

**San Juan County Commission
Special Meeting
March 13, 2013**

Chairman Eckstein called the San Juan County Commission meeting to order on March 13, 2013 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Those present were:

CHAIRMAN	Scott Eckstein
CHAIRMAN PRO-TEM	Jack L. Fortner
MEMBER	GloJean Todacheene
MEMBER	Margaret McDaniel
MEMBER	Keith Johns
CHIEF DEPUTY ASSESSOR	Jimmy Voita
CLERK	Debbie Holmes
CHIEF DEPUTY CLERK	Tanya Shelby
COUNTY EXECUTIVE OFFICER	Kim Carpenter
COUNTY EXECUTIVE OFFICE	Joann Thomas
ASSISTANT CEO	Linda Thompson
COUNTY OPERATIONS OFFICER	Mike Stark
ATTORNEY	Jim Durrett
CHIEF FINANCIAL OFFICER	Marcella Brashear
CHIEF HUMAN RESOURCE OFFICER	Charlene Scott
DEPUTY HUMAN RESOURCES OFFICER	Roberta Padilla
ADULT DETENTION CENTER ADMINISTRATOR	Tom Havel
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
GIS COORDINATOR	Sandi Spencer
CHIEF IT OFFICER	Vince Johns
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PRESS: Farmington Daily Times	Ryan Boetel
Tri City Tribune	Lauren Duff
VISITORS: 2	

A motion was made by Commissioner McDaniel, seconded by Commissioner Johns to call to order the Canvass Board Meeting. Upon voice vote, the motion passed unanimously.

Call to Order the Canvass Board

Debbie Holmes, County Clerk informed the Commission that the Canvass for the Gross Receipts Tax Election has been completed and the results are as follows; 3901 votes for the question and 357 votes against the question.

A motion was made by Commissioner Johns, seconded by Commissioner McDaniel to adopt the official Canvass results. Upon voice vote this motion passed unanimously.

New Business

1. Request for Approval of Publication of Notice of Intent to Amend County Ordinance No. 57, Decreasing the Local Hospital Gross Receipts Tax

Jim Durrett, County Attorney explained to the Commission that in 2003 San Juan County voters approved a one-eighth of one percent (.125%) Local Hospital Gross Receipts Tax that went into effect on January 1, 2004. San Juan County issued bonds and used the proceeds of the Tax towards the bonds. Those bonds have now been paid in full and San Juan Regional Medical Center has indicated that the remaining improvements to be made to the facility can be accomplished utilizing only one-half of the tax presently being collected. The Amendment to Ordinance No. 57 would decrease the Local Hospital Gross Receipts Tax from one-eighth of one percent (.125%) to one-sixteenth of one percent (.0625%). The Amendment provides that the reduction in gross receipts tax will not be effective until the imposition of the one-sixteenth gross receipts tax proposed in Ordinance No. 80. If the Notice of Intent to Adopt is approved by the Commission, it will be published in the Daily Times tomorrow and considered at a special Commission Meeting to be held on Friday, March 29, 2013 at 9:00 a.m. Mr. Durrett further explained that this amendment will not change the tax, only the structure which the income will be used by the County. The County received an opinion from the State of New Mexico Tax & Revenue Department that it is legal to proceed in this manner. If approved by the Commission Ordinance No. 57 will not be effective until Ordinance No. 80 goes into effect. Commissioner McDaniel spoke in favor of this amendment. Kim Carpenter, CEO briefed the Commission on some of the economic challenges that the County is going to be experiencing. Commissioner Johns confirmed that San Juan Regional is in favor of restructuring this tax and will still be able to complete the scheduled renovations. Mr. Durrett clarified that Ordinance No. 57 was originally created to issue bonds for the hospital construction projects. The bonds have been paid in full. A motion was made by Commissioner Johns, seconded by Commissioner McDaniel to approve the Publication of Notice of Intent to Amend County Ordinance No. 57, decreasing the local Hospital Gross Receipts Tax. Upon voice vote this motion passed unanimously.

