

NEWS RELEASE

Julie Williams-Hill,
Public Information Officer
505.662.8083
julie.williams@lacnm.us

LOS ALAMOS

Communications & Public Relations

1000 Central Avenue, Suite 350
Los Alamos, NM 87544
P 505.663.1750 F 505.662.8079

losalamosnm.us

Date: February 15, 2023

FOR IMMEDIATE RELEASE

Letters of Interest solicited for new Nuisance Code Implementation Review Task Force

Los Alamos, New Mexico— The Los Alamos County Council is seeking Letters of Interest to fill the newly chartered Nuisance Code Implementation Review (NCIR) Task Force. Letters are to be submitted by 5 p.m. on Thursday, Mar. 16 and may be submitted by any County resident. Adopted at the February 7, council meeting, the charter for the NCIR Task Force requires appointed members to review the implementation and interpretation of the new code; review data and reports for one year; engage affected members of the public and county staff; assess the effectiveness of the program's communications; and prepare and present a report to the council of issues and recommendations. This Task Force will ideally consist of five diverse members, from different geographic areas of the community.

The primary purpose of the Task Force is to review the implementation and interpretation of the requirements of the new Chapter 18 Nuisance Code that recently went into effect. The Task Force will serve as an advisory board to Council with a term of one year from April 3, 2023, to April 2, 2024.

Letters of Interest should explain background and qualifications and include the answers to the following questions:

1. Why are you interested in serving on the NCIR Task Force?
2. What is your knowledge and opinion of the recently revised Nuisance Code (Chapter 18)? Of the previous version of the code?
3. Do you have any personal experience with Los Alamos County Code Compliance?
4. Have you served on other Los Alamos County boards, commissions, or task forces? If yes, which one(s)?

5. In what part of Los Alamos County or neighborhood do you live?

The Letters of Interest should be limited to two pages. The group is a working Task Force and the individual appointed can expect to spend time in meetings for the main committee on a regular basis along with other assigned work outside of committee meetings to achieve the work plan set forth in the charter.

Interested residents should e-mail Letters of Interest to: lacmanager@lacnm.us no later than 5 p.m. on March 16. This appointment will be an item for Council action at the March 28 Council meeting, 6 p.m. in Council Chambers (1000 Central Ave, Los Alamos) and on Zoom. Individuals do not need to be present at the meeting to be considered but are welcome to attend.

To learn more, review the NCIR Task Force Charter, or contact Linda Matteson at linda.matteson@lacnm.us.

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Laurent, Anne

From: John Bloodwood <jbloodwood@gmail.com>
Sent: Sunday, March 12, 2023 2:09 PM
To: LACManager
Subject: [EXTERNAL]Letter of Interest for NCIR Task Force
Attachments: Bloodwood Letter of Interest for NCIR Task Force.pdf

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.

Hello,

Please see attached for my letter of interest.

Thanks,
John Bloodwood

To the Los Alamos County Council,

I am John Bloodwood, and I'm writing to express my interest in serving on the Nuisance Code Implementation Review (NCIR) Task Force. I am a 30 year old Los Alamos National Laboratory engineer who moved to this county with my wife in 2020, at the peak of the COVID-19 pandemic. In our relatively short time here, we have lived in one of the apartment complexes downtown, a 1950s Lustron home on Fairway Drive (renting from private landlords), and finally purchased a small house in White Rock just over a year ago. Prior to living here, we were graduate students at Clemson University in South Carolina (I'm so glad to have left the humidity!) While at Clemson, I served on the Graduate Student Senate over 4 years and was chair of a few committees; I have some familiarity with Robert's Rules of Order and collaborating with volunteers to fulfill a common task. I have a PhD in Environmental Engineering and currently work in an interdisciplinary role which involves risk assessment, economic decision support, report writing, and data analysis & visualization. I believe my background and skillset would be an asset to the NCIR Task Force.

1. Why are you interested in serving on the NCIR Task Force?

Policies and procedures have far-reaching impact. I experienced this first-hand during my time at Clemson, where I chaired the committee responsible for the graduate student travel fund. This grant-based fund was often the only way students could attend conferences – and much of the process was biased, opaque, and ineffective. I know this may seem like a small deal, but picture an environment where broke students (working for less than minimum wage) perceived conference presentations as a critical resume item for their future career. They needed to go to get a job. There wasn't nearly enough money for everyone. People were feisty. My role then was clear: ensure the grant process became fair, unbiased, and transparent in order to better serve the student population. The committee succeeded.

