deer and/or placing bird feeders out of reach so deer cannot access. However, it's unclear what the real issues are based on sweeping generalizations like "disrupting wildlife patterns" or "spreading disease to people and companion animals".</p> <p>Los Alamos County and NM state laws require all dogs and cats to be vaccinated against rabies. There is also an ordinance against roaming cats and dogs which serves to limit exposure and transmission of disease from wildlife to companion animals. According to the NM Department of Health, https://www.nmhealth.org/about/erd/ideb/zdp/rab/, which tracks reported cases of zoonotic diseases, there have been zero cases of cat, dog, skunk, or fox rabies in Los Alamos county from 2013-2023. Data was not available prior to 2013 on their website. Likewise, there have been 122 NM hantavirus cases between 1975 and 2022 and one case in Los Alamos. 24 feline and 4 human Los Alamos plague cases are reported from 1977-2022, mostly centered throughout the 1980s and early 1990s. Reported cases of plague in NM have dropped off precipitously since the early 2000s. There have been no reported West Nile human cases in Los Alamos this past year despite several sick and dead corvids discovered around the county.</p> <p>The restrictions on bird feeding, total volume of feed, types of feeders, etc. are overly restrictive and penalize residents who are bird enthusiasts and have taken great care to build their yards into bird sanctuaries. For example, bird enthusiasts often use platform feeders on poles for corn and seed mix to attract a variety of songbirds and corvids. The poles can also be used to hang a selection of tube feeders with different seed mixes like sunflower, millet or hang individual hummingbird feeders. In total, an arrangement like this would violate the containerization and volume limit.</p> <p>By the very nature of bird stations, birds tend to pick through seed offerings and throw unused portions on the ground, which could in theory, attract other types of wildlife like squirrels, chipmunks, mice, and nocturnal wildlife like raccoons and skunks. The ordinance also appears to ban deliberate feeding of ground feeder birds like towhees, sparrows and juncos which are prolific species around Los Alamos county. Placing feeders "at least 4 ft off the ground" does not deter deer or bears, which is counterintuitive to not feeding wildlife.</p> <p>Most community members aren't wildlife biologists or have little expertise in what constitutes "unreasonable disturbance of wildlife." "Unreasonable disturbance of wildlife" is subjective terminology and will be used punitively by code enforcement or via neighbor disputes. This also applies to the new verbiage under the animal ordinance with "habitual noise" and "unreasonably disturbing the peace."</p> <p>Meanwhile, north central NM continues to suffer with prolonged drought and forest destruction due to climate change from warmer average temperatures and below average precipitation. Human/wildlife interfaces will continue to be challenged as bears, mountain lions, deer, etc migrate into the county looking for food and water sources. Residential landscaping with grass lawns, established fruit trees, and ponds/water fountains are natural sources of food and water for wildlife and counterintuitive to the stated goals in the wildlife ordinance. I'm not advocating for removal of these items but again, landscaping attracts wildlife into the county. Unsecured trash is another issue, and the county could serve the residents by reducing delivery durations for bear-proof trash cans. I know several residents who have been waiting 6 months for a trash can.</p> <p>In conclusion, the county ordinance will ruin the reasonable wildlife experiences of citizens without solving any actual problem. All citizens should express opposition especially if they are opposed to treating our community more like an HOA with nebulous unenforceable language throughout.</p>

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Elizabeth	Bluhm	Nov 21 2023 08:28 PM	Reply	<p>As follow-up, I've been trying to come up with alternative solutions instead of a one-size fits all shot gun approach through an ordinance. For a town with a lot of smart folks, the ordinance could have at least been written with more succinct language that addresses the actual problem. I'm still not convinced that incidental feeding of deer is causing the rise in deer populations around town nor will restricting bird feeding activities limit them.</p> <p>Even NM Game and Fish acknowledges bird feeders are great during the winter when bears are dormant but care must be taken in the spring when they emerge from hibernation. They actually recommend NO feeders in the springtime. This information conflicts with the ordinance which essentially allows feeding all year-round, just be sure it's over 4ft. Conflicting information will eventually cause confusion and confusion leads to no action or confirmation -bias.</p> <p>Unfortunately, we have a few well-intentioned people in town who are now going to potentially impact the entire community. Instead of punishing the masses because of the few, I would prefer the county to focus on education and outreach.</p> <p>The best example I could think of was James Robinson while he was a Member of the County Council . James took it upon himself to advocate for bears through factual information dissemination and outreach. James would talk at county council meetings, attend Rotary and other club meetings and he would write letters to the editor of local newspapers. He also championed the county's purchase of bear-proof trash cans. He made a significant difference.</p> <p>I would honestly prefer to see a local advocate with actual street cred, either through PEEC, the county or maybe a local nonprofit, who can serve as a wildlife champion. As the demographics continue to change in LA, it's more important than ever to educate the community about feeding deer, living with predators, and other wildlife like skunks and raccoons. Along the same lines, they should address all issues of wildlife/human interfaces like potential engineering solutions vs.the pitfalls and legalities of trapping and relocation. PEEC has also published two educational articles about coyotes, for example. Information should be distributed to wider audiences.</p>
Sallye	Sibbitt	Dec 06 2023 08:28 AM	Reply	I agree with all of this and I oppose these changes in ordinances.
David	Kloepper	Nov 20 2023 07:56 PM		Bird feeding naturally results in seeds dropping on the ground under feeder. The ordinance as written would hold a birder responsible for any squirrels or other animals, including raccoons, foxes, deer, etc. feeding on these fallen seeds. I am 100% opposed to the ordinance because of this ridiculous oversight. No matter what kind of bird feeder one uses it is impossible to prevent some seeds from dropping. In fact birds toss out seeds that they don't wish to eat. This is especially true with hutch-type feeders. The birds will scrape out seeds until they find the morsel they wish to eat. There is no way to prevent this behavior. I have a tube feeder and the birds still manage to drop lots of seeds on the ground. IMO this ordinance is a huge overreach by the bureaucrats in our government.
Joel	Dahlby	Nov 20 2023 09:13 PM		<p>Is it going to be illegal to trap mice by feeding them things on a mouse trap?</p> <p>Is it going to be illegal to put food stuffs in a compost pit and then some animals may come and dig it out to eat?</p>

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Elizabeth	Church	Nov 21 2023 08:25 AM		<p>On my early morning walk today, I passed three does and a buck grazing in the park located between Myrtle and Canyon Road. NOT A BIRD FEEDER IN SIGHT. Next, I passed the tennis courts on Canyon Road, an area where I often see evidence of bear activity in the form of trash pulled from county trash receptacles. The same is true of East Park and Urban Park – during bear season, the trash is everywhere. AND STILL NOT A BIRD FEEDER IN SIGHT.</p> <p>Humans have deprived wildlife of their territory through "controlled" burns and general climate destruction; we have enormously reduced wild animals' opportunities for food and water. And it's going to get worse.</p> <p>Yet, the county has not secured trash at any location in Los Alamos. Public trash receptacles in Los Alamos are not bear proofed. Parks and town landscaping efforts are not deer proofed. The bear-proof dumpsters the county required of commercial businesses are essentially useless; many of us cannot climb that high or lift the heavy metal lid. STILL NO BIRD FEEDERS IN SIGHT.</p> <p>I've made three requests for a bear-proof trash container. Nothing. I see residents in the northern community in particular struggling to bear proof their trash cans – I've seen bungee cords, straps, even tape. NOT A BIRD FEEDER IN SIGHT.</p> <p>I've come to the conclusion that the county not only fails to grasp the concept of cause and effect, but also that it enjoys being vilified in court. Has the county learned nothing from the Sirphey debacle? Does it really intend to arm employees with tape measures and send them out to be sure my bird feeder is a full four feet from the ground, as opposed to 3.4 feet? Does the county intend to spy on us with drones so that it can learn about bird feeder infractions? Or does the county intend to rely upon its tried-and-true approach of "rat out thy neighbor"?</p> <p>I know the county council doesn't listen – that's become obvious. It sets a desired agenda and pursues it, no matter public outcry. Still, I cannot stop trying. In this case, I'm asking for a modicum of common sense and fairness.</p>
Patricia	Walls	Nov 21 2023 08:40 AM		<p>I am in favor of an ordinance to restrict the feeding of wild animals in Los Alamos County. The deer population is completely out of control and is damaging plants and property everywhere. Mountain lions are coming into my neighborhood and came on and killing deer in my yard. Many people are actually buying deer food and salt, licks to attract them into the neighborhood, which causes very dangerous interactions with the other wild animals and people. The vegetation in Los Alamos has recovered beautifully since the two fires and it seems that the deer and other wild animals have plenty to eat. As a result of feeding wild animals in my neighborhood. I have had to pay thousands of dollars to have raccoons and skunks removed from my property and my house just this year.</p> <p>Thank you for considering this important piece of legislation.</p>
Michael	Smith	Dec 06 2023 04:09 PM	Reply	<p>I get that we have a lot of deer and they can be pests sometimes. The proposed ordinance will not affect the deer population however. In town they are chiefly eating fruit from the many fruit trees, and the ornamental plants and grass lawns. My neighbor has feeders at 4-5 feet high. I have often seen adult deer getting up on their hind legs and emptying the feeders out. As for bears, the chief issue there is trash cans. Roll out bear-proof trash cans. As for your remark on vegetation, have you bothered hiking up in the western areas? No the vegetation is nowhere near recovered. It won't for at least 100 years.</p>
Gregory	Buntain	Nov 21 2023 09:14 AM		<p>I have read and support the suggested changes to the current Ordinance as well as the new draft ordinance regarding feeding of wildlife. We are absolutely over run with deer. My neighbor has a salt lick and water for them and even feeds some by hand. We gave up on gardening. The deer are way too abundant. We need to allow controlled hunting within the county.</p>
Michael	Smith	Dec 06 2023 04:13 PM	Reply	<p>The bird feeder language will do nothing to shrink the deer population. Adult deer can and do rear up on hind legs and clean out feeders at the 4' height. Same with bears. I have seen it several times. The deer "stand up", run their long tongues across the feeder, and clean it out in just a few passes. As for hunting, deer hunting is allowed in the county, north of roughly Guaje Canyon.</p>

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David	Kloepper	Nov 21 2023 10:26 AM		<p>A quick survey of the internet reveals that black bear food (like bird seed) must be stored at least 10 feet above the ground (not the ridiculous 4 feet of the proposed ordinance). Bears can stand on their hind legs and jump. It also must be 6 feet away from a tree, deck, or other climbable object. I would suggest that there are no bird feeders in Los Alamos that would meet this standard. Furthermore, if the proper standard were to be adopted, how do you think residents can find a way (1) to hang a feeder at this height and (2) to be able to lower the feeder to replenish the seed on a daily basis. Bird feeding would disappear from Los Alamos and the birds and ground feeders that are currently dependent on this source of food would die out or migrate to more friendly communities. Am I the only resident who loves living with the indigenous animals and treasures their presence and enjoys seeing them walk along the animal trail along the canyon edge behind my house? Please stop this nonsense!</p>
Dawn	Maldonado	Nov 21 2023 10:31 AM		<p>Thank you, Council, for addressing the issue of well-intentioned residents feeding wildlife. Our family supports a ban on feeding LARGE game. The danger created by drawing deer onto lawns and sidewalks needs to be realized before someone is badly hurt. There have been several times when we have delayed leaving my elderly mother's home because the fed/watered herd is camped out across the sidewalk. There have even been times neighbors have thrown out dog food onto the front lawn so that the "baby birds", Crows and Ravens, would have something to eat. Dog food draws more than just birds. Coyotes are very comfortable in town. They can frequently be spotted trotting along a sidewalk just a few yards behind a family out for a walk. Continued Public Service Announcements encouraging residents to be aware of the dangers of living in a mountainous community should be included in the Council's recommendations. Educate more than Legislate.</p> <p>Perhaps a duck food station and signage explaining French Fries hurt duck's tummies would help find a balance between participation in the time-honored tradition of feeding the ducks and the need to keep our local flock healthy. We do support the Council's efforts to find a reasonable solution to the unique challenges that make Los Alamos a wonderful place to live.</p>
Sue	Barns	Nov 22 2023 07:55 AM		<p>I have read the proposed Section 6-22, "Prohibiting the feeding of waterfowl and wild animals." I wholeheartedly support the County in working to protect the well-being of wildlife that share our Community. I have no problem with section c (1), prohibiting the intentional feeding of wild animals, as I see that inappropriate feeding could be detrimental to animals' health. I would also like to see some ordinances/enforcement around the issue of repeatedly allowing bears to raid trash roll carts, dumpsters or failing to secure pets and livestock against predation.</p> <p>However I oppose section c (2), prescribing height and volume of birdfeeders, as it will not deter large animals from accessing food, and is therefore overly prescriptive and unhelpful. I also strongly question the enforceability of these prohibitions.</p> <p>I cherish the wildlife that visit my yard, the nearby canyon, and elsewhere in town. Let's put some real effort into educating our current and future residents on how to co-exist peacefully and safely with all animals, and provide resources to help. Fencing (with appropriate wildlife corridors) and bear-proof trash containers will take care of many of the problems associated with property destruction and habituation. Properly securing pets and livestock against predators will save the lives of both domestic and wild animals, and should be actively promoted (and perhaps legislated.) Let us work together to support the well-being of ALL residents of our County!</p> <p>p.s. We also have people in town who raise domestic ducks and geese in their yards. No mention of that in this ordinance...</p>

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Dorothy	Craven	Nov 22 2023 09:18 AM		I strongly support passage of both ordinances.
Teresa	DuBois	Nov 22 2023 09:32 AM		Thought I'd share a few more thoughts. The Animal Humane Society has a really good site with information about living with deer: www.humanesociety.org/resources/what-t-d-about-deer . They suggest a few things that I have been doing for a few years and have good results. I am both a gardener and a bird feeder. We have beautiful unfenced gardens with roses and perennials that I keep protected by using a product called, Bobex. It's sold at Petree and is an excellent deer repellent that does not harm the plants but keeps the deer away. Smells awful but really works. I think my neighbors are impressed with my garden despite all the deer that wander through. Yes, it requires diligence. I have also done reading on birth control injections for deer, but can't imagine our county being on board with that. Other communities have had good results with darting females with BC. I don't know how one would know which are injected other than tagging them? Anyway, just trying to think outside the box. Also, with regard to the ordinance, I feed birds all year long, and bring my feeders in every night from April to November and only keep the feeders out when we are around. I feed birds at all levels, including the ground. And I have ample water sources for any critters. I consider myself a responsible bird feeder because the bears don't have the option of eating the seed. It's a major deal to haul feeders in of course, but I am willing to do my part for the bears. Living on Walnut, we are enjoying the bear proof cans provided by the county. If a bear is lingering in our yard too long, I get the hose out and spray them and off they go. I have bells on the fence so I can hear if they come in the yard. Again, thinking of creative ways to live with predators. We do have mountain lions in our game camera from time to time and I have never had the opportunity to see one in person! I hope that the residents living along Walnut Canyon continue to bring their dogs in at night, and escort them at night in the yard. Barking dogs are definitely something the lions with key in on and an enclosed yard makes a handy hunting pen. I don't think people need to feed deer by hand and give them food other than what's around. Can we do more with public education and neighborhood dialog? I have learned that getting information in the monthly county bills is not as easy as one would think. I will continue to push the county and Game and Fish along the public education route.

