

## San Juan County Commission Regular Meeting February 19, 2015

Chairman Johns called the San Juan County Commission meeting to order on February 19, 2015 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Kim Carpenter, CEO, gave the invocation and Chairman Pro-Tem Eckstein led the Pledge of Allegiance. Those present were:

CHAIRMAN	Keith Johns
CHAIRMAN PRO-TEM	Scott Eckstein
MEMBER	Jack Fortner (via telephone)
	Margaret McDaniel
MEMBER	Wallace Charley
MEMBER	Jimmy Voita
CHIEF DEPUTY ASSESSOR	Tanya Shelby
CHIEF DEPUTY CLERK	Carol Taulbee
CHIEF DEPUTY TREASURER	Kim Carpenter
COUNTY EXECUTIVE OFFICER	Mike Stark
COUNTY OPERATIONS OFFICER	Linda Thompson
ASSISTANT CEO	Jim Durrett
ATTORNEY	Doug Echols
DEPUTY ATTORNEY	Don Cooper
EMERGENCY MANAGER	Mike Mestas
EMERGENCY MANAGEMENT COORDINATOR	Mike Davidson
PARKS & FACILITIES ADMINSTRATOR	Daniel Hill
PARKS & FACILITIES DEPUTY ADMINISTRATOR	Dave Keck
PUBLIC WORKS ADMINISTRATOR	Charlene Scott
CHIEF HUMAN RESOURCES OFFICER	Tom Havel
ADULT DETENTION CENTER ADMINISTRATOR	Heidi Sawyer
JUVENILE SERVICES DEPUTY ADMINISTRATOR	Doug Hatfield
FIRE CHIEF	Craig Daugherty
DEPUTY FIRE CHIEF	Evan O'Keefe
GEOGRAPHIC INFORMATION SYSTEMS COORDINATOR	Keith Lund
CHIEF IT OFFICER	Stewart Logan
SAFETY & COMPLIANCE MANAGER	
PRESS: Farmington Daily Times	Dan Schwartz
VISITORS:	14

### Presentation

Melissa Wood, Benefits Coordinator/POV Facilitator informed the Commission that on November 26, 2014, Tyler Evans and Jim Johnson, IT Department, arrived to work to discover a disabled wheelchair bound citizen stranded in the parking lot due to a flat tire. They took it upon themselves to change this man's tire in the early morning crisp air before beginning their work

day. Each of them were presented a Significant Achievement Award, two movie passes, and a gift card for exemplary servitude.

Kim Carpenter, CEO, presented the Risk Awareness Program (RAP) award which was awarded to the County by New Mexico Association of Counties (NMAC) for successfully completing year one of NMAC Risk Awareness Program and reducing Workers' Compensation claims by 13%. The training program resulted in a \$20,000 rebate on Workman's Compensation premium. Stewart Logan, Safety and Compliance Manager, was recognized for coordinating the training.

A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner Charley to 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 February 3, 2015

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

A motion was made by Commissioner Charley, 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.

### **Regular Meeting**

#### **Approval of Agenda**

Kim Carpenter, CEO stated that there are no changes to the agenda. A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner McDaniel to approve the agenda as presented. Upon voice vote this motion passed unanimously.

#### **Consent Agenda**

1. Approval of Resolution 14-15-32, Authorizing Submittal of the FY2016 LDWI Grant Fund Application
2. Approval of Resolution 14-15-33, Disposition of Surplus and/or Obsolete County Property, and Appoint New Surplus Committee Members
3. Approval of Resolution 14-15-35, FY15 Budget Adjustments
4. Approval of January 2015 Check Register

A motion was made by Commissioner McDaniel seconded by Commissioner Charley to approve the Consent Agenda. Upon voice vote this motion passed unanimously.