2. Request for Approval of Publication of Notice of Intent to Adopt County Ordinance No. 80, Adopting a One-Sixteenth County Gross Receipts Tax

County Attorney Jim Durrett advised the Commission that Ordinance No. 80 would enact a one sixteenth of one percent (.0625%) gross receipts tax on anyone engaging in business in San Juan County. The one-sixteenth gross receipts tax would be used for County general purposes. If approved, this tax would go into effect on July 1, simultaneously with the reduction in the Local Hospital Gross Receipts Tax. Mr. Durrett explained that NMSA 1978, Section 7-20E-3 requires an election to be called if, within sixty days of adoption of the Ordinance, a petition signed by at least five percent of the voters in the county who were registered to vote in the most recent general election is filed with the County Clerk. That number would be 3,607 signatures. If the Notice of Intent to Adopt is approved by the Commission, it will be published in the Daily Times tomorrow and considered at a special Commission Meeting to be held on Friday, March 29 at 9:00 a.m. A motion was made by Commissioner Johns, seconded by Commissioner Todacheene to approve the publication of Notice of Intent to Adopt County Ordinance No. 80, adopting a One-Sixteenth County Gross Receipts Tax. Upon voice vote this motion passed unanimously.

3. Consideration of Renewal of Property/Casualty Insurance, RFP 09-10-21

Jim Durrett, County Attorney informed the Commission that RFP 09-10-21 was issued for the insurance policy period beginning March 31, 2010, with the option of three additional one-year terms not to exceed a total of four years. Kysar Insurance Agency, Inc., submitted a renewal offer from Travelers Insurance. The proposal submitted by Travelers for \$1,377,876.00, is an increase from our previous year of 24.09%. Due to the significant increase in premium, Mr. Robert Kyser and Mr. Rusty Simkins of the Kysar Insurance Agency, and Mr. Christopher Long, Public Sector Underwriter, and Mr. John Payne, Public Sector Territory Manager with the Travelers Companies, Inc., met with Mr. Mike Stark, Mr. James O'Neill, and Mr. James Durrett in the San Juan County Executive Conference Room on Monday, March 04, 2013, to discuss the basis for the increase. The justification for the increase is directly related to the law enforcement loss history for San Juan County within the past five years. The basis for the increase is also relative to the trends of law enforcement activities at the local, regional and national levels. Robert Kyser and Rusty Simkins representing Kysar Insurance, Inc. briefed the Commission on the reasons for the increase. Chairman Eckstein confirmed that there is a penalty for cancellation. Upon the presented materials and justification for the premium increase, it is recommended that our property and casualty insurance be renewed for the third one-year term, March 31, 2013 through March 31, 2014, with Kysar Insurance Agency, Inc.; insurance coverage's provided by Travelers. There will be no renewal options for RFP 09-10-21. A motion was made by Commissioner Johns, seconded by Commissioner McDaniel to approve the renewal of Property/Casualty Insurance, RFP 09-10-21. Upon voice vote this motion passed unanimously.

Closed Executive Session

None

Adjourn

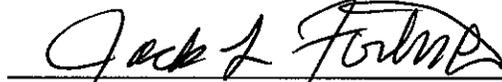
Being no further business a motion was made by Commissioner Todacheene, seconded by Commissioner Johns to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 5:00 p.m.

APPROVED THIS 16th DAY OF APRIL, 2013

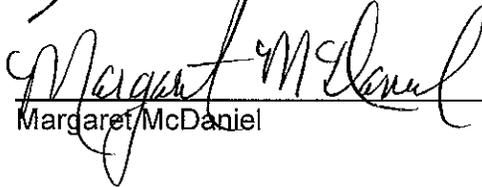
BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



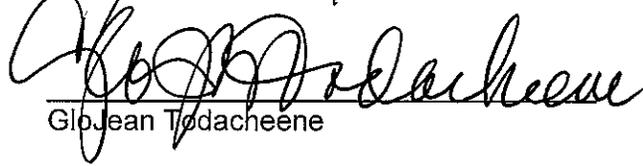
Chairman Scott Eckstein



Chairman Pro-Tem Jack L. Fortner



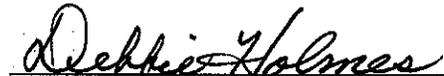
Margaret McDaniel



Glo Jean Todacheene

Keith Johns

ATTEST:



Debbie Holmes, County Clerk