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Phil	Dabney	Nov 22 2023 05:56 PM		<p>I have read many of the comments expressing concern about the ordinance being proposed that would outlaw wildlife feeding. I agree that the ordinance will not solve any of the alleged problems stated in the proposed ordinance.</p> <p>There appears to be no evidence provided by the county that people feeding wildlife has increased population numbers. The existence of a multitude of food sources in town, coupled with habitat changes and losses caused by human and other factors, more likely are causing the increase of wildlife in our community. This is especially true in dry years when food is less available and deer/bears move closer to residential areas in the mountains or adjacent foothills. For deer, this means gardens, shrubs, fruit trees and bears, who tend to seek out unrestrained trash. According to NM Game and Fish, unsecured trash is the #1 cause for nuisance bears in residential areas.</p> <p>So what does the proposed ordinance actually solve beside pacifying a small but vocal subsection of the community?</p> <p>This ordinance was introduced by the Los Alamos Police Department. The ordinance criminalizes behavior that is not criminal. The ordinance renders the feeding of wildlife UNLAWFUL, and sets forth penalties for unlawful feeding. The ordinance covers such feeding on both public and private property. This means you could end up with a quasi-criminal record for feeding deer in your yard. Depending on the fine(s), you might even have to report this conviction to the DOE if you have a security clearance and face the risk of negative impacts.</p> <p>The police department, enforcers of the criminal code, have no expertise and knowledge about how to solve the problem of excess wildlife populations in the community. They will simply "follow the law" and press charges where they find evidence of unlawful behavior. Officers will need to snoop in your yard to see if you are a criminal wildlife feeder. They likely will need to obtain a warrant from a judge based on probable cause before they engage in such searches on private property. Attorneys will have a field day challenging the validity of unlawful searches, unlawful citations, and unlawful fines. If the police act on tips from complaining neighbors who want to remain anonymous, those neighbors will have to testify in court to protect the confrontation clause rights of the alleged wildlife feeder.</p> <p>Substantial funds will be spent investigating and prosecuting this newly outlawed behavior while the deer and other wildlife continue to wander around town and eat (and drink) everything available to them that is not criminalized by this ordinance.</p> <p>The County's money would be much better spent hiring a wildlife expert or sanction an ad hoc committee, like they did with the animal shelter, to study the problem and propose more thoughtful solutions. The proposed ordinance does nothing further to deal with residential and public trash cans. Alternatively the county could spend more time educating the public about how best to live with wildlife in a community where wildlife now and in the future will exist and cohabitate with us. For example, people could deer-proof their gardens, remove bird feeders at night, etc. Since deer are most active from early evening to dawn, residents should be extra vigilant while driving. Reducing travel speeds allows for better reaction times if a deer jumps into the street. Be on the lookout for glowing eyes, Since deer like to travel in multiples, if you see one deer there are probably several more that you can't see..</p> <p>Instead of irrationally outlawing conduct, let's learn how to cohabitate properly without criminalizing anything.</p>
T	Clay	Dec 05 2023 08:26 PM	Reply	<p>Absolutely. Spot on. There is not a wildlife or domestic animal problem here in Los Alamos. I there is a county council problem. I think we need county council control.</p>

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Gerald	Antos	Nov 23 2023 05:11 PM		<p>To the County Council, It seems really harsh to me that we can no longer entertain Los Alamos wild life because you took it upon yourselves to be the Los Alamos HOA dictators. This is strange because you were not elected to dictate what we can or cant do on our own property. You were only elected to manage the local government. And since you are so piss poor at that then I suggest you stick to getting that government thing correct and leave us people alone. You were not voted into office to have the right or the power to dictate to us what we do on our own property but somehow you consider yourselves to be way above normal thinking and if we fail to succumb to your dictatorial policies here in the LA HOA then you fine us and beat us into submission! Frankly you don't own these wild animals and you do not have the authority to make these kinds of decisions, Only the NM Fish and game has that authority. If these fury woodland creatures want to come into my property and I choose to entertain them with a drink or a snack who the hell are you to try and deny me that pleasure? You weren't elected to make that kind of decision. You liberal democrats are bound and determined to make Los Alamos a real tourist attraction and yet every business and eatery has done nothing but suffer under your small minded power grab. When My dad was alive and kicking he had a title for the county council.....Little Big Shots ! I moved back to Los Alamos back in 1985 and that has been true but never more true then it is now! If I was to choose for this city I would fire all of the county council (sorry to the only republican) and switch to a mayor based system and take the power out of your hands! Your nothing more then a bunch of bullies and you don't deserve the privilege of serving the people of Los Alamos.</p>
Jennifer	Leon	Nov 28 2023 03:25 PM		<p>Proposed Wildlife ordinance.</p> <p>Within the last ten years, the deer passed a tipping point where it became easier to make it by living in the neighborhoods than in surrounding natural areas. This shift is likely the result of less forage and less water due to habitat shifts from wildfires and prolonged drought. People began feeding the deer AFTER they appeared in the neighborhoods; the deer did not move into the neighborhoods because people began putting out food for them. Even if the proposed ordinance is passed, the deer will still be in the neighborhoods.</p> <p>In regards to feeding birds - birds such as towhees, juncos, doves feed on the ground. The wildlife ordinance as currently proposed will make it illegal to feed ground feeding birds. Deer and bears can easily reach a feeder hung at 4'.</p> <p>I have made a number of successful modifications to my feeder set up and approach to avoid attracting deer and bears. I put up a simple fence around the feeder area using 4' high hog wire. This easily keeps the deer out while making it possible to feed ground feeding birds. I bring in all seed at night every night to avoid attracting raccoons. I do not put out seed during the summer months when the bears are in the neighborhood. If precautions such as these are taken, it is possible to feed birds without attracting wildlife. Any ordinance should exempt people feeding birds with such modifications.</p> <p>I don't understand what prompted the ban on feeding waterfowl?! It seems excessive. It's very important for people of all ages, and especially kids to connect directly with our world. Kids and adults alike get great pleasure from watching and feeding the ducks. Whenever my neighbors grandchildren visit from Albuquerque they can't wait to go to the pond and feed the ducks. While they are there they also notice turtles, fish, and dragonflies. Such connections are important!</p>

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Good	Citizen	Nov 28 2023 05:53 PM		<p>Los Alamos has always been a "Police State", and they aspire to be a complete "Nanny State" with All New guidance on how they get to control EVERYTHING you do. The ONLY exception is that which they HAVEN,T YET "LEGISLATED". But given more time, they,ll also get to that.</p> <p>I personally give it a year until everything collapses into anarchy. So until then all we can do is watch and wait, and hope we,re sufficiently prepared to get thru this.</p> <p>Good luck to all</p>
Seriously	Los Alamos	Nov 30 2023 06:17 AM		<p>No. We should be able to leave water out for the deer. They were here long before us and we need to deal with the consequences of building in their home and causing climate change. the will eat fruit and other things in our yards. Habitual dog barking?!? Seems too subjective and will be abused to punish people with animals.Los Alamos needs to get a grip and stop making stupid stuff illegal and focus our efforts in a better way.</p>
Cheryl	Thrasher	Nov 30 2023 01:42 PM		<p>I see a ridiculous incongruity in issuing fines to residents who offer support to wildlife while exempting trappers who offer food to entice hungry animals to their death in leg hold traps. Many curious missing pets are probably lost to "legal" trappers. Another reason to not let your dogs off leash while hiking. Animals caught in leg hold traps suffer and cry much longer than 10 minutes before being clubbed to death or strangled. Los Alamos should be trap free.</p>
Teresa	DuBois	Dec 01 2023 08:53 PM	Reply	<p>Los Alamos is trap free as is the rest of the state. In 2021 our governor signed a bill banning trapping on public lands. Los Alamos was ahead of the game by banning trapping on county land in 2017.</p>
Cheryl	Thrasher	Dec 01 2023 10:09 PM	Reply	<p>Teresa DuBois, Trapping is allowed in New Mexico on private land. " Public land is defined as "state-owned land, state-leased land, lands held in trust by the state, lands administered by the United States Fish and Wildlife Service, the United States Forest Service, the Federal Bureau of Land Management, the National Park Service, the United States Department of Defense, State Parks and any county or municipality..."</p>
Cheryl	Thrasher	Dec 01 2023 10:14 PM		<p>Also, the law allows Native Americans to trap for religious or ceremonial reasons.</p>

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Barbara	Phelps	Dec 05 2023 09:14 AM		<p>I agree with almost everything written in these comments.</p> <p>The County has not provided a reason why the Animal Shelter wants to be a Kill Shelter and why the hold time will only be 5 days. A family pet could be lost that long before it can be found. We had a gorgeous dog at our house that we knew belonged to someone but didn't know who. We kept him for a couple of hours and then I remembered seeing him at one house in the neighborhood. It turned out to be their dog. We could have not bothered and called the Shelter. He might never have been found in time to save his life.</p> <p>Bears in town- I agree that there are too many trash cans that are left outside and unsecured. There are also many residences that have nowhere inside to put them (garage, shed, etc). Also, the County is just shifting blame to all of us when we voted ages ago for bear-proof lids and still don't have them. We tried the first style of bear-proof can and they were not a good design. We have been on a list for the new version for a very long time. I called yesterday about it. They aren't due until spring and still won't have enough for everyone. Also, the County and Schools have many bins of their own that are unsecured so the bears can get at the trash.</p> <p>Ashley Pond- is there signage about not feeding the birds there? That would help if there is none. Also, why not put up bird feeding stations where someone puts in a quarter for a handful of food? This would help restrict feeding other food, help make sure the waterfowl get the appropriate food and not leftover lunch garbage, and the money collected can pay for the food that goes inside. And it would add some fun rather than enforcement.</p> <p>Bird feeders in our yards- How will you enforce this other than neighbors calling to report other neighbors? I don't think you have enough staff to patrol our yards and gardens to be sure we are either not feeding birds or doing so in a way you approve of. That doesn't make for a nice community. And there is no evidence it solves the deer and bear problem. Will I have to rake or otherwise clean up under the feeder each day so there isn't birdseed on the ground? Why do you think 4' is high enough to keep the other animals away? That is arbitrary and obviously not high enough if you have seen how high a bear or deer can reach on his hind legs.</p> <p>Finally, why is the County even bothering with this? This isn't why we elected you. I was hoping for things like addressing the 25+ year abandoned house next door to me that has had a skunk den and a multitude of bears living on the property. Or the Middle School's continual dumping of tons of dirt, trash, paint, solvents, tires etc on North Mesa with no approved plan, permission or permits.</p> <p>This all seems shortsighted, shifting blame to community members, an extreme overreach of your authority, and, frankly, very intrusive. It is heavy-handed and lazy to address the problems we have in town with wild animals by punishing us all.</p>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> <p>Los Alamos County Council Regular Session December 12, 2023 Items 8.A and 9.C</p> </div>				
Stephanie	Nakhleh	Dec 05 2023 07:48 PM		<p>I was dismayed to hear the public at the Town Hall make uninformed comments like "it's our responsibility to feed the deer because the fire wiped out their food supply," and I was equally dismayed that nobody was there with scientific information to provide people. Once a "wild animal" becomes dependent on humans for food, it's no longer wild. Los Alamos's wildlife population has become too human-dependent, as the experts have been telling us for years, and it's harming them and us. It's not just rosebushes getting wrecked: we're crashing our cars into deer at record rates, mountain lions are coming into our backyards. Coyotes are attacking people. Bucks are chasing children—and bucks, which may look cute, are capable of causing grave injury. Soon a wild animal is going to seriously injure a child, or worse, and you know who will be held responsible? Elected leaders. Rightly or wrongly, people will hold their leaders accountable for not doing more, sooner, when we've had so much warning of impending disaster.</p> <p>We must protect people and animals. We must keep our wild animals wild by making it illegal to feed them. Just because some of the public is extremely misinformed about this doesn't mean we follow their wishes and harm wildlife. Please be good leaders and follow the science on this.</p>
T	Clay	Dec 05 2023 08:59 PM	Reply	<p>There's no overpopulation of bears, coyotes or lions. children need to be taught how to be around animals respectfully, it's the parents job.</p> <p>I haven't heard of one deer chasing anyone. Children need to learn how to behave around animals both domestic and wildlife and it is the parents job to teach them and keep an eye on them.</p> <p>people hitting deer on the street is a lack of paying attention. I suppose people who have a problem with all this wildlife should just not live in areas full of wildlife.</p>

