# San Juan County Commission
# Regular Meeting
# January 7, 2014

Chairman Eckstein called the San Juan County Commission meeting to order on January 7, 2014 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Chairman Pro-Tem Fortner gave the invocation and Commissioner McDaniel led the Pledge of Allegiance. Those present were:

| | |
|---|---|
| CHAIRMAN | Jack L. Fortner |
| CHAIRMAN PRO-TEM | Keith Johns |
| MEMBER | Scott Eckstein |
| MEMBER | GloJean Todacheene |
| MEMBER | Margaret McDaniel |
| ASSESSOR | Clyde Ward |
| CHIEF DEPUTY ASSESSOR | Jimmy Voita |
| CHIEF DEPUTY CLERK | Tanya Shelby |
| TREASURER | Mark Duncan |
| CHIEF DEPUTY TREASURER | Carol Taulbee |
| COUNTY EXECUTIVE OFFICER | Kim Carpenter |
| ASSISTANT CEO | Linda Thompson |
| COUNTY OPERATIONS OFFICER | Mike Stark |
| ATTORNEY | Jim Durrett |
| DEPUTY ATTORNEY | Joe Sawyer |
| DEPUTY ATTORNEY | Doug Echols |
| EMERGENCY MANAGEMENT COORDINATOR | Mike Maestas |
| CHIEF FINANCIAL OFFICER | Marcella Brashear |
| PARKS & FACILITIES ADMINSTRATOR | Mike Davidson |
| PARKS & FACILITIES DEPUTY ADMINISTRATOR | Daniel Hill |
| PUBLIC WORKS ADMINISTRATOR | Dave Keck |
| CHIEF HUMAN RESOURCE OFFICER | Charlene Scott |
| ADULT DETENTION CENTER ADMINISTRATOR | Tom Havel |
| ALTERNATIVE SENTENCING ADMINISTRATOR | Jennifer Miller |
| DEPUTY FIRE CHIEF | Craig Daugherty |
| INDIGENT HOSPITAL CLAIMS COORDINATOR | Liza Gomez |
| GENERAL SERVICES ADMINISTRATOR | Larry Hathaway |
| GEOGRAPHIC INFORMATION SYSTEMS COORDINATOR | Sandi Spencer |
| CHIEF IT OFFICER | Vince Johns |
| HOUSING EXECUTIVE DIRECTOR | Faye Anderson |
| SAFETY & COMPLIANCE MANAGER | Stewart Logan |
| PRESS: Farmington Daily Times | Ryan Boetel |

VISITORS: 18

**Election of Chairman and Chairman Pro-Tem**

Chairman Eckstein requested CEO Kim Carpenter conduct the election for Chairman and Chairman Pro-Tem.

Commissioner Todacheene expressed an interest in serving as San Juan County Chairman. CEO Kim Carpenter called for nominations for the position of Chairman of the Board of County Commissioners for the 2014 calendar year. Commissioner Johns nominated Commissioner Fortner. Nominations ceased. CEO Kim Carpenter called for the vote. Commissioner Fortner, Commissioner Eckstein, Commissioner Johns and Commissioner McDaniel voted for Commissioner Fortner. Commissioner Fortner received the majority votes. Commissioner Fortner was elected to the position of Chairman to the Board of County Commissioners for the 2014 calendar year.

CEO Kim Carpenter called for nominations for the position of Chairman Pro-Tem for the 2014 calendar year. Commissioner Eckstein nominated Commissioner Johns. Commissioner McDaniel nominated Commissioner Todacheene. Nominations ceased. CEO Kim Carpenter called for the vote. Chairman Fortner, Commissioner Johns and Commissioner Eckstein voted for Commissioner Johns. Commissioner Johns received the majority vote and was elected to the position of Chairman Pro-Tem for the 2014 calendar year.

A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel to adjourn the Regular Meeting and call to order the Board of Finance Meeting. Upon voice vote, the motion passed unanimously.

## Board of Finance

1. **Consideration of Resolution No. 13-14-33, Authorizing Investment of Monies in the Local Short-Term Investment Fund**

Mark Duncan, County Treasurer requested the Commission approve Resolution No. 13-14-33, authorizing investment of monies in the local short-term investment fund. At the first meeting of each year, the San Juan County Commission must authorize the County Treasurer and the Chief Deputy Treasurer to invest County monies in the local short-term investment fund, pursuant to Section 6-10-10.1, N.M.S.A., 1978. The fund is managed by the New Mexico State Treasurer. Resolution 13-14-33 authorizes P. Mark Duncan, County Treasurer and Carol Taulbee, Deputy County Treasurer to deposit or withdraw monies in the local short-term investment fund. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Johns to approve Resolution 13-14-33, authorizing investment of monies in the local short-term investment fund. Upon voice vote, the motion passed unanimously.

A motion was made by Commissioner McDaniel, seconded by Commissioner Todacheene to adjourn the Board of Finance meeting and call to order the Indigent Hospital Board Meeting. Upon voice vote, the motion passed unanimously.