Regarding the nuisance code, I see the concerns that community members have shared in a similar light. Portions of the code seem ripe for subjective judgement calls or alternative interpretations. Even after the revision. I am concerned that there is room for bias and uneven enforcement; I'd hate to see this concern become reality. I hope to review the implementation of the Code as a NCIR Task Force member. I don't wish to complain with no resolution – I hope that, as a volunteer with outside perspective, I could help identify any implementation issues while also pointing towards potential solutions. Ideally, this Task Force might help engender a more effective and transparent county government.

2. What is your knowledge and opinion of the recently revised Nuisance Code (Chapter 18)? Of the previous version of the code?

When the (then proposed) revision was receiving attention last summer, I read it and the previous version several times. This was mainly driven by being a recent first-time homebuyer – I wanted to know my role and responsibility as a new member of the community. I saw some glaring issues and overly-broad language in a draft, and decided to write a Letter to the Editor for the local paper. This letter focused on draft language that seemed to indicate driveway car repairs would be banned. Because I just bought a house without a garage (our only option), I was motivated to voice an opinion in favor of routine automotive repair on driveways. I also surveyed the county to provide data on the proportion of houses with and without garages across several neighborhoods.¹

¹ Bloodwood, J. (2022, July 28). Letter to the Editor: Draft Nuisance Code Becomes The Nuisance. Los Alamos Daily Post. <https://ladailypost.com/letter-to-the-editor-draft-nuisance-code-becomes-the-nuisance/>

This letter seemed to generate significant public comment and input. As the deadline for public comment neared, I became disheartened by many consultant responses that, while addressing comments at the surface-level, seemed to pay no attention to the root of the problems being vocalized. I wrote a second Letter to the Editor to encourage further comment before the public deadline.² My goal was not to just point out problems, but to encourage this smart community to find solutions. I wanted the nuisance code to be exemplary rather than an average amalgamation of peer-county codes.

My opinion on the current code is summed up by two quotes from that letter, copied below:

"Precision matters – there should be no ambiguity about what a "dismantled" vehicle is. I would rather not argue about whether a missing door-handle constitutes a "dismantled" (and therefore 1/3rd inoperable...somehow) vehicle. A legal document warrants precision and unambiguous language. If a "broken window" is actually shorthand for "shattered/missing" but not "cracked from hail damage," the longer definition ought to be used. Otherwise, 5-10 years from now a new overeager code enforcement official may issue citations that go against the intent of the code's authors."

"...It seems to me that the code update is written for any average community rather than Los Alamos specifically. If the reason behind outlawing building materials in the front yard really is a concern that thefts will increase (the broken window theory), is there supporting research about crimes-of-opportunity rising in remote, well-employed communities that already have abnormally low crime rates despite many apparent nuisance code violations (just under 1,000 per year, according to the consultant's "Research & Best Practices" document)? The code should reflect Los Alamos, not subject Los Alamos to a mixture of other counties' codes."

Although these are my opinions, I fully recognize that the revision passed. It is now county code. And, the charter for the NCIR Task Force explicitly excludes recommending changes to Chapter 18 unless they directly address issues identified from the implementation review. I wholly respect and appreciate the scope of the Task Force; frankly, that's a smart addition. (Without it, I'm sure the Task Force would be tempted to revisit old ground without warrant.) Nuisance codes are weird beasts that sit at the interface of what's public and what's private – I respect the current law and, if selected for this Task Force, would set my personal opinions on specific sections aside when they are irrelevant to the task at hand.

3. Do you have any personal experience with Los Alamos County Code Compliance?

No. I've never received a violation, courtesy letter, or other communication.

4. Have you served on other Los Alamos County boards, commissions, or task forces? If yes, which one(s)?

No.

5. In what part of Los Alamos County or neighborhood do you live?

White Rock, on Kayenta Drive right next to Overlook Park.

Thank you for your consideration,

John Bloodwood



² Bloodwood, J. (2022, September 2). Letter to the Editor: Precise Execution, Communal Intent (Nuisance Code Comments Due Sept. 2). Los Alamos Reporter. <https://losalamosreporter.com/2022/09/02/precise-execution-communal-intent-nuisance-code-comments-due-sept-2/>

Salazar, Jacqueline

From: Laurent, Anne
Sent: Friday, March 3, 2023 12:42 PM
To: Salazar, Jacqueline; Matteson, Linda
Subject: FW: [EXTERNAL]Letter of Interest for the Nuisance Code Implementation Review Task Force

FYI

From: ROBERT DAY <drpatty37@msn.com>
Sent: Thursday, March 2, 2023 1:29 PM
To: LACManager <lacmanager@lacnm.us>
Subject: [EXTERNAL]Letter of Interest for the Nuisance Code Implementation Review Task Force

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.