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Michael	Smith	Dec 06 2023 04:16 PM	Reply	Uh when has a deer chased a kid in Los Alamos? I'd seriously like to know. I haven't heard of such a thing.
Meghan	Ryan	Dec 05 2023 08:02 PM		I very strongly support an ordinance prohibiting feeding of wild animals. Deer, bears, coyotes, and mountain lions are overpopulated to the point of being nuisance animals and often appearing unhealthy in Los Alamos. Feeding deer increases the population of deer, while also feeding bears (who enjoy corn, grain, etc). This encourages overpopulation of deer and bears, as well as making bears into nuisance animals that are often killed. Feeding deer also probably increases the population of mountain lions, who eat the deer, and subsequently eat people's pets and livestock. Feeding cats outdoors has been observed to actually feed coyotes, who will eat the food and the cats. Overall, the chain of events occurring when people feed wild animals is neither good for the community nor the animals. Please prohibit Los Alamos from feeding wild animals. Note that numerous residents keep year-round large feed containers of fodder for deer in their yards, probably out of ignorance of the consequences for wildlife, pets, livestock, and traffic safety.
T	Clay	Dec 05 2023 08:04 PM		<p>Los Alamos County does it again. Where do you come up with such irresponsible ideas? Do research before you propose these laws. what do you get paid for? You don't need a kill shelter, that's extreme. Your animal feeding restrictions are too strict. The wildlife here depends on human intervention because we have encroached upon their living space and will continue to do so with all of the construction. Several people have made good points about the birdfeeders. Perhaps you should put a definition of the food that can be fed like don't feed bread to the geese. Maybe even leave an option at Ashley pond where there is geese food so that they can be fed the right food. You're so concerned about this food thing but you let people smoke all over county property and leave their cigarette butts everywhere which is not good for the wildlife or people.</p> <p>And the same goes for the other wildlife. don't feed deer corn but a lot of gardeners and farmers have to put out other healthy deer food options to keep them from eating their landscaping and gardens. It's not an unheard of or bad practice as long as you're giving the deer food that's appropriate for their diet like fruit, nuts or leaves. That's what your ordinance should just say "only food appropriate for the animals diet" Same with the birdfeeders and the animals at Ashley pond. If anything the problem is the irresponsible people leaving their garbage with bad food in there for the animals to get into. And the bear proof dumpsters are so badly designed that they are human proof, too. It's so difficult for a normal adult to throw the garbage away, that children and the disabled can't take the garbage out now.</p> <p>And you didn't even define what unreasonable noise is. That is subjective that you're saying no one's dog can bark or animal isn't allowed to be an animal if it needs to be. In other local governments they call it excessive barking, not unreasonable. Unreasonable is subjective. End it depends on the situation maybe the dog needs to alert someone to a danger. I wants had a neighbor whose dogs both saying and howled every time he played the piano. I thought it was adorable. Other people would say that's unreasonable when it is not it is an owner bonding with their animal in a healthy way. You really need to do your homework on what is humane for both the animal and human and when it comes to dealing with domestic and wildlife animals. Humans were able to live in symbiosis with animals, we still can.</p> <p>Animals provide us food and companionship, it is our duty to do the same for them especially since we have affected their living space whether they are domestic or wildlife. There are people who put out extra water when there's wildfires for wildlife because they need it. Our responsibility to make sure that we take care of animals properly not as dictated by ignorant people who have no idea how to live in symbiosis but want to put rules and restrictions that don't help the human or the animal.</p> <p>There also needs to be some type of charity to help people take care of their animals if they need financial help Instead of fining them or impounding them.</p>

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T	Clay	Dec 05 2023 08:51 PM	Reply	<p>The things that commenters are saying about feeding wildlife no longer keep some wild and a lot of other ignorant comments about wanting to police everything is strictly an uninformed opinion.</p> <p>Helping out our wildlife friends has been going on since the Native Americans. It's not just a wildfire thing or a drought, but those are things to take into consideration along with encroaching on their space. There isn't a problem with the wildlife here. The mountain lions bears the predators are keeping the deer in check. And there really isn't a difference in a deer going up to somebody's rosebush or apple tree or having someone leave out some water, grains or fruit. The fact that we have fruit trees or other types of plants the deer or eat is feeding wildlife because a lot of these plants are not native to Los Alamos. We have a responsibility as humans to be able to interact with animals respectfully. The county should provide appropriate food to feed the animals at Ashley pond so children can learn how to safely interact. The county has a responsibility to take in the animals welfare at the shelter over bad decisions like euthanasia, sterilization, and poorly worded laws. All the people here who are complaining about the wildlife: Don't live in the mountains, or in a rural area, go live in a metropolitan city. One of the perks to living in Los Alamos is the wildlife. It is absolutely our responsibility to help out our animal friends in a responsible manner giving them food appropriate for their diet and water while keeping a safe distance. Animals aren't stupid,</p> <p>It's only if they are being fed bad food that's not part of their diet when that becomes a problem.</p> <p>It is just not appropriate, enforceable, or logical to restrict humans from our God given right to interact respectfully and peacefully with animals. And did it ever occur to you that animals can't stay wild because they are no longer in the pure wilderness. This is a mixed use land between animals and humans and we have a responsibility to get along with them instead of ignoring their existence or their needs. And it isn't up to the public to have to cite references. Most of these people are citing their own experiences. The police and the county introduced unfeasible solutions to made up problems.</p> <p>If anything the public can be educated on what is appropriate to feed animals, how to take care of domestic animals, and to retains the option of making decisions for their homes, animals and living respectfully around both kinds of animals.</p> <p>Seems to me that all the naysayers and the county council you guys are the ones that are disrespectful to the humans and animals.</p>

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Jody	Benson	Dec 05 2023 08:30 PM		<p>Thank you for the work on these ordinances.</p> <p>For 02-306:</p> <p>My primary concern is the policy of putting a surrendered pet up for adoption, and after five days, "humanely destroyed." I see the working "may". I ask for ten rather than five days. It takes time to find a real or foster home. Also, there are fewer volunteers everywhere, even at the shelter.</p> <p>"Sec. 6-17. Unwanted animals.</p> <p>The Los Alamos County operated animal shelter will may accept any dog or cat, which the keeper no longer wants or cannot keep, and will place such animal for adoption for a period of five days after which time it may be humanely destroyed. The owner or keeper of the animal must be a resident of Los Alamos County."</p> <p>For the wildlife ordinance:</p> <p>I understand why the County wants to restrict feeding wildlife, and I agree that humans don't belong in wildlife habitat. But here we are, all of us mingled species. Restricting humans behavior is important, especially when attracting mammals including pet-eating predators into neighborhoods through garbage (thank you for the bear-proof roll carts to protect our bears), salt blocks, or garbage. I don't, however, think bird feeders can be regulated. The birds who come to my seed strew it all over the ground. Bears, raccoons, and squirrels can climb trees and walk rails to get the seed and sugar water. How about we leave bird feeders out of the regulation. But thank you for considering all the implications of human/wildlife interactions. And while we're protecting wildlife, maybe have more wildlife-crossing reminders around town--the golf course especially where deer/car encounters are not rare.</p> <p>Ducks/Geese</p> <p>I think prohibiting feeding ducks bread is a healthy idea AND if that is the policy, please leave feed stations of corn or some other food for the duck-lovers to use. Feeding ducks is a meditation and a pleasure for adults, and just fun for kids. And be sure to post signs telling where the food is and why only that food is allowable. In addition, please post NO FISHING. I've seen several catch-and-release fishers there showing off their blue gills and carp.</p>
T	Clay	Dec 05 2023 08:54 PM	Reply	<p>There's no reason why the county can't be a no kill shelter, it's not overcrowded, Even still most kill shelters are 30 days. Humanely killing an animal is still killing an animal.</p>
Karen	Sandoval	Dec 06 2023 07:56 AM		<p>I believe Section 6-19(a)1 needs to be rewritten to say ANY beating, kicking or other physical abuse.</p> <p>By saying excessive you are giving permission to beat, kick or physically abuse an animal to a certain extent and that is cruel and inhumane and they County cannot approve this.</p>
Sallye	Sibbitt	Dec 06 2023 08:22 AM		<p>Feeding geese and ducks at the pond should NOT be included in this. These are domestic animals (except for the occasional transitory wild visitor) and must be taken care of, like any domestic animal. Feeding the ducks has long been a pleasure for locals, especially children. These are not wild ducks and geese at the pond. These waterfowl have made a home at the pond long before whatever person is suggesting these changes in ordinances made a home in Los Alamos. Their presence is certainly far more valued than whoever is proposing these changes in ordinances. Prohibiting feeding wild deer, racoons, skunks and such makes sense. Home feeding birds and hummingbirds should also be excluded from this change in ordinances.</p>

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Michael	Smith	Dec 06 2023 11:11 AM		Regarding feeding birds. This is a ridiculous overstep of government. Really are we going to have police enforce bird feeder laws? Are we going to ticket a little old lady because her bird feeder is 3 feet off the ground instead of four? There are so much more important things to spend our time on. There is very little science behind this as well, if the intent is to decrease deer or bear populations. For deer the chief sources of food in town are the abundance of fruit trees and fruit on the ground from the trees. Second to that are lawns and ornamental shrubs and grasses they like to browse on. For bears it is trash cans. Before we start regulating bird feeders, how about we expand the bearproof trash can program to everyone up here in town? And regarding the height, if you want to keep bears and deer from eating bird seed feeders will have to be higher than 4'. Adult bears and deer can easily eat from a 4-foot high feeder if they so desire. Also I want to point out that the "WHEREAS" #3, pertaining to migrations is not scientifically correct. First of all bird migration is almost entirely driven by photoperiod, not food availability. This has been widely studied and published in the ornithological literature (I am a former wildlife biologist / ornithologist and a birder of almost 35 years). The availability of feeders has no effect on bird migration. As for bears and deer, those that become habituated to residential areas tend to migrate less or not at all. In our area that will again be primarily due to fruit trees and other introduced residential plants (for deer) and the availability of trash cans (for bears), not bird feeders. Finally there are an entire group of birds that will mostly feed only on the ground or very low feeders. By requiring feeders at 4 feet you eliminate the ability for us to appreciate those birds at our feeders.
Robert	Walker	Dec 06 2023 02:59 PM		<p>I am opposed to the Wildlife Feeding Ordinance, for reasons that have been recorded here over and over again. As a frequent visitor to the Nature Center, I have interacted with many residents and visitors who find the Wildlife Observation Room a complete joy. I am pretty sure the Nature Center will comply with the letter of the ordinance if passed, and I think it would be sinful to deprive folks of the educational value and enjoyment they get by observing the wildlife present there. The Nature Center already makes an effort not to train Bears to look there for food--we bring in feeders every night, and after monitoring the video stream that is produced there on a 24/7 basis, I can say there have been no more than 3 or 4 bear visits all year. If we can make a successful effort to minimize the unwanted nuisance caused by attracting bears, so can every one else who does not plant fruit trees in town. If you have fruit trees, the only thing I can think of is to harvest the fruit before the bears do, or cut the trees down (and that's nuts). It's just not worth a bear's effort to scavenge a few spilled bird seeds that are scattered on the ground and not vacuumed up by birds and squirrels.</p> <p>I am aware of multiple studies of the effects of bird feeding on birds and on humans. My slanted view is that it's not hard at all to find studies that emphasize (a) birds get most of their food from natural sources even when food is placed out for them by humans, and (b) the positive impact both emotionally and educationally by feeding birds is quite significant for the human contingent.</p> <p>You can certainly also find studies that document how feeding birds will impact their behavior (some hummingbirds stay along the Gulf coast all winter now, in places they used to leave while migrating south). But burning down or chopping down their habitat also impacts their behavior. Choose.</p> <p>The potentially good intentions that are buried in the ordinance are overwhelmed by foolishness. Please do not pass it.</p>
dawn	cline	Dec 06 2023 04:10 PM		It would be very nice if there would be a way to report a person that you know is keeping exotic, endangered animals, or more than 5 dogs (or cats) or have some kind of limit. If you are not a registered breeder, you should not be allowed to have 7 dogs in a very small house with no yard and the inside barking is horrible. ugg I reported a person who had all of these animals to the wildlife people because Los Alamos didn't know what to do about it. And she let all 10 of her dogs die, the endangered animals died, and know one cared about this, and she was only 12 yrs old and this was not right in any form, and she posted the dead animals on her Facebook page to get more of the same kind.
Michael	Smith	Dec 06 2023 04:17 PM	Reply	If someone is keeping a wild endangered species, that is clearly illegal and should be provided to the US Fish and Wildlife Service and/or the NM Dept of Fish and Game.

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Susan	Duran	Dec 06 2023 04:57 PM		<p>Comments to Draft Ordinance 02-306</p> <p>Definitions:</p> <p>Dog Parks must have working gates at all entrances, capable of keeping dogs of all sizes contained.</p> <p>Keeper - What about people pet sitting? It's not fair to give them consequences if the animals are being a nuisance, escape while they're watching them, etc.</p> <p>Menace - You're picking on dogs. What about the cat who poops in specific places around my yard?</p> <p>Unattended dog - therefore has an "e" on the end. What does this mean? If you have a dog in a fenced yard and you're in the house, you're not in the physical presence of the dog? What about a cat or birds in fenced areas attached (or not) to the house?</p> <p>Section 2. Sec. 6-6 (a) It's in their nature for a dog to bark. Yelping is a sign of distress. Again, you're picking on dogs. Roosters crow. The key is "UNREASONABLY" disturbs the public peace. Define public peace. What about playing music outside while doing yard work - or relaxing? Won't that be okay until a certain time? Why can't all animals make their noise until a certain time? Consistent barking can be annoying; can you quantify that and make that a really "reasonable" amount of time? Someone's shopping out of town and is late getting back. Dog is lonely and barking. People shouldn't be penalized for that - give them a freebie a year? How do we PROVE someone or other animals are annoying your animals causing the barking (since we're picking on dogs here). Do we have to purchase cameras? Or is this like the legal system where you're supposed to be presumed innocent before guilt is established beyond a reasonable doubt?</p> <p>Section 3. Sec. 6-12. Penalty Putting someone in jail or on probation for one year is excessive. I believe we are supposed to match the penalty with the issue.</p> <p>Section 4. Why can't 5 days be a longer period? People who may want to adopt a dog may have to wait for a parent to get back from travel, a family may be out on vacation, Los Alamos should NOT be a kill shelter if they aren't required to accept an animal.</p> <p>Section 5. Sec. 6-19. (a) It should be unlawful to EVER beat, kick or physically abuse an animal.</p> <p>Section 6-21. Reword so it doesn't look like you're saying it is lawful for County or government officials to injure, maim or kill any animal from Ashley Pond.</p> <p>Section 8 Sec. 6-124. Why is there an " /or" after "and" properly disposed of?</p> <p>(c) Clarify (1) - adoptability has been compromised by the animal's length of stay in the Shelter?</p> <p>(d) I agree with sterilization, but how did you come up with the period of time requirement?</p> <p>Comments to Draft Ordinance 02-###</p> <p>(c) Prohibitions (1) What about fruit that falls from trees? It's hard to keep on top of that.</p> <p>(2) Why is this under Prohibitions? (c) Squirrels and bear can get into feeders easily. Don't take that away from us, but don't penalize us for it either.</p> <p>(d) Again, penalties should match crime.</p>