## Indigent Hospital Claims Board Meeting

1. Review of Claims
2. Approval of Minutes of December 5, 2013

A motion was made by Commissioner Todacheene, seconded by Commissioner McDaniel to adjourn the Indigent Hospital Board Meeting and call to order the Regular Meeting. Upon voice vote, the motion passed unanimously.

The Indigent Hospital Board Meeting Minutes are taken separately and are made a part of the permanent minute's folder.

## Regular Meeting

## Approval of Agenda

Kim Carpenter, CEO stated that item #6 under new business will be discussed during closed executive session. A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel to approve the agenda as amended. Upon voice vote this motion passed unanimously.

## Consent Agenda

1. Approval of Request to Authorize the County Executive Officer to Award Proposal 13-14-06, Comprehensive Inmate Medical and/or Mental Health Services
2. Approval of Alternative Sentencing Policies and Procedures
3. Approval of November 19, 2013 Regular Meeting Minutes
4. Approval of December 5, 2013 Regular Meeting Minutes
5. Approval of November 2013 Check Register

A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel to approve the Consent Agenda. Upon voice vote this motion passed unanimously.

## New Business

### 1. Report on the 3rd Annual "Get Pinked" Campaign

John Oliphant, Executive Director, San Juan Medical Foundation reported on the success of the 3rd Annual "Get Pinked" Campaign and thanked the Commission for their contribution. The $15,000.00 contribution in 2013 yielded a 9 to 1 return on investment (ROI) and the campaign raised $135,000.00 which helped 231 San Juan County residents through patient service assistance. In 2012 they hosted 24 fundraising events, 52 in 2013 and they look forward to 2014. This was an informational item only.

### 2. Request for Approval of Resolution 13-14-31, A Proclamation Honoring the Farmington High School Football Team

Kim Carpenter, CEO requested approval of Resolution No. 13-14-31 honoring the Farmington High School football team for winning the 2013 4A State Football Championship on December

7, 2013, and declaring December 18, 2013, as "Farmington High School Football Team Day." Commissioner McDaniel read the resolution:

**SAN JUAN COUNTY, NEW MEXICO**
**RESOLUTION NO. 13-14-31**

**A PROCLAMATION HONORING THE**
**FARMINGTON HIGH SCHOOL FOOTBALL TEAM**

**WHEREAS,** the Farmington High School Football Team won the 2013 **4A** State Football Championship on December 7, 2013; and

**WHEREAS,** this State championship marks the first appearance in a State Championship game for the Farmington High School Football Team since 1962; and

**WHEREAS,** this championship is the first for Farmington High School since 1952 and the first ever as the result of winning a championship game.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of San Juan County, New Mexico, hereby declares December 18, 2013, as "Farmington High School Football Team Day" in San Juan County, New Mexico in recognition of their first State football championship in 61 years.

**PASSED, APPROVED AND ADOPTED** this *7th* day of January, 2014.

A motion was made by Commissioner Johns, seconded by Commissioner McDaniel to approve Resolution No. 13-14-31. Upon voice vote this motion passed unanimously.

## 3. Discussion of Animal Shelter Expenditures

Kim Carpenter, CEO stated San Juan County contracts with the City of Farmington and City of Aztec for animal shelter services. At the June 4, 2013 Commission meeting, the Commission approved San Juan County's fiscal year 14 (FY14) agreement with the City of Farmington with an estimated budget of $350,219 (31% increase from FY13). San Juan County recently received the City of Aztec's FY15 estimated budget of $310,626 (22% increase from the FY14). Based on these increases, the county would be spending over $660,000 for animal shelter services in FY15. Mr. Carpenter discussed the expenditure increase and possibilities of short/long term strategies. With the possibility of inserting temporary employees to learn more specifics on the intake of animals and where animals are coming from. Mike Stark, COO explained that the per diem rate for the animal shelter is evaluated the same way as the San Juan County Jail. The intake for an animal at the Aztec Animal Shelter is $92.70 and $80.07 at Farmington Animal Shelter. Mr. Carpenter stated that besides insurance, animal shelter expenditures are the county's single largest inflationary increase in cost to the general fund. Commissioners asked various questions and voiced concerns regarding the animal shelter expenditures. It was the consensus of the Commission for the CEO to do what is necessary to evaluate this situation.

## 4. Consideration of Approval of Resolution 13-14-34, Supporting the Full Funding of Payment in Lieu of Taxes (PILT) from the Federal Government

Mike Stark, County Operations Officer explained in 2013, San Juan County received approximately $2 million in Payment in Lieu of Taxes (PILT) funding from the Federal Government for the offset of losses in tax revenues for federal lands located in San Juan County. In 2012, Congress passed the Moving Ahead for Progress in the 21st Century Act which provided for mandatory PILT funding at the fully authorized levels. San Juan County received its last PILT payment in June, 2013. Unless extended by Congress, PILT will revert to a discretionary program, subject to the annual appropriations process and possibly go back to pre-2008 funding levels, which would be devastating to San Juan County. Mr. Stark requested approval of Resolution 13-14-34, to support the full funding of Payment in Lieu of Taxes (PILT) from the Federal Government and requesting the swift passage of legislation to extend the mandatory PILT funding for FY2014 and beyond. A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel to approve Resolution 13-14-34, supporting the Full Funding of Payment in Lieu of Taxes (PILT) from the Federal Government. Upon voice vote this motion passed unanimously.

