



# 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*

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Tuesday, March 5, 2024

6:00 PM

Council Chambers – 1000 Central Avenue

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#### 1. OPENING/ROLL CALL

The Council Chair, Denise Derkacs, called the meeting to order at 6:00 p.m.

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

Ms. Linda Matteson, Deputy County Manager, listed the county employees in attendance via Zoom.

**The following Councilors were in attendance:**

**Present: 5 –Councilor Derkacs, Councilor Hand, Councilor Havemann,  
Councilor Reagor, and Councilor Ryti**

**Remote: 1 –Councilor Cull**

**Absent: 1 –Councilor Lepsch**

#### 2. PLEDGE OF ALLEGIANCE

Led by: All.

#### 3. STATEMENT REGARDING CLOSED SESSION

Councilor Ryti read the following statement to be included in the minutes: “The matters discussed in the closed sessions of County Council held on March 5, 2024, that began at 4:30 p.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.”

#### 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: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Reagor, and Councilor Ryti**

**Absent: 1 – Councilor Lepsch**

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

None.

**7. CONSENT AGENDA**

**Consent Motion:**

A motion was made by Councilor Hand, seconded by Councilor Havemann, 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. Approval of County Council Minutes for the February 20, 2024 Work Session

**I move that Council approve the County Council Minutes for the February 20, 2024 Work Session.**

- B. Approval of Amendment No. 1 to Agreement No. AGR21-926 with Carahsoft Technology Corporation for the Purpose of Adding eComment Software Subscription Service to Legistar, Boards and Commissions and Government Transparency Package

**I move that Council approve Amendment No. 1 to Agreement No. AGR21-926 with Carahsoft Technology Corporation for the purpose of adding eComment software subscription service to Legistar, Boards and Commissions and Government Transparency Package.**

- C. Approval of Environmental Protection Agency (EPA) Climate Pollution Reduction Grant (CPRG) Application for an amount not to exceed \$2,489,000 for the Purpose of Developing a Community Food Composting Program and Authorization for Letter of Intent

**I move that Council approve submission of an Environmental Protection Agency (EPA) Climate Pollution Reduction Grant (CPRG) application in an amount not to exceed \$2,489,000 for the purpose of developing a community food composting program and authorize the County Manager to draft and sign a letter of intent indicating the application and MOA submission.**

**Approval of the Consent Agenda:**

**The motion passed with the following vote:**

**Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Reagor, and Councilor Ryti**

**Absent: 1 – Councilor Lepsch**

**8. INTRODUCTION**

- A.** Introduction of Incorporated County of Los Alamos Ordinance No. 730 An Ordinance Ratifying and Authorizing Amendment of a Lease with Cellco Partnership, d/b/a Verizon Wireless for Replacement of Existing Antenna Collocation and Facilities at 280 North Mesa Road, Los Alamos, on the North Mesa Water Tower

**Councilor Ryti introduced without prejudice, Incorporated County of Los Alamos Ordinance No. 730 An Ordinance Ratifying and Authorizing Amendment of a Lease with Cellco Partnership, d/b/a Verizon Wireless for Replacement of Existing Antenna Collocation and Facilities at 280 North Mesa Road, Los Alamos, on the North Mesa Water Tower and ask staff to assure that it is published as provided in the County Charter.**

**9. PUBLIC HEARING**

- A.** Incorporated County of Los Alamos Ordinance No. 727; an Ordinance Authorizing the Sale of Certain County-Owned Real Property Commonly known as 110 Entrada Drive (Lot 6B-2), for an Amount of \$1,600,000 to 110 Entrada, LLC, for Real Property Located in the Incorporated County of Los Alamos.

Mr. Daniel Ungerleider, Economic Development Administrator, presented.

Public comment:  
None.

**A motion was made by Councilor Havemann, seconded by Councilor Reagor, that Council adopt Incorporated County of Los Alamos Code Ordinance No. 727; and ask staff to assure that it is published in summary form.**

**The motion passed with the following vote:**

**Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Reagor, and Councilor Ryti**

**Absent: 1 – Councilor Lepsch**

- B.** County of Los Alamos Ordinance 02-356 An Ordinance of the Incorporated County of Los Alamos Amending Article II, Division I, of Chapter 22, Section 22-33 Fire Restrictions and Duties of the Fire Chief, Section 22-35 Appeals, and 22-36 Violations; Penalties.