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Susan	Ramsay	Dec 06 2023 08:27 PM		<p>In June 2004 the Animal Control Task Force was created to investigate citizen complaints about common nuisance dog issues and recommend solutions. The Task Force was made up of County Staff, County Councilor, concerned Citizens, and knowledgeable Citizen's who have worked extensively in our community with animal legislation, dogs, and dog owners.</p> <p>Three years of committed effort, research, investigation, and thought by that Task Force resulted in the current Animal Control Ordinance. I believe it would behoove Council to review the work done by that effort before considering the changes proposed. At minimum review "A Report on the Animal Control Task Force Findings</p> <p>Understanding the Changes, By Marsha Boggs, ACTF Member 2004-2007</p> <p>This document not only clarifies the changes that went into the ordinance at that time but includes the how and the why. I think it will provide much food for thought.</p> <p>In particular I would like to call out a few sections that are respective to the proposed changes to the current ordinance.</p> <p>Regarding the proposed changes to Sec. 6-6 Unreasonable animal noise prohibited.</p> <p>Proposed: "Except for noises made by livestock, it is unlawful for anyone to own, keep, or harbor any animal that habitually howls, yelps, whines, barks, or makes other noises in a manner which unreasonably disturbs the public peace."</p> <p>Who decides unreasonable? If a dog barks and it doesn't bother one neighbor but the other neighbor is bothered who is right? Dogs will bark - who do you determine what is citable without some sort of quantification. Below is Information from A Report on the Animal Control Task Force Findings</p> <p>"There are constitutional issues with arbitrary enforcement and there is an organization we referred to for guidance on limits. Nuisances or "Will those animals ever shut up?" This is another controversial part of the code. Noise ordinances, like limit laws, have been found to have constitutionality issues. The main problem is the vagueness of an ordinance and its lack of adequate standards to prevent arbitrary enforcement. If Mr. Jones complains about Mr. Smith's dog who barks for 30 minutes every hour, but Mr. Frank 10 blocks away doesn't have anyone to complain about his barking dog doesn't suffer any penalty. This results in an arbitrary enforcement issue. While there is no perfect animal noise ordinance the Municipal Research and Services Center of Washington give some guidelines to help with the specificity that a noise ordinance must have to be enforceable. Our noise ordinance has been worded and approved by Chief Torpy to be enforceable, yet fair and will enforce the animal noise code."</p> <p>Regarding Sec Sec. 6-124. - Adoption of impounded animals.</p> <p>My interpretation of the proposed changes is that no unsterilized animal will be released from the shelter without a signed agreement that the animal will be sterilized. NM State law (https://codes.findlaw.com/nm/chapter-77-animals-and-livestock/nm-st-sect-77-1-20.html) does provide an option for those, such as breeders, that may have reason not to sterilize an animal, or for health concerns related to early spay neuter effects, etc. I do not see that this option is included in the proposed county amendments.</p> <p>Another interesting recommendation by that Task Force was to suggest establishing a Neighborhood Mediation process.</p> <p>"Finally, the ACTF recommends that a Neighborhood Mediation process be put into place. Mediation has proven to be very effective in neighborhoods across the country. This mediation process should not be limited to animals, but every issue that comes up in neighborhoods that result from people who don't always agree living close to each other. This program promises be very beneficial to our neighborhoods and to our court system. There is separate documentation explaining this program and its use in animal issues."</p>

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Jerome	Kolar	Dec 06 2023 09:12 PM		<p>I have had bird feeders in my yard for over 40 years. I cannot begin to measure the pleasure I have had watching the many birds we have here over the years. I never thought that this could be taken away. In reading the draft ordinance for feeding wild animals versus having birdfeeders, I cannot see any method of having bird feeders that would not be viewed as interfering with wild animals feeding routines and becoming an attractant for wildlife. Nor can I see any way of designing a system that would prevent wildlife from eating bird seed at the feeder. This past year I have had deer eat most of my buds off of my roses. This has been going on for many years. Deer ate apples off of my apple tree. I still had plenty. They easily jumped my standard 4-foot fence to get to the apples. I shared my tomatoes with the deer. It came out about 50/50. The deer do try to get birdseed out of the feeders, but they have to struggle to use their tongue to remove a small amount of seed from the feeder. The smaller birds can get birdseed out of the feeders much faster, but much of that seed goes on the ground. This is fine since I enjoy watching doves which eat off of the ground and I do not have to provide food for them. The little birds take care of it for me. Deer do come in and eat off of the ground sometimes right beside the doves. A bear ate all of my grapes along my fence. No sharing here but plenty of bear scat with grape seeds. The bear pulled down my bird feeder to get at the seed this past spring. This was the only time. I repaired the feeder and the bear left it alone, but it continued to get in my trash cans. My wife and I love to watch hummingbirds. Yes, we had feeders out with sugared water. The bear destroyed two hummingbird feeders throughout the course of the summer. Not too bad.</p> <p>I have tried to show you what it was like for me with bird feeders this past summer and hopefully show you that birdfeeders are far from the only problem. So, what should I do? Cut down my apple tree, dig up my roses and grapes, stop gardening, and stop feeding birds. I do not believe your ordinance is going to solve anything. If a bear wants into a birdfeeder, he just tears it apart. If the feeder is high enough to stop deer, they will stand on their back legs. They are very good at this and can stand for some time while reaching for whatever they are after. Deer jump fences with ease. Even young deer less than a year old can clear a 4-foot fence with ease. Raccoons can climb a 4-foot pole to get to a birdfeeder and never break into a sweat. It is amazing what they can do. Let's not forget squirrels and chipmunks. They can reach birdfeeders with ease.</p> <p>If you are dead set on voting for this ordinance, could you please confer with a wildlife group like the Defenders of Wildlife. versus the chief of police. There are other groups that one could get help from. As a last resort, contact fish and game for help.</p> <p>I hope you can see that the best option would be to not vote for this ordinance. It will kill the use of birdfeeders for everyone. As an elderly man, I would be very upset to lose my ability to watch the birds daily.</p> <p>Thank you for your time.</p>

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First Name	Last Name	Posted	Replying To	Text
Carolyn	Bossert	Dec 07 2023 12:07 AM		<p>I have watched the town hall and read the draft ordinances and would like to add the following comments:</p> <p>re: the Wildlife Ordinance:</p> <p>I agree with one of the commenters that allowances for feeding birds on the ground is appropriate. Doves and other native birds need certain acceptable bird feeding on the ground. This is appropriate, especially in the winter months and done carefully and appropriately LESS likely to draw in bears and deer in certain areas than concentrated above ground feeders, particularly in closed back yards, decks and other situations. This seems too tightly written and difficult to enforce.</p> <p>As a side note, I have personally removed my bird feeders due to deer and bear interference.</p> <p>I was particularly aghast concerning the commenter that is openly feeding deer. There needs to be significant education that deer will not starve if not feed grain. Feeding deer and wild animals is not appropriate in any situation. This is just drawing them in, keeping them here, and has and will have potentially devastating consequences (almost every year there is one or two downtown with major car injuries, to start.) The canyons may seem bare, but the hillsides that have been burned of trees are full of grass that are perfect habitat for deer. Downtown people are feeding gophers on County property (off Sage by the soccer field) creating major (expensive) neighborhood issues blocks away. Again, ordinances are part of it, but education will likely be more important and result in more success in the long run, with less wear and tear on our Police and Animal Control.</p> <p>Apologies if I missed it, but if Ashley Pond is a going to be a wildlife area, does this ordinance impact/overlap? Does an exclusion need to be added for the Pond? It seems that the ducks are just going to be a ongoing thing, and that extensive educational signage would likely solve 80% of the issue there (i.e. these are nearly wild ducks, please do not feed bread, this is what can you feed them so little kids can have fun, you can get food from Pet Pangea, etc.). Or add coin metered food dispensers, etc.</p> <p>- As a former employee of the County (Sr. Budget Mgmt Analyst, Asst to County Admin, as well as former Art in Public Places chair) THE COUNTY IS MISSING SUCH A GREAT EDUCATIONAL OPPORTUNITY HERE re: ASHLEY POND. This has nothing to do with enforcement, but a collaboration with PEEC, Pet Pangea, the County, possibly Fish and Game, Historical Society, Manhattan Project, etc. a series of educational plaques about the fish (which fish, why the county chose these specific kinds, why you should not catch them, why you should not add to them), the goose history, the duck history (what they eat, why you should not feed them bread, not introduce others) the plants and their identification, etc., as well as the HISTORY of the pond area. This is Los Alamos. People are wandering around just ready to soak up information. So disappointed that this opportunity has not been taken.</p>

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First Name	Last Name	Posted	Replying To	Text
Carolyn	Bossert	Dec 07 2023 01:14 AM		<p>As to Ordinance 02-306:</p> <p>Forgive my ignorance but as this is an animal ordinance, I am seeing nothing specifically concerning chickens, other than a reference to "livestock". As it is likely unpolitic to mention it, as it seems every tenth house now has them (and based on the number of give aways on Facebook it's spreading), I'm going to wade with questions for clarification. If I have misunderstood the ordinance, the errors are mine.</p> <p>6-1.5 apparently does not mention quantity. So apparently there is no limit on the number of poultry you can have on a residential lot since they are considered livestock?</p> <p>6-6 concerning noise. Chickens are exempt? Turkeys? Geese? Ducks? Turkeys, I have found, are quite noisy. Does the County have no way to control the number of these animals in a residential setting? One. Fine. 60? If a neighbor starts a small residential breeding program (and people are giving them away so they are breeding them in town) and they are kept safely, but the noise is untenable, a neighbor/County has no recourse? Over time our neighborhood has had chickens, turkey and ducks, for example, and at times the noise is not unpleasant, but it could be unbearable at scale or proximity.</p> <p>6-19.5 (b) Chickens need to be disposed of. I don't think that chicken owners are taking chickens to the vet to be euthanized. Nor are other foodstock livestock animals such as rabbits. I think this clause needs to be rewritten match reality.</p> <p>Other concerns include how close to the property line things like chicken coops and hutches for livestock can be built. That that those structures are required to be bear proof. If a bird feeder has to be under an ordinance, then a chicken or rabbit hutch should be required to be build to withstand a bear as well and not be a nuisance and draw in wildlife. I am hoping that animal owners are responsible but ordinances are in place because they are not always.</p> <p>I do NOT agree that livestock should be completely exempt from the noise ban. A large number of residents now work remotely. And a large number of residents are now engaging in livestock keeping. These two things are not necessarily compatible. If you are going to exempt livestock from the noise ban then you should have other controls (i.e. limits on the numbers of livestock and/or types, etc.)</p> <p>Nothing prohibits Roosters from residential areas? Male turkeys? Or is that included elsewhere?</p> <p>Further, there is a lot of discussion concerning the wildlife ordinance and bird feeders, but livestock such as poultry and rabbits, draw in MICE, bears, as well as skunks and raccoons, and likely larger cats. There are multiple food sources (the animals themselves, feed and water), as well as noise, flies, smell and various structures. I think that the issue of these livestock animals is at least as problematic if not more so than bird feeders. IF you are going to have a wildlife ordinance, you have to address this issue in the animal ordinance much more explicitly than has been done. This is a relatively new problem. It should be included in the updated ordinance.</p> <p>Finally, the stables area was set aside specifically for livestock. This is a significant land acreage for a small minority of people to use. It concentrates the animals and resulting noise, smell, flies and whatnot into one area, which is beneficial for the community. I think that the animal ordinance needs significantly more verbiage concerning "livestock" in the residential area that there is currently written. I bought a house in a residential setting, not a farm (although I raised farm animals as a child on an actual farm so I am not speaking from ignorance.) This ordinance should also address the residential area separate from stable. Once size does not fit all and the rules in the residential Townsite should not necessarily apply there. The users of the stables should be consulted to ensure that changes to this ordinance do not negatively impact their current operations.</p>
Bryan	Bennett	Dec 07 2023 08:47 AM		<p>On 02-306 I oppose the short keep time for surrendered animals before the County is authorized to euthanize. This time should be more reasonable to allow surrendered pets a better chance at adoption into a new home. The rest of the draft is acceptable.</p> <p>On 02-###, I object to this entire ordinance. Los Alamos is not an east coast gated community, we are a small town in rural mountains and, as such, are surrounded by wildlife. If deer want to come into my yard to eat windfall apples and leaves or raid a bird feeder what concern is that of the County. Your Purpose, as defined by 6-22(a) seems to be aimed at 'protecting' people from deer eating their plants or defecating on their lawns than it does at protecting wildlife.</p>

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First Name	Last Name	Posted	Replying To	Text
Sandra	Wilson	Dec 07 2023 10:54 AM		<p>The change to Section 6-6, which eliminates a time frame for what is considered "Unreasonable animal noise" is unreasonably nebulous. Many dogs, out of sheer excitement to their owners returning home (to them 2 minutes can be as long as 2 hours) are vocal - that is the way they communicate. If there is a dispute between neighbors, unreasonable "charges" can be made that can then result in an unreasonable fine. I would strongly consider adding back into the ordinance the "continuously for more than 10 minutes" clause to allow pet owners the opportunity to settle their dogs.</p> <p>There has been evidence published that it is important to allow the growth plates of dogs to close before spaying/neutering. While spaying/neutering helps prevent unwanted reproduction, it can adversely affect the health of our animals. While a deposit at the time of adoption to ensure spaying/neutering, I believe that something should be included in the requirements for adoption that the inclusion of the closure of the growth plates be part of the spay/neuter requirement.</p>
A	Shrews	Dec 07 2023 01:54 PM		<p>So our wildlife friends are worthy of creating criminal charges for while our domestic animals are giving 5 days until a euthanization? That seems like a misplaced priority. Furthermore, the deer in our town seem quite content with the grasses on the sides of the road and the golf course. I don't see that criminalizing someone putting water out will do a whole heck of a lot besides jeopardizing one's clearance and therefore, livelihood. These amendments are an overreach and an overreaction.</p>
Barbara	Phelps	Dec 07 2023 02:13 PM		<p>As I have read over the nearly 70 responses here, there are some common threads.</p> <p>Regarding the Shelter-</p> <p>5 days is too short for holding lost/strays</p> <p>If a pet has a rightful owner, the owner should be given choice on spay/neuter</p> <p>Regarding Ashley Pond-</p> <p>Signage is needed that prohibits feeding other than from installed coin operated feed stations (which are not there currently)</p> <p>Signage is needed for history, nature, wildlife at Pond</p> <p>Regarding Feeding Wildlife-</p> <p>Bird feeders need to be taken out of wildlife feeding ordinance language</p> <p>County need to get on with ordering bear-proof trash cans for all of us</p> <p>In general, people prefer positive solutions instead of restrictions and fines. Many people have excellent reasons for their opposition and great solutions that would be a much better choice as a first step than a blanket enforcement with stiff penalties.</p> <p>I request the Council to carefully consider these suggestions and to reconsider any adoption of this Ordinance as it is written.</p>