My name is Robert D. Day. I am submitting this Letter of Interest in the NCIR Task Force. I have had a permanent address in Los Alamos for over 70 years. So, it can be seen, that I really like living in Los Alamos and care about the community. I graduated from LAHS in 1967, attended school at New Mexico State University until 1974, and then began a career at LANL until I retired in 2009. I, basically, grew up with the town and with the Lab. I began ice skating at the local rink in 1956, skiing at Pajarito in 1966, played in graduation canyon, and other surrounding canyons, from 1954 to the present (I currently mountain bike in these canyons). I routinely shop locally as much as I can. I have also raised six children in Los Alamos; four of these are now living and working here. I say all of this to demonstrate that I have been committed to Los Alamos all of my life, and have taken advantage of the unique opportunities for recreation this town offers.

I also began involvement with local governance by joining the Community Development Advisory Board (CDAB) in August of 2021. CDAB was responsible for advising the County Council in regard to the Chapter 18 re-write. I was a member of CDAB when the recent re-write was adopted by the County Council in November 2022. I want to be a member of the NCIR Task Force so I can help ensure that the implementation and interpretation of the new Code will be as intended by the CDAB. With this introduction, I will answer the questions from the News Release specifically.

1. I am interested in the NCIR because I was on the CDAB when the Chapter 18 re-write was adopted by the County Council. The CDAB worked very hard to come up with numerous recommendations to DPS (the company that actually wrote the new code). By a majority vote these recommendations were made and the actual vote was documented by the Board Chair John Gustavson. Many of these recommendations were implemented into the code. As a result, I think we have a better code than the original, but there are misunderstandings about the new code amongst the generally public that I would like to see cleared up. Also, implementation is important so I want to assure that enforcement is according to the intent of the code.

2. I have extensive knowledge of the code since I reviewed it many times during the writing of the new code. I think the new code is good overall. It makes safety the primary criterion and deemphasizes aesthetics. One reason for this philosophy, is that aesthetics is very subjective, therefore lending itself to being arbitrarily enforced. Safety can be more easily defined, and most of the community agrees that safety is important. Some of the restrictive features of the old code were eliminated, such as, not allowing storage in car ports. The only problem that I have with the new code is that it retained the wording about accumulative fines and jail time. I think that this overbearing for a code that basically deals with property maintenance, especially since the County can fix the problem and put a lien on the property for the case of a significant safety issue.
3. The only experience I have with code compliance is what I encountered while being a CDAB member. We reviewed non-compliance issues routinely and would ask the opinion of the compliance officer for various aspects of the re-write when appropriate.
4. I have only served on the CDAB.
5. I live at 555 Myrtle Street; this is located in the Eastern Area of the town.

If you have any additional questions, I can be reached at 505-661-2309 or by email at drpatty37@msn.com.

Sincerely,

Robert D. Day

Philip H. Gursky
2025 East Jemez Rd, #235
Los Alamos, NM 87544
philipgursky@aim.com

Statement of Interest
Nuisance Code Implementation Review
Task Force

1. I am interested in serving as this is a Code, while recently rewritten, that needs sensibility and reasonableness in its implementation. Issues with uniformity and proportionality in how the code is enforced and interpreted will be important factors in how the changes are received and how all property owners are affected by the revised Code. I think my background and experience in the County and as a participant in County entities now and in the past, would serve the interests and needs of the NCIR as it advises the Community Development Department during the first year of the new Code.
2. I am familiar with both the prior code and the newly revised code. In my opinion, the prior code suffered from too broad of a scope and definitions, as well as uneven application. This resulted in justified objection to its purpose and need. The revised Code represents a narrowing of scope, and if properly implemented, a more objectively and fact driven application.
3. I have no personal experience with experience with Nuisance Code Compliance with the County.
4. I have served on multiple boards, commissions, and committees. Decades ago, I was a member of the County Fair Board. More recently I have been Chair of Planning and Zoning, Chair, and now Vice Chair, of the County Health Council and Chair of the North Mesa Housing Project Committee. On more specialized committees, I have been a member of Manhattan National Historical Park Sub-Committee on Facilities, County Tourism Master Plan Committee, Bike Master Plan Committee and County Rim Trail Implementation Committee.