Mr. Troy Hughes, Fire Chief spoke.  
Mr. James Pepe, Fire Marshall presented.

Public comment:  
None.

**A motion was made by Councilor Ryti, seconded by Councilor Hand, that the Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-356; and ask staff to assure that it is published in summary form.**

**The motion passed with the following vote:**

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

**Councilor Lepsch joined the remote session during the discussion of this item, at 6:34 p.m.**

- C.** Incorporated County of Los Alamos Resolution No. 24-06: A resolution authorizing the County to submit an application to the Department of Finance and Administration, Local Government Division, to participate in the Local DWI Grant and Distribution Program

Ms. Sara Martinez, Program Specialist, spoke.

Public comment:  
None.

**A motion was made by Councilor Ryti, seconded by Councilor Hand, that the Council adopt Incorporated County of Los Alamos Resolution No. 24-06, a Resolution authorizing the County to submit an application to the Department of Finance and Administration, Local Government Division, to participate in the Local DWI (LDWI) Grant and Distribution Program. As part of the LWDI application, he further moved that Council approve the Council Chair to sign the MOU and Statement of Assurances.**

**The motion passed with the following vote:**

**Yes: 6 – Councilor Derkacs, Councilor Cull, Councilor Hand, Councilor Havemann, Councilor Reagor, and Councilor Ryti**

**Absent: 1 – Councilor Lepsch**

**Councilor Lepsch left the remote session during the discussion of this item, at 6:35 p.m.**

## **10. BUSINESS**

- A.** Approval of Providing Grant Matching Funds for San Ildefonso Services' Connect New Mexico Grant Application in the Amount of \$1,800,000 with a Total Project Amount of \$6,000,000 for a New Middle Mile Fiber Optic Line Connecting White Rock to Pojoaque

Mr. Jerry Smith, Broadband Manager, presented.

Ms. Anne Laurent, County Manager, spoke.

Mr. Alvin Leaphart, County Attorney, spoke.

Public comment:  
Mr. Peter Fant spoke.  
Mr. Andrew Frazier spoke.  
Mr. Gerald Baca spoke.

A motion was made by Councilor Hand, seconded by Councilor Ryti, that Council approve grant matching funds to the Pueblo de San Ildefonso for their grant application in the amount of \$1,800,000 (one million eight hundred thousand) for a New Middle Mile Fiber Optic Line Connecting White Rock to Pojoaque contingent upon execution and approval of a written agreement with the Pueblo de San Ildefonso by May 31, 2024.

After further discussion, Councilor Hand withdrew the original motion.

Councilor Ryti withdrew his second.

A motion was made by Councilor Hand, seconded by Councilor Ryti, that Council approve grant matching funds to the Pueblo de San Ildefonso for their grant application in the amount of \$2,000,000 (two million) for a New Middle Mile Fiber Optic Line Connecting White Rock to Pojoaque contingent upon execution and approval of a written agreement with the Pueblo de San Ildefonso by May 31, 2024. I further move that Council authorize the County Manager to sign and submit a letter of support (Attachment A) to be included with the grant application materials.

The motion passed with the following vote:

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

**Councilor Lepsch joined the remote session during the discussion of this item, at 7:11 p.m.**

**B. Presentation on the Greenhouse Gas Inventory and Climate Action Plan Process and Discussion Potential Budget Options**

Ms. Angelica Gurule, Sustainability Manager, spoke.

Ms. Andrea Martin presented.

Public comment:

Ms. Arianne Terrones, spoke.

Mr. Robert Gibson spoke.

**RECESS**

**Councilor Derkacs called for a recess at 8:15 p.m. The meeting reconvened at 8:28 p.m.**

**11. BUSINESS**

**A. General Council Business**

None.

**B. Appointments**

**1) Board/Commission Appointment(s) - Parks & Recreation Board**

Ms. Katherine Hudspeth, Recreation Superintendent, spoke.

Councilor Ryti spoke.

Public Comment:  
None.