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First Name	Last Name	Posted	Replying To	Text
A	Perkins	Dec 07 2023 02:32 PM		<p>I think that the definition of a dog barking and causing a disturbance of the peace etc. should be more defined.</p> <p>Incorporated County of Los Alamos Code Ordinance 02-306</p> <p>3</p> <p>Section 2. Section 6-6 of the Code of the Incorporated County of Los Alamos is amended</p> <p>to read as follows:</p> <p>Sec. 6-6 Unreasonable animal noise prohibited.</p> <p>(a) OLD: No person shall own or keep any animal, licensed or not, which by barking or making of other noises, continuously for more than ten minutes, either day or night, causes annoyance to the neighborhood or to passersby except such noises made by livestock, whether from commercial or noncommercial activities on land which is properly zoned to allow keeping of livestock, and such sounds made in facilities licensed under and in compliance with the provisions of this Code. NEW: Except for noises made by livestock, it is unlawful for anyone to own, keep, or harbor any animal that habitually howls, yelps, whines, barks, or makes other noises in a manner which unreasonably disturbs the public peace.</p> <p>(b) It shall be affirmative defense under this section that the animal was intentionally provoked to make such noise</p> <p>A friend who used to live in town had her next door neighbor constantly calling the Police and turning in her dog for barking. The dog barked some of the time - sometimes when this same neighbor was a menace or if there were coyotes trying to get into the yard or some other good reason and not for very long (less than 10 minutes). Most of the time, it was actually a different neighbor/neighbors dog/dogs that were barking. My friend was tired of the Police showing up and the Police realizing that my friend's dog was not the problem. It was upsetting to my friend and a waste of Police time. So I envision a possible worse situation with the rewrite of this ordinance. My dog barks to alert me when there are people near or at my door or when there is wildlife eg bear outside. I find this very helpful to me and my safety (and the dog's safety), and I do not believe we disturb the Peace at all but according to the new rewrite I guess we could be?? Not sure. Too vague. I understand that some pet owners leave their animals to continuously bark. These instances should be investigated to make sure the animals are OK, the owners are OK, and that the neighbors aren't constantly listening to animals bark and whine, but it needs to be more clear. Thank you!</p>
Bridget	Lindquist	Dec 07 2023 05:06 PM		<p>Hello all, I manage Española Humane and wanted to comment on proposed ordinance 02-306. We have been buried in animals despite sterilizing 7,000 this year, and I'm worried that the Los Alamos shelter may be adopting intact animals to Rio Arriba residents who have no intention to spay/neuter, which of course makes our job even harder. I know your shelter struggles to find local resources for sterilization, and that only delays adoption. However, in the past, our clinic has worked with your shelter team to spay/neuter animals, and we are happy to help in the future. Be wary of the refundable deposit, which may be legal in New Mexico but rarely accomplishes the goal.</p>
Cheryl	Thrasher	Dec 07 2023 05:43 PM	Reply	<p>I agree that releasing an intact animal after paying a refundable deposit for future sterilization is an unrealistic program. Before a dog's epiphyseal growth plates harden most female dogs will have gone through estrus and are capable of having a litter of puppies. I would project the rate of owners returning their animals for spay/neuter to reclaim the deposit after as long as 18 months to be very low. Those opposed to spay /neuter would simply consider it a foregone ownership fee. Adopting a dog for breeding, show or "performance sports" commits the animal to a life based on monetary returns for the owner. Do not allow the pets to go out intact.</p>

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Judith	Shinn	Dec 07 2023 06:41 PM		<p>I doubt that anything said will matter, but nevertheless....regarding ordinance 02-306:</p> <p>Sec. 6-17</p> <p>Residents of the county pay taxes. This money supports the police and the animal shelter. How can you possibly say that the shelter "MAY" accept animals from LA County residents. This is preposterous. A 5 day waiting period before euthanasia is also not the norm in well run shelters.</p> <p>Sec. 6-124. - Adoption of impounded animals</p> <p>All useful information about adoption fees and sterilization fees is only referred to in some mysterious location, "as prescribed in this Chapter."</p> <p>More importantly, LA county is supposedly populated by intelligent people. Pet overpopulation is a problem in the country and certainly New Mexico is near the top of the list. The proposed regs state: " No unsterilized animal shall be released from the Animal Shelter without the sterilization agreement and deposit required by state law." What a pathetic statement that makes. What a spineless stand. It does nothing to manage pet overpopulation. You don't have the courage to stand up and speak out against unneutered animals that create babies that then have to be euthanized. Having people pay a pittance as a deposit does nothing to encourage them to actually sterilize their adopted animals. A well run shelter neuters ALL animals before they are adopted. Why don't the intelligent council members support this practice and provide funding to make it happen.</p> <p>I lived in Los Alamos for 45 years. I'm ashamed of the route you are taking with the new ordinance. You know nothing about how well run shelters in the country operate. I don't know how or by whom this ordinance was written. It's shameful and it's being voted on by an uninformed ignorant group of councilors. Ignorant is not pejorative, it just means you are uneducated about the subject under discussion. Please reconsider this amended ordinance. Please let the educated people in Los Alamos lead the way in NM and do something to reduce pet overpopulation, not just be whimpering cowards.</p>

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First Name	Last Name	Posted	Replying To	Text
Jan and Richard	Macek	Dec 07 2023 08:46 PM		<p>Nowhere in this recent revised edition of our animal control ordinance is it prohibited from pet owners feeding their pets to mountain lions, coyotes etc. It does state that pets need to stay on the owner's property but many pet owners seem to ignore our animal ordinance. There have been numerous incidents in Los Alamos County where roaming cats go missing and at the same time mountain lions are sighted nearby. We witnessed (Ring Doorbell) a mountain lion going after a cat that frequented our yard at night. We never saw that Tabby cat again but a night or 2 later the mountain lion came back looking around the area where he had taken down the domestic cat.</p> <p>3 mountain lions that I know of have had to be destroyed in Los Alamos County in recent years; 2 for killing goats or sheep at the stables (are stable owners going to do any thing to make their pets more secure) and one killing dogs left outdoors in 3-5 ft. chainlink fences. Cats directly and indirectly kill our smaller wildlife and predators. Here are just a few examples from around the US. There are many more examples around the country-Google is your friend. And not a day goes by where someone posts on our local Facebook sites about cats being found or "lost" and of course, dogs seem to be always getting out of their fenced area constantly.</p> <p>In short free roaming pets and poorly secured pets can be a major source of food for and attraction for wild predators. It seems that this should be reflected in our animal ordinances.</p> <p>Mountain lion killed in Chimayó - Roswell Daily Record https://www.rdrnews.com › mountain-lion-killed-in-chim...</p> <p>Mar 19, 2023 — ESPAÑOLA — A Chimayó landowner killed a cougar as it attacked his cat March 4, shooting the animal to death on his property, ...</p> <p>Owners heartbroken after mountain lion kills family cats - KSLTV.com https://ksltv.com › owners-heartbroken-after-mountain...</p> <p>Nov 2, 2023 — John Stevens said a mountain lion seen on camera in their neighborhood killed the two cats. He's sharing his story so no one else has to ...</p> <p>There was an incident in Nevada: Mountain lion killed in Pahrump after getting too close for ... KSNV https://news3lv.com › news › local › mountain-lion-ki...</p> <p>Feb 1, 2016 — They believe someone had been feeding it. "There were a lot of cat food cans and dinner bowls," she said.</p> <p>I thought this was kind of funny because cat food tins and dishes are indicative of a Trap/Neuter/Reabandon cat colony and not someone feeding the mountain lion cat food. Just the cats.</p> <p>As to the killing of pets after a certain length of time at the shelter, the reality is that dogs are killed but cats are let loose at the Stables or elsewhere as pest control. This is happening all over the US where cats are put in Trap/Neuter/Reabandon colonies and fed by humans who do not realize or care that a well fed cat will still kill the smaller wildlife and lure bigger wildlife in..</p> <p>May I suggest that we need to do more education about our wildlife and enlist the aid of LANL, realtors, landlords, schools etc. to inform new residents coming into the area about our wildlife and how to co-exist. And please, let new and old residents know of our roaming animal ordinance. I get tired of doing it. Lets try education first before we commit to Ordinances that will be hard to enforce.</p>

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First Name	Last Name	Posted	Replying To	Text
Chris	Treml	Dec 07 2023 08:53 PM		<p>This is a great place to live, unique and naturally wonderful. Please stop trying to turn it into a gated HOA California like community. It is small town with not a lot of amenities, except for the wilderness. The wilderness which includes all the critters; furred, feathered, big, small; they were here first.</p> <p>The deer and other animals are here, because this is their home. We happen to live here too and grow grass, shrubs, flowers, and fruit trees. They love to eat this stuff, so why would they leave? The deer for one live here, this is not a waylaid migration choice like the mandate suggests. Even though, they wander around town and might get some corn or bird seed, they have not forgotten a coyote, loose dog, bear, or mountain lion is not their friend. Also, suggested is that they are more aggressive than another other wild animals; a large predator scaring someone is not aggression. They are a bit startling to see and I would suggest taking precautions with your pets. Another point mentioned was the health of animals. Look around, they are healthy.</p> <p>Things that really do hurt wildlife is poison and big empty buses that hit them. Also, poisoning small animals allows them to be eaten by bigger animals and pets. This does hurt all of the above. I notice this is not mentioned. Also, one current method, killing mountain, lions is very unhealthy for them and allows the deer population to go unchecked.</p> <p>This mandate states the aforementioned points are backed by studies. Studies are not opinion articles. Also, studies are not the complaints of some friends that had their tulips or shrubs eaten and deer droppings left behind. Also, studies are not fears of people who don't like large predators. Comprehensive studies in Michigan and Texas Universities have been done on feeding and living with wildlife. They show various results depending on food, animal density, surrounding area vegetation, etc... Like most, studies people only like to site the points on the side they are arguing.</p> <p>A few other points not mentioned in this mandate are how it will be enforced, will humming bird feeders also be regulated, what about fruit from fruit tree in yards, and water sources. Will there be "fruit police" fining persons for deer eating apples in their yard. Will county personnel be peeking or coming into my backyard to measure my bird feeders? Will there be a limit on the number of, total quarts of, or color of my hummingbird feeders? As for water sources, there have been several articles in the LA Daily telling us to put out water for the wildlife in this drought-stricken land. If the mandate logic holds, all of these bring in many animals to one point, may have contamination, and may be disruptive to all of these migratory species. So, no fruit trees, limited hummingbird feeders and no buckets of water either?</p> <p>Please don't decree this wildlife mandate on backyard feeders. It will be ridiculous/selective to enforce, not help any animals, and not keep deer from eating your friends' plants. The deer and will still come to eat our yard stuff. The mountains lions will still come for the deer. The bears will come for juicy unsecured garbage and fruit trees. It will give people that don't like their neighbors one more thing about which to call and tattle. It will not help the overall health of our wildlife or the wellbeing and safety of town's folks. As for the folks that don't like to live with animals, there is Espanola or downtown Santa Fe; there are a lot more stores and restaurants there too.</p> <p>Also, 5 days before you kill a former pet. This is not the voice of animal helping or loving people. I don't know how the plead for animal health and safety can even be said in the same documents.</p>

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2024 Wildlife Education Plan

OVERVIEW & PURPOSE

The **2024 Wildlife Education Plan** will focus on specific animal species and facts, highlighting behaviors and high activity seasons specific to Los Alamos County, to better inform the residents and citizens of how to live with wildlife on a day-to-day basis. The purpose will be to minimize human-wildlife interactions and negative environmental impacts and improve the safety of both citizens and wildlife within the County.

TARGET AUDIENCE

Messages will focus on informing a **new residents** living with native wildlife for the first time, with easy access to additional resources, such as quick facts, tips and tricks, more in depth information for each animal, and contact information for the Los Alamos County New Mexico Game and Fish (NMG&F) officer. Understanding the county has many **long-term residents**, messages will also highlight new information, reminders, and messages about problem areas for knowledgeable citizens.

RESOURCES

NMG&F is the main point of contact and authority over all messaging. All messages, the campaign calendar, printed publications, and PSA video messaging will be reviewed and approved by NMG&F. NMG&F has a good selection of education materials currently available on their website. This website will be utilized regularly in most messaging: <https://www.wildlife.state.nm.us/home/publications/>

Publications

- **NMG&F Animal Brochures** (numerous publications are available on the educational publications page on the NMG&F webpage)
- **Resource Cards** (created by LAC - link & QR Code to NMG&F)
- **Living with Large Predator Brochures** (created by LAC and approved by NMG&F - spring and fall versions – links back to NMG&F)

In addition, **Los Alamos Police Department (LAPD)** and **Pajarito Environmental Education Center (PEEC)** will serve as local resources when creating PSA video messaging, managing specific case-by-case messaging, and developing educational information and programming. The **Los Alamos Nature Center** is and continues to be a hub for education and programming. The **Santa Fe National Forest (SFNF)** also provides a wide range of area-specific information on their resource management website. This site will also serve as a resource when applicable.

New Mexico Wildlife is an online magazine produced by the NMG&F with a focus on department activities, native wildlife, and outdoor recreation, including hunting and fishing. The magazine is available by PDF or the New Mexico Wildlife website: <http://magazine.wildlife.state.nm.us>. New Mexico Wildlife also releases monthly e-newsletters and special edition e-newsletters with exclusive content supplementing the seasonal PDF magazines. Sign up for e-newsletter updates here: magazine.wildlife.state.nm.us.

Los Alamos County Public Library System also provides a wide variety of resources in-person and online. Users can search for keywords, such as “New Mexico wildlife,” or search for specific publications, including books, periodicals, audiobooks, ebooks, and movies.