I was involved in the review and drafting process for the rewrite of the Chapter 16. As a point of disclosure, I am a real estate developer and have multiple contacts with CDD Staff on a number of projects and parcels in the County. I practiced law in NM with extensive experience in drafting state and local codes and ordinances (multiple land use and compliance codes for municipalities in NM) and real estate law practice in NM and the Western United States.

5. I am a native of Los Alamos, grew up on Barranca Mesa, recently sold my house and am currently residing at Elk Ridge, pending completion of one of a number of current housing projects in the County.

I believe, with my background, I can help bring experience and familiarity with Codes and enforcement in this area of ordinances in to the process of responsible, balanced and thoughtful implementation of the revised Nuisance Code.

Thank you for the opportunity to be considered.

Philip Gursky

LACManager

From: Hanson Family <dcm.hanson@gmail.com>
Sent: Wednesday, March 15, 2023 11:13 AM
To: LACManager
Cc: David Hanson
Subject: [EXTERNAL]NCIR Task Force

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1. Why are you interested in serving on the NCIR Task Force?

As a long time resident of White Rock, I would like to see more consistent enforcement of the nuisance codes by CDD. I would like to see more attention given to following the progress of code violations to ensure that all of them are being resolved.

2. What is your knowledge and opinion of the recently revised Nuisance Code (Chapter 18)? Of the previous version of the code?

I served on the previous CDAB for several years during which it was focused on the re-write of Chapter 18. The previous version was deficient in many ways and the re-write was generally an improvement. However, I think that the re-write could still benefit from some changes and enhancements. In particular, there are places where the code could be quantified to make it less controversial for CDD enforcement. I believe that the final draft of the code now does not have a weed ordinance which is probably unique for a county like Los Alamos.

3. Do you have any personal experience with Los Alamos County Code Compliance?

I have never been cited for a violation but I have submitted code violation reports.

4. Have you served on other Los Alamos County boards, commissions, or task forces? If yes, which one(s)?

I served on the CDAB. This board had systemic problems that prevented us from finding objective conclusions about code interpretation and wording.

5. In what part of Los Alamos County or neighborhood do you live?

I have resided in White Rock since 1984.

dcm.hanson@gmail.com
David Hanson
505 412-9103

"Language is the medium for all knowledge and reason, the fabric of thought"

Matteson, Linda

From: Laurent, Anne
Sent: Tuesday, February 28, 2023 5:51 PM
To: Matteson, Linda
Subject: FW: [EXTERNAL]LOI Nuisance Code Task Force

FYI

From: ROBERT VISEL <Robert0113@msn.com>
Sent: Tuesday, February 28, 2023 12:27 PM
To: LACManager <lacmanager@lacnm.us>
Subject: [EXTERNAL]LOI Nuisance Code Task Force

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.

My name is Robert Visel.

I have lived in Los Alamos for 63 years, in other words "all my life".

Over these 63 years I have seen the County Governing Bodies (i.e.: The County Council) become more and more intrusive into the people's lives that live here.

This has got to stop!

This "Nuisance Code" is one of those intrusions at it's worst.

This is garbage legislation!

Everything in it is based on personal biases and ones own idea of what is attractive and what isn't.

None of it has anything to do with "Public Safety"!

This "Nuisance Code" needs to be scrapped and shredded and the money that would have been used to enforce this fallacy can be used for more important things like our roads, sidewalks, tennis courts, and parks.

I know a lot of other residents in this community, and especially in my neighborhood, that believe as I do.

So, please allow me to represent all those that think this "Nuisance Code" is a bad idea.

Robert A. Visel
1336 41st Street
Los Alamos, NM 87544
(505) 662-6476
robert0113@msn.com

Sent from Mail for Windows

Salazar, Jacqueline

From: Laurent, Anne
Sent: Saturday, February 18, 2023 10:39 AM
To: Matteson, Linda; Salazar, Jacqueline
Subject: Nuisance Coe Task Force

Linda and Jackie, LAC Manager email won't let me forward emails, but there was one response to the Nuisance Code task force – see below. Anne

[EXTERNAL]Nuisance Code Task Force



ROBERT VISEL <Robert0113@msn.com>
To: LACManager

 Reply	 Re
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 You forwarded this message on 2/18/2023 10:32 AM.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you receive confirmation that the content is safe.