## 5. Consideration of Resolution 13-14-35, Requesting the State of New Mexico to Protect County Government Streams

Kim Carpenter, CEO explained to the Commission in 2013, the State Legislature passed legislation which eliminated the "Hold Harmless" payments to local government and authorized them to impose additional gross receipt taxes to make up for the lost revenue from the state. The New Mexico Health and Human Services Division are proposing legislation which would redirect the county's second 1/8th gross receipts tax (GRT) to the state to pay for uncompensated care for hospitals under the Centennial Care Program. If successful, counties may be forced to impose additional taxes to pay for the county supported Medicaid payments (mandated by the state) as well as other obligations under the Indigent Fund Act. It is requested that consideration of Resolution 13-14-35, which requests the State legislature to recognize the importance of county revenue streams to county governments and the services that have been funded by them. The resolution further requests that the State protect county revenue streams in order to avoid possible local tax implementation. A motion was made by Commissioner McDaniel, seconded by Commissioner Eckstein to approve the Resolution 13-14-35, requesting the State of New Mexico to Protect County Government Streams. Upon voice vote this motion passed unanimously.

## 6. County Lobbyist Discussion

Item was moved into closed executive session.

## 7. Review of Boards and Committees Appointments

Kim Carpenter, CEO provided the commission with a list of Board and Committee members appointed by the San Juan County Commission. Mr. Carpenter recognized Jennifer Miller as the new Alternative Sentencing Administrator. Commissioner Todacheene asked to be removed from the San Juan County Museum Association, Board of Directors, Chairman Fortner agreed to be the primary representative. Staff has contacted the various appointees and all have indicated a willingness to continue to serve. Staff requested the Commission review the list and approve if acceptable, or appoint different representatives as desired. There is a vacant

alternate position on the Northwest New Mexico Rural Transportation Planning Organization. A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner Todacheene to approve the appointment of representation on various boards and committees. Upon voice vote this motion passed unanimously.

## 8. Request for Adoption of Open Meetings Resolution 13-14-32

Jim Durrett, County Attorney explained the Open Meetings Act requires that a public body determine annually what notice for a public meeting is reasonable when applied to that body. Resolution 13-14-32 will keep the county commission meetings on the first and third Tuesdays of each month at 4:00 p.m. Commissioner McDaniel and Chairman Fortner expressed that they had received some comments about the 4:00 p.m. time. A motion was made by Commissioner Pro-Tem Johns, seconded by Commissioner Eckstein to approve Resolution No. 13-14-32, Adoption of Open Meetings. Upon voice vote Commissioner Pro-Tem Johns, Chairman Fortner and Commissioner Eckstein voted in favor of the motion. Commissioner McDaniel and Commissioner Todacheene voted against the motion.

## 9. Consideration of Cancellation of Second County Commission Meeting in January 2014

Kim Carpenter, CEO explained to the Commission that the second regular meeting in January is scheduled for Tuesday, January 21, 2014. January 22nd marks the beginning of the New Mexico Association of Counties Winter Conference in Santa Fe. Currently, the majority of County Commissioners are scheduled to attend this conference. Mr. Carpenter recommended that the second meeting in January be cancelled, with the next regular Commission Meeting to be held in February, 2014, as per the Open Meetings Resolution. A motion was made by Commissioner Todacheene, seconded by Commissioner McDaniel to cancel the second County Commission Meeting in January, 2014. Upon voice vote this motion passed unanimously.

## Reports From Elected Officials And Department Heads

None

## Comments / Input From The General Public

None

## Closed Executive Session

A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel to go into closed executive session to discuss threatened or pending litigation and acquisition, or disposal of real estates and contractual previsions under the procurement code. Upon voice vote this motion passed unanimously. Upon return a motion was made by Commissioner Eckstein, seconded by Commissioner McDaniel to go back into open meeting. Upon voice vote this motion passed unanimously. Chairman Fortner stated that nothing other than what was stated in the motion to go into closed executive session was discussed.

**Adjourn**

Being no further business a motion was made by Commissioner Eckstein, seconded by Commissioner McDaniel to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 5:50 p.m.

**APPROVED THIS 18th DAY OF FEBRUARY, 2014**

**BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:**

Chairman Jack L. Fortner

Chairman Pro-Tem Keith Johns

Margaret McDaniel

Scott Eckstein

GloJean Todacheene

ATTEST:

Debbie Holmes, County Clerk