Links

- **NMG&F Homepage** - <https://www.wildlife.state.nm.us>
- **NMG&F Conservation Education** - <https://www.wildlife.state.nm.us/education/conservation-education/>
- **LAPD Animal Control** - <https://www.losalamosnm.us/Health-and-Public-Safety/Police-Services/Animal-Control>
- **PEEC/Los Alamos Nature Center** – www.losalamosnature.org
- **Los Alamos County Public Library System Homepage** – https://losalamos.ent.sirsi.net/client/en_US/default
- **Los Alamos County Public Library System “New Mexico Wildlife” search** – https://losalamos.ent.sirsi.net/client/en_US/default/search/results?qu=new+mexico+wildlife&te=
- **SFNF** - <https://www.fs.usda.gov/resources/santafe/landmanagement/resourcemanagement>

CAMPAIGN OUTLETS*

- **Social Media** – Animal Facts and information, PSA video messages, all with link to NMG&F
 - **Facebook** – Los Alamos County, Customer Care Center, Los Alamos Dept. of Public Utilities, Los Alamos County Community Services Department, shared to community groups (as appropriate)
 - **NextDoor** – Los Alamos County neighborhoods
 - **Instagram** – Los Alamos County, LACCSO (as appropriate)
 - **LinkedIn** – Los Alamos County page – Workforce- and recruitment-based messaging (as appropriate)
 - **YouTube** – Los Alamos County channel – Video PSA messages
- **County Website**
 - **Press Releases** – as needed for active wildlife seasons
 - **LAPD Animal Control page with link to NMG&F resources**
- **Digital Signs** – Quick Animal Facts and PSA video messages with QR Code to NMG&F
 - **Municipal Building (2)**
 - **Libraries (2)**
 - **Recreation Facilities (4)**
 - **Visitor Centers (2)**
- **Printed Publication Distribution Points** – Brochures, Flyers, QR Codes, etc. to be stocked regularly
 - **Municipal Building**
 - **Los Alamos Nature Center**
 - **Visitor Centers (2)**
 - **Pajarito Mountain**
 - **Fuller Lodge**
 - **Senior Centers (2)**
 - **Los Alamos Golf Course**
 - **Los Alamos County Ice Rink**
 - **Aquatic Center**
 - **Justice Center**
 - **Atomic City Transit** (flyers, brochures and QR Codes)
 - **Mesa Public and White Rock Branch Libraries** (flyers, QR Codes and bookmarks)
 - **National Park Visitor Centers** (with approval)
 - **UNM-LA Main Building** (with approval)
 - **LANL Badge Office, Easy-IT and Library** (with approval – in current kiosks)
 - **Los Alamos Daily Post** (press releases, articles, paid print ads, photos)
 - **Trailhead Kiosks** (flyers and QR Codes)
 - **ProjectY Cowork** (flyers, brochures and QR Codes)
 - **Events – Distribute educational materials** (Earth Day, Concert Series, Bear Festival, Farmers Markets, ChamberFest, Bandelier events, Valles events, etc.)
- **Digital Distribution**
 - **DPU Utility Bill Inserts** – Monthly section on page 1 (begins January 2024)
 - **The County Line** – Friday email distribution
 - **Seasonal Activity Guides** – Quarterly messages
 - **Local Media Distribution** – Press Releases and media alerts for distribution
 - **Los Alamos County all-staff distribution** – Specific case-by-case messaging
 - **Chamber of Commerce “Monday Messages” distribution** (with approval and as appropriate)
 - **UNM-LA Newsletter distribution** (with approval)
 - **Los Alamos Public Schools newsletter distribution** (with approval)
 - **Los Alamos Daily Post** (press releases, articles, paid digital ads, photos, paid inserts)
 - **LA Reporter** (press releases, articles, photos)

**This list has room to grow and will be regularly assessed for the best distribution methods and outlets for each message. Messaging will take many forms, including, but not limited to: videos, print ads, articles, press releases, social media posts, bookmarks, brochures, flyers, QR code cards, informational booths, programming and activities, signs, etc.*

CAMPAIGN CALENDAR*

January

Learning about the Rocky Mountain Elk
Mule deer behavior in winter

February

Learning about the raccoon
Coyote mating season behavior

March

Learning about the elusive fox
Avoiding mountain lion encounters

April

Learning about the badger
Be bear aware – spring behavior
Elk on the move/antler shed

May

Learning about the elusive bobcat
Mule deer behavior in spring – hiding fawns

June

Learning about northern New Mexico rattlesnakes
Bears in urban environments
Rodent behavior in warmer months

July

Learning about the coyote
Living with large predators

August

Learning about the black bear/Bear Month
Rattlesnake awareness

September

Learning about the elusive mountain lion
Mule deer in an urban environment
Avoiding coyote encounters

October

Learning about the elusive big horn sheep
Elk rut
Be bear aware – fall behavior

November

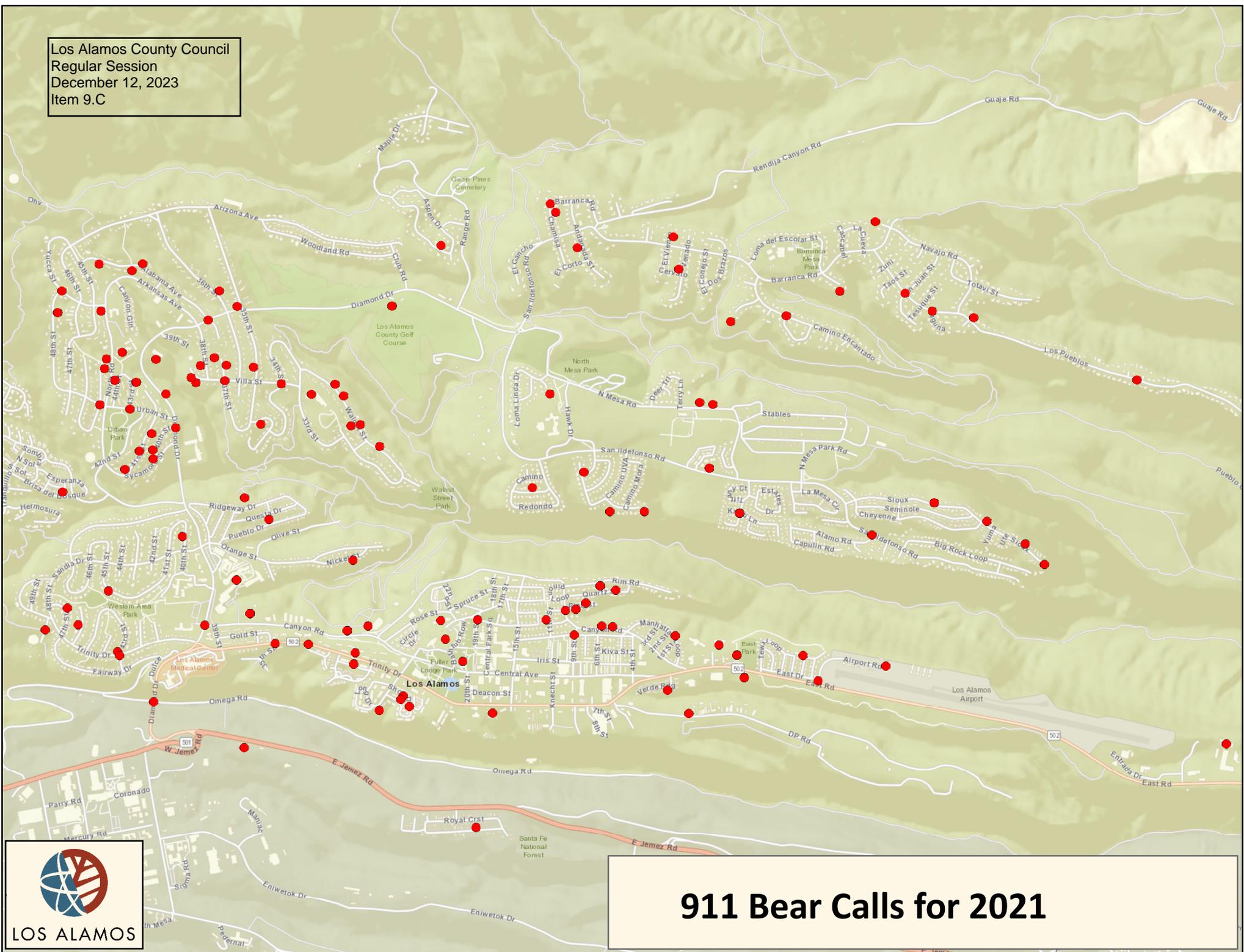
Learning about the mule deer
Mountain lion behavior in winter
Rodent behavior in winter

December

Learning about smaller wildlife on the Pajarito Plateau
Avoiding raccoon encounters

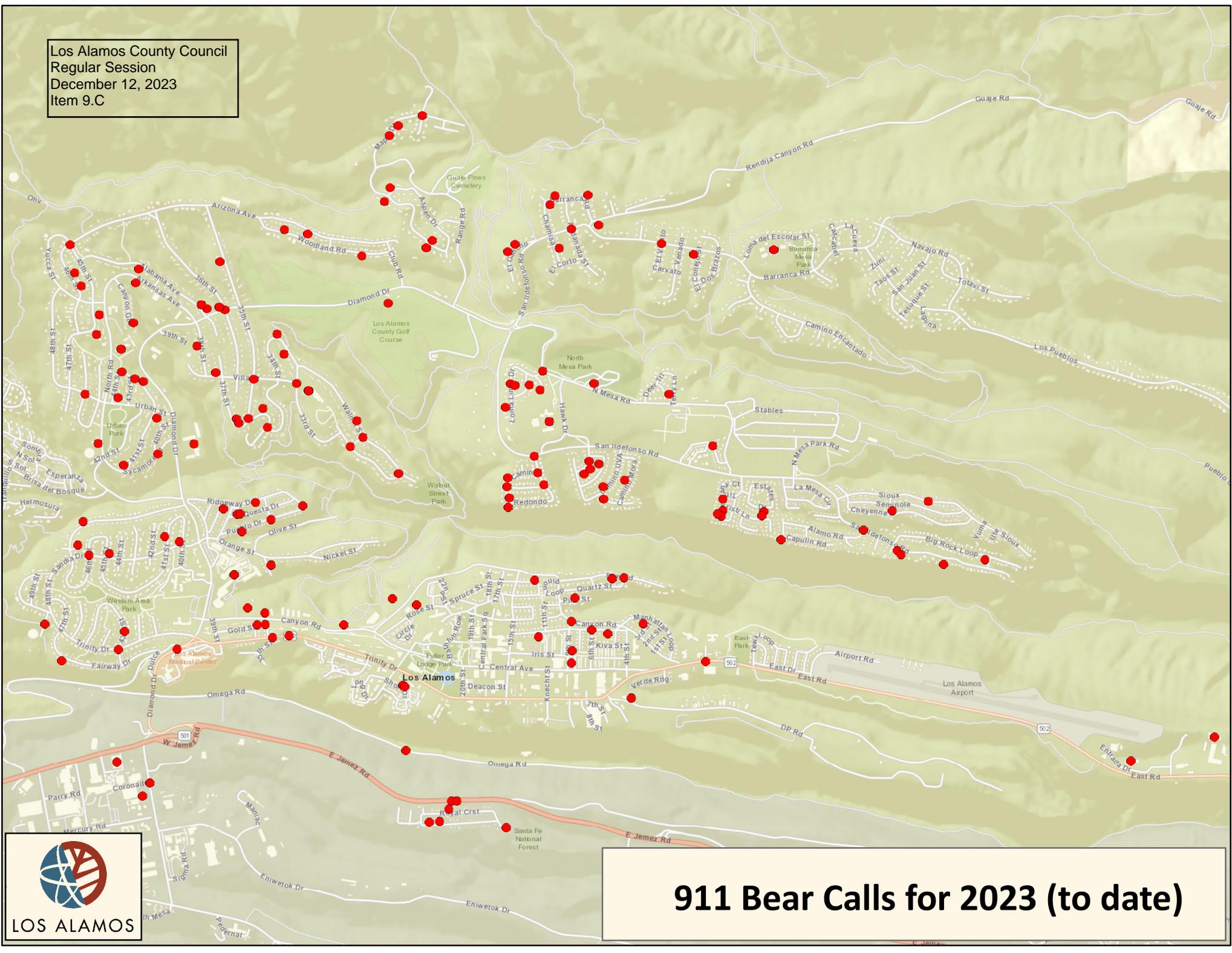
**This calendar is a work in progress and will grow as needs arise. Los Alamos County will work closely with NMG&F to ensure the correct messaging is delivered at the correct time of year.*

Los Alamos County Council
Regular Session
December 12, 2023
Item 9.C



911 Bear Calls for 2021

Los Alamos County Council
Regular Session
December 12, 2023
Item 9.C



911 Bear Calls for 2023 (to date)

**PROPOSED 9-HOLE GOLF COURSE SEASON PASS FEES
 FOR CALENDAR YEAR 2024**

LAGC FEE DESCRIPTION	CURRENT FEE	PROPOSED FEE FOR 9-FACILITY, 2024
Single Adult	\$845.00	\$422.50
Senior Adult	\$665.00	\$332.50
Junior Pass	\$140.00	\$70.00
College Pass	\$290.00	\$145.00
Single Fusion Adult Pass	\$1,600.00	\$800.00
Family Fusion Pass	\$2,500.00	\$1,250.00
Single Senior Fusion Pass	\$1,185.00	\$592.50
Adult Range Annual Pass	\$200.00	\$100.00
Junior Range Annual Pass	\$100.00	\$50.00

** In addition to necessitating a shift to a nine-hole golf course throughout the 2021 season, construction is also expected to reduce the availability of the driving range.*

LOS ALAMOS COUNTY COUNCIL PROCEDURAL RULES

December 12, 2023 UPDATE

PREAMBLE

The Council of the Incorporated County of Los Alamos is the governing body of Los Alamos County and was created by the Los Alamos County Charter. The Charter is relatively undemanding with respect to Council procedure, format, and operating methods, so the Council is, to a large extent, self-regulating. The following rules, therefore, are adopted as a set of operating procedures to which the Council voluntarily binds itself, except as otherwise provided herein. The current edition of Robert's Rules of Order is used as a guide where Council rules are silent. If any of these rules are found to conflict with the Los Alamos County Charter, the Charter shall take precedence. The County Charter, along with the Los Alamos County Code of Ordinances can be found on the Los Alamos County webpage.

ETHICS

The Council adopts, by reference, the provisions of the Governmental Conduct Act, NMSA 1978 § 10-16-1 et seq. as well as Sections 30-1 thru 30-30 of the Code of Ordinances of the Incorporated County of Los Alamos, which is commonly referred to as the Code of Conduct, in their entirety and affirmatively supports Council's and individual Councilor's adherence to their provisions.

OFFICERS AND MEMBERS

Election. The Council shall elect a Chair and Vice-Chair from among its members at its first regular meeting after January 1 of each year. The Chair and Vice-Chair will serve at the pleasure of the Council and be eligible for election to subsequent terms.