My name is Robert Visel.

I live at 1336 41st Street in Western Area.

I am very interested in being part of the Task Force to evaluate and make changes to the curriculum being proposed to the Los Alamos County Council.

You may either e-mail me at robert0113@msn.com or call me at (505) 662-6476 to inform me if you are interested in me being part of this task force or not.

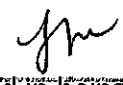
Thank you for your consideration.

**Robert Visel
02/10/2023**

RECEIVED

FEB 28 2023

County Councilors,

BY: 

My name is Aaron Walker, I live in White Rock, and I am interested in being a part of the Nuisance Code Implementation Review Task Force (NCIR). I served on the predecessor to this task force, the Community Development Advisory Board for 3 years. During that time, I became quite familiar with the nuisance code, its implementation, enforcement methods, gaps, perception from different portions of the community, and numerous other facets of the issue at large. I feel I would make a perfect selection for this task force, as I would be ready to begin work from day one.

I am interested in the NCIR Task Force because it is a continuation of the work I began during my time on CDAB. I still feel there is a lot of work that can be done to earn the trust of the public with this effort, and I enjoy reaching out to people to get their opinions on the issue. During the implementation of this new code, a lot of good will was lost. I would like to try to put some effort in to restoring some of that good will by making a genuine effort to discover what the people truly think of the new nuisance code. This means doing whatever I can to get feedback, and I will do whatever is necessary to hear the opinions of those that wish to give it.

I have been participating in the process of the Chapter 18 revision since the beginning. I have a deep understanding of Chapter 18. I feel the new nuisance code is an improvement over the old code, but I believe it still needs to be completely vetted by the people of the county. I want to get a broad perspective of what people think of the nuisance code and how it is being implemented before making changes, or even recommending any changes.

The old Chapter 18 nuisance code is where I have a significant amount of experience as well. I was chair of CDAB for a year and a half, so I have experience leading meetings, encouraging discussion, and making agendas. I made sure I knew the code as well as I possibly could to inform my questions, agenda items, and to better inform my perspective. That experience with the code, combined with the experience with CDAB itself makes me a perfect choice for this task force. CDAB is the only board/commission that I have served on during my time in Los Alamos.

I strongly believe that my prior experience on CDAB has aptly prepared me for this role on the NCIR Task Force. I have significant experience chairing a board, including giving presentations to council. I have the experience needed, and I also have a significant amount of people who understand that I am wanting to do this for the good of the community, not for party or personal gain. This is why I feel I am the perfect selection for this task force.

Respectfully,

Aaron Walker

White Rock

Matteson, Linda

From: Laurent, Anne
Sent: Friday, March 10, 2023 2:27 PM
To: Salazar, Jacqueline; Matteson, Linda
Subject: FW: [EXTERNAL]Letter of Interest NCIR Task Force
Attachments: NCIR Letter of Interest.pdf

-----Original Message-----

From: Kyle Wheeler <ktw@newmexico.com>
Sent: Thursday, March 9, 2023 11:34 AM
To: LACManager <lacmanager@lacnm.us>
Subject: [EXTERNAL]Letter of Interest NCIR Task Force

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.

Dear Los Alamos County Manager:

I am submitting a letter of interest for the NCIR Task Force. Please see attached.

Kyle Wheeler
505-412-0691

Letter of Interest from Kyle Wheeler:

1. Why are you interested in serving on the NCIR Task Force?

I followed some of the articles and letters related to the adoption of the code at the end of 2022. I saw a lot of controversy and think I can be a moderating influence.

2. What is your knowledge and opinion of the recently revised Nuisance Code (Chapter 18)? Of the previous version of the code?

I read the old code years ago, and have only recently read the new code. If selected for this task force, I will read it greater detail.

3. Do you have any personal experience with Los Alamos County Code Compliance?

No. I have notified the county a few times where tree limbs were overhanging sidewalks or where I thought a tree might fall on Diamond Drive in high winds and pose a danger to vehicles and pedestrians.

4. Have you served on other Los Alamos County boards, commissions, or task forces? If yes, which one(s)?

County Council, 1989 through 1992; Transportation Board, several times in the mid 1990s and in 2016 or shortly thereafter (four years). Also the tourism task force.

5. In what part of Los Alamos County or neighborhood do you live?

Barranca Mesa.