**A motion was made by Councilor Ryti, seconded by Councilor Havemann, that the Council nominate Summer Schaufler, Ian Zollinger, Anna Swertferger, Donald Dry, Miguel Hoffman, Thomas McReynolds, and Jasmine Stephens to fill two vacancies on the Parks and Recreation Board and move that Council appoint two to the vacant positions as follows:**

**By roll call vote, Councilors vote for two nominees and the two with the highest vote total of four or more be appointed to fill terms beginning on December 1, 2023 and ending November 30, 2025.**

Councilor Ryti seconded by Councilor Havemann called for a roll call vote to appoint members to the Parks and Recreation Board:

**Councilor Cull voted for:**  
Ana Swertferger

**Councilors Hand, Derkacs, Lepsch, Ryti, and Havemann voted for:**  
Summer Schaufler

**Councilor Reagor voted for:**  
Donald Dry

**Councilors Cull, Reagor, Hand, Derkacs, Lepsch, Ryti, and Havemann voted for:**  
Ian Zollinger

**After a roll call vote, Ms. Schaufler and Mr. Zollinger were appointed.**

**C. Boards and Commission Vacancy Report**

No report.

**D. Board, Commission, and Working Group Reports**

No report.

**E. County Manager's Report**

Ms. Anne Laurent reported she has been in communication with LANL in relation to added outreach and education to reinforce the importance of driving and commuting to work and around town safely.

**F. Council Chair Report**

Councilor Derkacs reported she attended the groundbreaking ceremony at Chamisa School, she met with the County Attorney and County Manager, presented at Steven Lynne's retirement event, and on the New Mexico Regional Economic Initiative Summit at Buffalo Thunder.

## G. Approval of Councilor Expenses

A motion was made by Councilor Reagor, seconded by Councilor Hand, that the Council approve the reimbursement of expenses Councilors to attend the Energy Community Alliance Forum May 8, 2024 through May 10, 2024 in Kennewick, Washington.

The motion passed with the following vote:

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

A motion was made by Councilor Reagor, seconded by Councilor Hand, that the Council approve the reimbursement of expenses for up to three Councilors to attend the Main Street USA Conference May 6, 2024 through May 8, 2024 in Birmingham, Alabama.

The motion passed with the following vote:

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

## H. Preview of Upcoming Agenda Items

### 1) Tickler Report of Upcoming Agenda Items

Councilor Derkacs reported the North Mesa Housing project has been moved to the April 9, 2024 meeting.

Councilor Ryti spoke about adding speeding cameras to the Planning meeting.

## 12. COUNCILOR COMMENTS

Councilor Ryti spoke about meetings with Department of Energy and Management, N3B, attendance at the Chamber of Commerce Breakfast, first anniversary of the Seed Library and Community Conversations.

## 13. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

INCORPORATED COUNTY OF LOS ALAMOS

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Denise Derkacs, Council Chair

Attest:

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Naomi D. Maestas, County Clerk

Meeting Transcribed by: Marie Pruitt, Deputy Clerk

March 6, 2024

Office of Broadband Access and Expansion  
715 Alta Vista Street  
Santa Fe, NM 87505

Dear OBAE:

On behalf of the Los Alamos County Council I am writing to express our full support for the Pueblo of San Ildefonso's Middle Mile application for the Notice of Funding Opportunity provided by the State of New Mexico Office of Broadband Access and Expansion (OBAE). It is imperative that the Pueblo receive the necessary funding to complete the Middle Mile project to financially augment their NTIA Fiber to the Home (FTTH) project, as it plays a crucial role in building out the region's network infrastructure between Pojoaque and Los Alamos and simultaneously promoting digital equity within the Pueblo's boundaries.

The Pueblo of San Ildefonso's middle mile project is also of immense significance in addressing the issue of network resiliency in Los Alamos County. The current lack of robust network infrastructure poses significant challenges for various stakeholders including State and Local Government, Schools, The University of New Mexico, and Los Alamos National Laboratory. By investing in the Pueblo's Middle Mile project, we can effectively tackle these challenges and ensure a more resilient and interconnected network in northern New Mexico.

Without the necessary Middle Mile funding, there remains a huge gap in secure network infrastructure and the accessibility of the internet by all. This project plays a critical role in bridging the digital divide and fostering economic development in the region. By supporting this application, we can unlock the full potential of broadband access and empower communities to thrive in the digital age.

Furthermore, on March 5, 2024, the County Council of Los Alamos approved the following motion: (insert)

I urge you to consider this letter as a testament to the importance of supporting the Pueblo of San Ildefonso's application for OBAE's Notice of Funding Opportunity. Together, we can build a more connected and prosperous future for all residents of New Mexico.

Thank you for your attention to this matter.

Sincerely,

Anne Laurent

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losalamosnm.us