Chair. The Chair shall preside at Council meetings and shall:

- Keep Councilors informed of events, meetings, or other occasions where the Chair acted or will act as the official spokesperson for the Council. The Chair acknowledges that he or she does not have additional authorities above and beyond those identified in this document or the Charter.
- Ensure that all other Councilors are informed, within a reasonable time, of significant communications directed to the Chair, in the Chair's official capacity representing the Council.
- When the Chair and Vice-Chair are temporarily unable to perform their duties, appoint a Councilor to serve as Chair.
- Oversee the agendas for County Council Meetings and run Council Meetings. The Chair manages the agendas for Council Meetings with fair and equitable treatment of the agenda requests from all other Councilors.
- Make Council working group assignments and Council liaison assignments to each of the advisory boards and commissions.

- Serve on (or delegate) Federal and State Council working groups.
- Respond to emails from the public on behalf of Council as a whole.
- Present the annual state of county message no later than before the end of the Chair's term.
- Apply the rules of parliamentary procedure during Council meetings. The Chair should be well versed in those rules because the Chair, for all intents and purposes, makes the final ruling on the rules.

All decisions by the Chair are final unless overruled by the majority of Council by a Point of Order. The Chair has discretion, subject to override by Council, to deviate from the letter of these rules. The Chair may make or second motions and participate in discussion as any other Councilor. However, as a matter of decorum, the Chair should normally defer to another Councilor to make the motion.

Vice-Chair. The Vice-Chair shall assist the Chair in the performance of the duties of the Chair, and act in the Chair's place when the Chair is unable to perform the duties of the Chair.

Council Members. Councilors, including the Chair and Vice-Chair, have equal powers and duties except as otherwise specified in the Charter and these rules. In addition to their duties specified in the County Charter or Code or in other County ordinances, Councilors shall:

- Speak for themselves, unless authorized by Council to speak for Council. When speaking for Council, the Councilor shall represent the policies and positions adopted by Council.
- When pursuing Federal or State legislative priorities established by Council, report substantive information from that endeavor to the Council, as applicable, during a public meeting.
- Serve as a member of Council working groups as assigned and as Council liaison to assigned advisory boards and commissions. Councilors shall report the key activities of the board, commission, or working group to Council during the Council regular meeting designated agenda item. Other Councilor reports should be included during the Councilor Comments agenda item.
- Maintain the confidentiality of applicable County records, closed session discussions, and other confidential information as required by Section 30-10 of the Los Alamos Code of Ordinances.
- Comply with the requirements of the Open Meetings Act and the Inspection of Public Records Act. Councilors shall respond in a timely manner to all records requests made by the Records Custodian.
- Evaluate the performance of the County Manager and the County Attorney according to the schedule and template shown in Attachment A.
- Hire the County Manager and the County Attorney according to the process outlined in Attachment B.

- Respond to emails, phone calls, and texts from other Councilors, if permissible under the Open Meetings Act, within a reasonable time frame; ideally within three (3) days. If allowed by the Open Meetings Act, Councilors should meet with another Councilor as requested within a reasonable time frame, ideally within a week.
- If an individual Councilor wants to respond to emails from the public that are addressed to the Council as a whole, respond without a copy to all Councilors.
- Use a County-provided email account for all Council business. If a Councilor receives any email communications regarding Council business in a non-County email account, the Councilor shall forward such email communications to their County email account and only respond to, reply, or forward such email communications from the County email account.
- Submit a completed Disclosure of Outside Employment, Membership and Financial Interest form each calendar year. Councilors shall promptly update the disclosure form if material changes occur.

VACANCIES

Elected Officials. Should a vacancy arise in the office of an elected official, Council shall appoint a successor in accordance with appropriate New Mexico statutes. Council will follow the procedure specified in Attachment C for selecting among candidates to fill the vacancy.

Utility Board Members. Pursuant to Section 501 of the Charter, Council selects members of the Board of Public Utilities. New members shall be appointed according to the procedure specified in Attachment D.

COUNCIL MEETINGS

Regular Meetings. Regular meetings of Council will be set under the requirements of the annual Open Meetings Resolution adopted by Council.

Public comment will be taken at the beginning of the meeting for items that are not on the agenda. Comments on non-procedural agenda items will be taken at the time the item is considered, as described below under Basic Format for Agenda Item Discussion. Comments will be limited to three (3) minutes unless a different parameter is established by the Chair before public comment begins on any given agenda item. Comments may also be submitted in writing.

Work Sessions. The Council may schedule work sessions on a regular basis under the requirements of the annual Open Meetings Resolution. Council meetings designated as work sessions will be held for the primary purpose of discussing issues at length with staff in an informal setting without taking formal action, except for required procedural actions such as approving minutes from a prior Council meeting or adopting a statement for inclusion in the minutes regarding a closed session.

Public comment will be taken at the beginning of the work session for items that are not on the agenda and after each non-procedural agenda item. Comments will be limited to three (3) minutes unless a different parameter is established by the Chair before public comment begins on any given agenda item. Comments may also be submitted in writing.

Closed Meetings. The Chair may call a closed meeting to discuss issues (such as pending litigation, personnel matters, collective bargaining strategy) pursuant to NMSA 1978, 10-15-1 (H). In the next Council meeting following the closed meeting, the Chair will call for a motion that is substantially similar to the following:

“I move that Council approve the following statement for inclusion in the minutes: ‘The matters discussed in the closed meeting held on (MONTH)(DAY)(YEAR) that began at (TIME) were limited only to those topics specified in the (NOTICE)(MOTION) of the closed meeting.’”

Special Meetings. The Chair may call a special meeting or at an open meeting, the Council may set a special meeting for the purpose of conducting County business. Notice of a special meeting will follow the requirements of the annual Open Meetings Resolution.

Emergency Meetings. The Chair may call an emergency meeting in accordance with the annual Open Meetings Resolution.

Meeting Agendas. The Chair and Vice-Chair will, in consultation with the County Manager, develop the Council meeting agenda. The Chair will schedule another Councilor to participate in each agenda setting meeting. A list of proposed agenda items will be provided to Council at each Council meeting and may be reviewed during Council Business at a Council meeting.

Any Councilor may request to have an item placed on a future Council meeting agenda. The item will be placed on the agenda as soon as practicable. If the Chair is uncertain about the appropriate timing for placement of specific agenda items, the Chair will discuss the issue with the Councilor who requested the item.

The agenda for any regular meeting may include a consent agenda. The purpose of the consent agenda is to expedite Council consideration and approval of routine, ordinary, or other items that do not require discussion and for which a public hearing is not required by law. Any item on the consent agenda that a Councilor asks to be considered separately will be pulled from the consent agenda for separate consideration. As a matter of courtesy and notice, any Councilor wishing to remove an item from the consent agenda should notify the Chair and the County Manager as soon as possible, but no later than close of business the day before the Council meeting. Consent items that have been pulled will be considered in the Business section of the agenda or tabled by motion. Public comment on items on the consent agenda will be accepted prior to considering those items collectively.

Citizen Petitions. When a subject appears on an agenda as a result of a properly presented citizen petition, the Council may:

- Acknowledge receipt of the petition and take no further action; or
- Acknowledge receipt of the petition and take the requested action or a different action addressing the subject; or
- Refer the matter to an appropriate board or commission or Council working group; or
- Decide to investigate the subject and discuss further, in which case a future date may be set for the presentation of additional information, Council discussion and possible action.

Introduction of Ordinances. When a proposed ordinance is introduced, a Councilor may propose that the introduction is followed by discussion to clarify the purpose of the ordinance, notify the community about the ordinance, allow initial Councilor questions, and describe the process leading up to the public hearing on the ordinance.

BASIC FORMAT FOR AN AGENDA ITEM DISCUSSION

Council meetings have a written, published agenda. Each agenda item should be handled by the Chair in the following basic format.

First, the Chair should clearly announce the agenda item number and clearly state what the subject is.

*Should the item be one which could generate a concern about the Code of Conduct or a real or perceived conflict of interest, the affected Councilor should make inquiry about the existence of a conflict at this point.

Second, the Chair should invite the appropriate individuals or parties to report on the item.

Third, the Chair should ask Councilors if they have any technical questions for clarification. At this point, Councilors may ask clarifying questions to the parties or individuals who reported on the item, and those questioned should be given time to respond. If no motion will be considered, additional discussion may occur. This is the final step for a discussion item.

Fourth, the Chair should invite public comments as specified above under Regular Meetings and under Work Sessions. At the conclusion of public comments, the Chair should announce that public input has concluded. For quasi-judicial proceedings, the Chair will be provided with detailed instructions designed solely for the conduct of that type of meeting.

Fifth, the Chair should invite a motion from a member of Council. The Chair should announce the name of the Councilor who makes the motion.

Sixth, the Chair should determine if any Councilor wishes to second the motion. The Chair should announce the name of the Councilor who seconds the motion. A motion requires a second before proceeding with it to ensure that not just one Councilor is interested in a particular approach.

Seventh, the Chair should ensure the motion is clearly understood before the discussion or vote. This can be done in one of three ways:

- The Chair can ask the maker of the motion to repeat it; or
- The Chair can repeat the motion; or
- The Chair can ask the clerk to repeat the motion.

Eighth, the Chair should invite discussion of the motion by the members of Council. If the issue is one that is likely to engender a great deal of Councilor comment, the Chair may limit each Councilor's comments to an agreed-upon number of minutes. As a matter of courtesy and

fairness, Councilors are expected to terminate their comments immediately after being advised that their time has expired.

Ninth, the Chair takes a vote by asking the clerk to call the roll of Councilors present. If there has been no discussion or brief discussion, the Chair will announce that a vote will proceed immediately; if there has been substantial discussion, the chair should repeat the motion before announcing a vote. A majority of at least four (4) Councilors determines whether the motion passes or is defeated.

Tenth, the Chair should announce the result of the vote and should announce what action (if any) the Council has taken. In announcing the result, the Chair should indicate the names of the Councilors, if any, who voted in the minority on the motion. This announcement may take the following form: "The motion passes by a vote of 4-2, with Councilors Smith and Jones dissenting. We have passed a motion requiring 10 days' notice for all future meetings of the Los Alamos County Council."

MOTIONS IN GENERAL

Motions are vehicles for decision-making. It is best to have a motion before the Council prior to starting discussions. A motion helps focus the discussion.

As noted, the Chair has every right as a member of Council to make a motion, but normally should do so only if he or she wishes a motion be made but no other Councilor seems willing to do so.

THREE COMMON MOTIONS

Three motions are the most common:

- **Main motion.** The main motion is the one that puts forward a decision for consideration. A main motion might be: "I move that Council create a five-member working group to plan and put on an annual fundraiser."
- **Friendly amendment.** A friendly amendment seeks to amend a motion under debate in a manner acceptable to the motioner and the seconder. A friendly amendment cannot be proposed by the motioner or seconder. If the proposed amendment is accepted by the motioner and the seconder, then the motion under debate is amended as proposed.
- **Substitute motion.** A substitute motion seeks to throw out the basic motion on the floor and substitute a new and different motion for it. A vote on a motion to substitute should occur before the vote on the main motion. If the motion to substitute passes then, and only then, should a vote be taken on the substance of the substitute motion. If the motion to substitute does not pass, then the main motion as originally stated remains before Council. If a Councilor wants to completely do away with the main motion under discussion and put a new motion before Council, he or she would make a substitute motion. A substitute motion might be: "I move to substitute the main motion before Council with a motion to cancel the annual fundraiser this year."

Motions to amend and substitute motions essentially serve the same purpose which is to change the main motion that is before the Council. A majority vote of the Council is required to change

the main motion that is before the Council regardless of whether the motion is to amend or substitute. As these motions are procedural motions, a roll call vote of the entire Council is not required for their passage.

TO DEBATE OR NOT DEBATE

The basic rule of motions is that they are subject to debate and discussion. Accordingly, basic motions, motions to suspend the rules, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the Council. The debate can continue as long as Councilors wish to discuss an item, subject to the decision of the Chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the Council to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Chair must immediately call for a vote of the Council without debate on the motion):

- **Motion to adjourn.** The Chair may announce the adjournment of a meeting unless a Councilor objects, in which case a motion to adjourn must be passed before the meeting is adjourned. Once passed, this motion requires the Council to immediately adjourn to its next regularly scheduled meeting.
- **Motion to recess.** This motion, if passed, requires the Council to immediately take a recess. Normally, the Chair determines and states the time or date at which the meeting will reconvene.
- **Motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn the meeting at midnight."
- **Motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on hold. The motion may contain a specific time in which the item can come back to Council. Or the motion may contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to Council will have to be taken at a future meeting.
- **Motion to limit debate.** The most common form of this motion is to say: "I move the previous question" or "I call for the question." When such a motion is made, the Chair should ask for a second to the motion, stop debate, and vote on the motion to limit debate. Note that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the Council from even considering an item on the agenda.
- **Motion to close nominations.** When choosing officers of the Council, such as the Chair and Vice-Chair, nominations are in order from the floor of the Council. A motion to close nominations effectively cuts off the right of Councilors to nominate others for consideration.
- **Motion to suspend the rules.** This motion suspends a particular adopted procedural rule, or, if the parliamentary procedural rule is not specifically addressed in the adopted procedural

rules, then the motion can be deployed to suspend a particular rule from Robert's Rules of Order. This motion should be deployed sparingly in the rare circumstance when the aforementioned rules of parliamentary procedure unduly burden the substantive work at hand. Robert's Rules of Order provides that this motion requires a TWO-THIRDS majority; the motion is neither debatable nor subject to a motion to reconsider.

MOTION TO RECONSIDER

A tenet of parliamentary procedure is bringing finality to an agenda item. After vigorous discussion, debate, and vote, there must be closure to an agenda item. So, after a vote is taken, the agenda item is deemed closed. The agenda item can only be reconsidered if a proper motion for reconsideration is made and approved.

A motion for reconsideration can only be made at either the meeting where the agenda item was first voted upon, or at the next regular meeting after the agenda item was voted upon, otherwise the motion for reconsideration is untimely. If a Councilor wishes to revisit an agenda item from a past meeting where a motion for reconsideration would be untimely, a motion to suspend the rule regarding the timeliness of a motion for reconsideration can be made. If the motion to suspend the timeliness rule is approved by a two-thirds majority of Council, the Council can then proceed with a motion to reconsider a previous agenda item.

A motion for reconsideration only applies to a particular agenda item, and not the subject matter of the agenda item. For example, if the Council approves Ordinance A that soon proves in need of revision or repeal, Council may bring forth Ordinance B repealing or modifying Ordinance A without a motion for reconsideration. Ordinance B addresses the same subject matter as Ordinance A but is a new agenda item. As such, a motion for reconsideration should be viewed merely as a tool to reconsider a recently voted upon specific agenda item.

Only a Councilor who voted in the prevailing faction on the previously addressed agenda item may make a motion to reconsider. In addition, only a Councilor who voted in the prevailing faction on the previously addressed agenda item may make a motion to suspend the rules if the motion is untimely.

Once an appropriate motion for reconsideration is made and approved by a majority vote of Council, the previously addressed agenda item may be discussed and debated as if it were on the floor for the first time.

Certain motions are not subject to a motion for reconsideration. Typical motions not subject to a motion for reconsideration include, but are not limited to, motions to adjourn, to suspend the rules, to close nominations, for a point of order, to take from the table, to take up a question out of its proper order, to recess, and, of course, a motion for reconsideration.

COURTESY AND DECORUM

The rules of order are meant to create an atmosphere where members of the Council and members of the public can attend to business efficiently, fairly, and with full participation. And at the same time, it is up to the Chair and the Council to maintain common courtesy and decorum. Only one person can have the floor at a time; each speaker shall be first recognized by the Chair before speaking.

The Chair should always ensure that debate and discussion of an agenda item focus on the item or the policy in question, not the personalities of the Councilors, staff, or the public. Debate on policy is healthy; debate on personalities is not. The Chair has the right to cut off discussion amongst Councilors that is too personal, too loud, too unprofessional, or too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers. Generally, Councilors should not interrupt a speaker. There are, however, exceptions. A speaker may be interrupted for the following reasons:

- **Privilege.** The proper interruption would be: "Point of Privilege." The Chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.
- **Order.** The proper interruption would be "Point of Order." Again, the Chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting; for example, if the Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.
- **Appeal.** If the Chair makes a ruling that a Councilor disagrees with, the Councilor may appeal the ruling of the Chair by motion. If the motion is seconded and after debate, it passes by a majority vote, then the ruling of the Chair is reversed.
- **Call for orders of the day.** This is simply another way of saying, "Let's return to the agenda." If a Councilor believes the Council has drifted from the agreed upon agenda, such a call may be made. It does not require a vote, and when the Chair discovers the agenda has not been followed, the Chair simply reminds the Council to return to the agenda item before them. If the Chair fails to do so, the Chair's determination may be appealed by motion.
- **Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the Chair may ask the person who seconded the motion if he or she wishes to make the same motion, or any other Councilor may make the motion if properly recognized.

INFORMING THE PUBLIC ABOUT COUNCIL PROTOCOL

The rules outlined here help keep the public informed about how Council business is conducted. But in addition, and particularly for the Chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the Council will be doing.

Rule Two: Keep the public informed while the Council is deliberating.

Rule Three: When the Council has acted, tell the public exactly what the Council did.

Public input is essential to a healthy democracy, and community participation is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the

agenda items. The rules presented here for conducting a Council meeting are offered as tools for effective leadership and as a means of developing sound policy.

BOARDS AND COMMISSIONS

Advisory boards and commissions are mechanisms for eliciting citizen input and making recommendations on policy matters facing the County and the Council. Some boards or commissions have additional statutory or regulatory functions as described in their enabling ordinances. It is not the purpose of a board or commission to make policy or to direct operational duties of County staff, unless otherwise provided by law. The scope of assigned duties or responsibilities of each board or commission is detailed in the Los Alamos County Code of Ordinances, Chapter 8, Boards and Commissions.

Councilor Responsibilities. Councilors shall be assigned annually by the Chair as liaisons to boards and commissions. Councilors shall make reasonable efforts to attend meetings of the assigned board or commission; if the Councilor is unable to attend meetings on a regular basis, the Councilor shall notify the Chair and request that another Councilor be assigned. Councilors shall report the key activities of the board or commission to Council, as specified above under Officers and Members.

Vacancies. When a vacancy arises on a citizen board or commission, the full Council shall review all applications and recommendations and vote on the final candidate selection.

COUNCIL WORKING GROUPS

Council working groups shall be composed of less than a quorum of the Council and may include members from the community or other advisors or experts. Council working groups may only engage in fact finding; only make non-binding recommendations to the Council; and may represent the County in outside matters to ensure that the adopted policies of the Council are voiced and/or executed. A current list of the Council's working groups is maintained by the County Manager.

Establishment of Council Working Groups. The Chair may create a new working group or staff an existing working group by requesting that no more than three (3) Councilors, and as appropriate, community members and other advisors or experts, participate when advice on a subject or range of subjects is needed, or when County representation is needed on outside matters to gather facts and/or to ensure the adopted policies of the Council are voiced and/or executed. The Chair may request that the County Manager assign staff to assist these working groups.

Non-Binding Recommendations. Any policy recommendations made by a Council working group to the Council are not binding on the County in any legal or practical way. Any policy recommendations made by a working group are only binding on the County if adopted by the Council at a public meeting.

Participation in Working Groups. Requests for participation in working groups will be made annually by the Chair on a rotational basis so that other Councilors and/or community members will have the opportunity to participate, unless the Chair determines that there is good reason for the existing members to continue participating in the working group.

Councilor Responsibilities. Councilors who agree to participate in a Council working group shall make reasonable efforts to attend meetings of the working group; if the Councilor is unable to attend meetings on a regular basis, the Councilor shall notify the Chair and request that another Councilor be asked to participate in the working group. Councilors participating in a working group should assure that the working group focuses its fact-finding on the matter assigned and provides recommendations to Council on the matter assigned. When working on outside matters, Councilors participating in a working group should ensure that the policies of the Council are voiced and executed. Councilors other than the Councilors participating in a working group may not attend meetings of the working group. Councilors participating in a working group may not discuss the working group's business with other councilors outside of a public meeting of the Council.

COUNCILOR EXPENSES

Expense Reimbursement. A Councilor shall be reimbursed for expenses incurred for work and travel on County business and for participation with organizations or associations of which the County is a member, including special work assignments, under the following conditions:

- The travel participation in meetings or other work assignment has been approved by the Council in advance, or if advance approval was not possible, with permission of the Chair, followed by Council approval at the earliest possible time after the expense was incurred.
- The reimbursement for expenses complies with all applicable law, rules and regulations, and policies.
- The Chair (or Vice-Chair for the Chair's expenses) acknowledges the application for reimbursement of Councilor expenses.
- Councilors are expected to respect budget limitations and will limit overall expenditures of public money to the extent practical.

Expense Approval. Reimbursement for Councilor expenses not exceeding \$250.00 in a calendar month made in accordance with these rules does not need specific Council action. The Council must approve reimbursement of Councilor expenses exceeding \$250.00 in any calendar month.

ADOPTED this 12th day of September, 2023

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

Denise Derkacs
Council Chair

Attachment A

**County Manager and County Attorney Performance
 Appraisal Process**

Performance Period April 1 - March 31		
Due Date*	Action	Comments
Mid May	Employee self-assessment due to County Council, to include: <ul style="list-style-type: none"> • Current performance • Future performance objectives • Career Development Goals 	Employee to use Contract Employee Performance Self-Evaluation Form. Identify 4-6 performance objectives for the County Manager from areas such as: Operational (1) Fiscal (1) Communication (1) Strategic (2-3) Identify 4-6 performance objectives for the County Attorney from areas such as: Office operations (1) Legal support (Council, Boards, Commissions) (1) Reduction of legal vulnerability (1) Professional conduct (2-3)
End of May	Council closed session with employee to discuss: <ul style="list-style-type: none"> • Performance • Future performance objectives • Career development goals 	Each employee meeting anticipated to last ~45 minutes.
End of May	Council closed session to determine: <ul style="list-style-type: none"> • Final performance overall evaluation rating • Proposed salary adjustment • Support needed for achieving career development goals Each Councilor will provide feedback for each performance objective; this feedback will be integrated by the Council Chair into the written feedback for each performance objective.	Final performance evaluation will include written feedback for each of the performance objectives and overall rating using the County-wide rating system of unsatisfactory, development needed, meets, exceeds, or far exceeds for each performance objective and overall rating. Performance rating and salary increase range (merit + CPI) for County-wide personnel will be used as parameters for salary adjustment in accordance with the applicable employment contract and other considerations as deemed necessary and agreed to by Council.
Mid June	Council closed session with employee to provide final performance evaluation.	Each employee meeting anticipated to last ~15 minutes. Final integrated Council evaluation sent to HR with overall score along with the salary adjustment allocated as agreed to in an open meeting vote by Council.

Performance Period April 1 - March 31		
Due Date*	Action	Comments
Mid December	Council closed session with employee to discuss interim performance.	Each employee meeting anticipated to last ~45 minutes. Significant comments will be documented and provided to the employee and available for the May year-end performance review as required and/or appropriate.

NOTE: Modifications to the timeline and process may need to be made based on competing County and/or Councilor commitments and County Calendar.

**County Manager and County Attorney Performance Self-Evaluation
Form**

Name and Date:

Position:

Performance Objective #1:

Performance Objective #2:

Performance Objective #3:

Performance Objective #4:

Performance Objective #5:

Performance Objective #6:

Proposed Future Performance Objectives:

Proposed Career Development Goals:

Overall Assessment:

**County Manager and County Attorney Performance
Council Evaluation Form**

Councilor Name, and Date:

Employee Name and Position:

Performance Objective #1:

Performance Objective #2:

Performance Objective #3:

Performance Objective #4:

Performance Objective #5:

Performance Objective #6:

Proposed Future Performance Objectives:

Proposed Career Development Goals:

Overall Assessment:

Attachment B

Hiring Process for County Manager and County Attorney

1. The Council Chair shall appoint a search working group comprised of up to three (3) Councilors, one of which to be the Chair and the other two to be appointed by the Chair. The search group may also include the outgoing incumbent. The search group responsibilities include clarification of the job requirements, timeline, development of needed recruiting materials and development of job advertisements as well as communicating key elements to Council, County Staff, and the community as appropriate. The search group will be led by the Human Resources Division.
2. The hiring process will include both local and national recruitment efforts for the position.
3. Once the job advertisement has been closed and the applications qualified by the Human Resources Division, the search group will screen the applicants. If a down-select of the applicants is required, this will be performed by the search group. The short list of applicants will be presented to the Council in a closed session.
4. The candidate interview process will include mechanisms for obtaining input from Council, County Manager's Office, County Attorney's Office, County staff, and the community. It will provide opportunities to evaluate leadership and management skills, communication skills (both within the County and with the public), fiscal management skills, and specific technical skills as applicable to the position.
5. The final selection of the employee will be made by the Council. Final negotiations to conclude a contract with the employee will be led by the Human Resources Division working with the appropriate legal department representative and the Council Chair. The final contract will be approved by the Council during a public meeting as proscribed by the Open Meetings Act.

Attachment C
Appointment Process for Selection of Elected Officials

1. When there is a vacancy in the office of an elected official, the County Council will solicit letters of interest and applications from the public.
2. When the recruiting process is complete, the Council Chair will appoint a working group to develop a set of interview questions specific to the elected office and that appropriately demonstrates the applicants' skills, knowledge, and interest in the position; they may also address issues relevant to the community.
3. At the appointed Council meeting, the draft set of interview questions will be reviewed, discussed, and agreed on by Council prior to initiating the interview process. The applicants will attend and present their applications to the Council using the following process:
 - Each applicant will make a three-minute statement to share their interest and qualifications for the office.
 - Applicants will then answer interview questions from the Council. Each applicant will answer each question. Follow-up questions will be allowed if further clarification is needed.
 - There will be an opportunity for public comment after applicants have made their statements and answered questions. Public comment will be limited to three (3) minutes per citizen.
 - After public comment, the Council will take a roll call vote. The applicant with the most votes will be appointed to fill the vacancy.
 - To be selected, an applicant must receive a minimum of four (4) votes. If no applicant receives four (4) votes after the first roll call vote, the applicant with the fewest votes will be eliminated and the Council will take additional roll call votes until a final selection is made.

Attachment D
Process for Selection of Board of Public Utilities Member

When there is a vacancy on the Board of Public Utilities (BPU), the County Council will solicit letters of interest and applications from the public. The solicitation will include, but not be limited to the following information: eligibility requirements, the powers and duties of the BPU, and estimated time commitments, including dates/times of BPU meetings. Once applications are received, the applicants should be provided with additional information, including, but not limited to, the annual Department of Public Utilities report, a copy of the County Charter, and a copy of Chapter 40 (Utilities) of the Los Alamos County Code.

When the recruiting process is complete, the County Council will appoint a committee to interview the applicants and provide a written recommendation to the County Council. Members of the interview committee will consist of the Council liaison to the BPU, a Councilor appointed by the Council Chair, the BPU Chair or designee, and the County Manager or designee. The interview committee will develop interview questions that appropriately demonstrate the applicants' skills, knowledge, and interest in the position.

The County Council will review and consider the committee's report and recommendation at a County Council meeting and will request public comment before taking a roll call vote. Appointment to the BPU requires a minimum of 4 votes in favor of an applicant. If no applicant receives 4 votes after the first roll call vote, the applicant with the fewest votes will be eliminated and the Council will take additional roll call votes until a final selection is made.

December 12, 2023

Council Regular Session

Agenda item: 10.A General Council Business

18140-23 Discussion and Possible Approval of Revisions to the Council Procedural Rules

NOTE: Additional editorial changes were suggested to the revised Council Procedural Rules shown in Attachment A and B. See the revised "Procedural Rules Attachment D" below:

**Attachment D
Process for Selection of Board of Public Utilities Member**

When there is a vacancy on the Board of Public Utilities (BPU), the County Council will solicit letters of interest and applications from the public. The solicitation will include, but not be limited to the following information: eligibility requirements, the powers and duties of the BPU, and estimated time commitments, including dates/times of BPU meetings. Once applications are received, the applicants should be provided with additional information, including, but not limited to, the Department of Public Utilities report, the County Charter, and Chapter 40 Utilities of the Los Alamos County Code

When the recruiting process is complete, the County Council will appoint a to interview the applicants and provide a written recommendation to the Council. Members of the interview will consist of the Council liaison to the BPU, a Councilor appointed by the Council Chair, the BPU Chair or designee, and the County Manager or designee. The will develop interview questions that demonstrate the applicants' skills, knowledge, and interest in the position.

The County Council will review and consider the report and recommendation at a Council meeting and will request public comment before taking a roll call vote. Appointment to the BPU requires a minimum of 4 votes in favor of an applicant. If no applicant receives 4 votes after the first roll call vote, the applicant with the fewest votes will be eliminated and the Council will take additional roll call votes until a final selection is made.