## **New Business**

1. **Consideration of Approval of Notice of Intent to Adopt Ordinance No. 94, Entering into a Loan Agreement with the New Mexico Environment Department for Improving the Wastewater System of the Valley Sanitation District to Serve the Harper Valley Subdivision, and Approval of Resolution 14-15-34, Authorizing the Assignment of Official Representatives and Signatory Authorities**

Doug Echols, Deputy Attorney, stated that at the January 8, 2015 meeting, the Board of County Commissioners approved a New Mexico Environment Department (NMED) funding package to cover the cost of a connection from the Harper Valley Subdivision to the Valley Water and Sanitation District in Kirtland. The package is a loan of \$352,657 and a grant of \$248,281 for a total of \$600,398. The County is responsible because Valley Water and Sanitation does not have the required 3 years of audited financial statements. The loan of \$352,657 requires the Board of County Commissioners to enact an ordinance. If approved, a Notice of Intent to Adopt Ordinance No. 94 would be published in the Daily Times and the Ordinance would be placed on the March 17, 2015 meeting agenda for adoption. Resolution No. 14-15-34 designates the Commission Chairman as signatory authority for the project agreement, the County Executive Officer as official borrower representative, and authorizes the Chief Financial Officer to sign reimbursement requests and other submission documents. A commitment letter has been signed by Valley Water and Sanitation, to reimburse the County annually for the loan payments that are made. The initial funding will come out of the Capital Reserve Fund. The cost to the county is negligible. A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner Wallace to approve the Notice of Intent to Adopt Ordinance No. 94 and Resolution No. 14-15-34, Authorizing the Assignment of Official Representatives and Signatory Authorities. Upon voice vote this motion passed unanimously.

2. **Review of Board and Committee Appointments**

Kim Carpenter, County Executive Officer, briefed the Commission on the vacant positions available in the Boards and Committees. Staff has contacted the various appointees and all have indicated a willingness to continue to serve. Dr. Carpenter stated there are several vacant positions available and he will continue to pursue replacements. GloJean Todacheene agreed to serve as Primary on the San Juan County Museum Association Board of Directors. Chairman Johns verified her appointment. Dr. Carpenter, agreed to serve as an Alternate in the San Juan Regional Medical Center Corporation for the present time. Staff requests the Commission review the list and approve if acceptable or appoint different representatives as desired. A motion was made by Commissioner McDaniel, seconded by Chairman Pro-Tem Eckstein to approve the Board and Committee Appointments as presented. Upon voice vote this motion passed unanimously.

3. **Consideration of the Sixth Amendment to the Intergovernmental Agreement for Detention Center Services**

Tom Havel, Adult Detention Center Administrator, informed the Commission that the Intergovernmental Agreement for the Detention Center Services provides that the County will notify the municipalities of the per diem rate for the Adult Detention Center on or before October 15<sup>th</sup> of each year. The rate would be effective July 1 of the succeeding calendar year. The Per

Diem rate is formula driven and calculated by taking the previous full fiscal year's actual operating cost of the facility to include supporting department cost, debt service, and any anticipated cost increases for next fiscal year. Based on the total number of bed days for the same period of 261,158, the per diem rate for FY16 would be \$60.66, or a decrease of \$5.50 per night (8.3% decrease) from the previous year's rate of \$66.16. Staff requests that the Commission establish the per diem rate for the Detention Center for FY2016 at \$60.66 and further requests approval of the Sixth Amendment to the Intergovernmental Agreement for Detention Center Services. Chairman Johns asked various questions. A motion was made by Commissioner Charley, seconded by Commissioner McDaniel to approve the Sixth Amendment to the Intergovernmental Agreement for Detention Center Services. Upon voice vote this motion passed unanimously.

**4. Request for Approval of Resolution 14-15-31, Supporting the Abandonment Plan of Public Service Company of New Mexico for the San Juan Generating Station**

Kim Carpenter, County Executive Officer, stated in addition to a letter of support that our Chairman has already signed, staff is requesting the approval of Resolution 14-15-31, to provide to the Public Regulation Commission (PRC) stating the county's support for Public Service Company's Abandonment Plan. A motion was made by Commissioner Fortner, seconded by Commissioner McDaniel to approve the Resolution 14-15-31, supporting the Abandonment Plan of Public Service Company of New Mexico for the San Juan Generating Station. Upon voice vote this motion passed unanimously.

**5. Consideration of Capital Projects Relative to Issuance of Bonds**

Kim Carpenter, County Executive Officer, stated that at the previous Commission meeting, the Commission discussed the capital projects relative to the issuance of bonds. Staff is proposing the issuance of \$12 million dollars in bonds to cover some of the outstanding capital needs of the county and a separate issuance of \$7 million dollars to cover the needs of the County Fire Dept. A list of the priority capital needs was provided as follows:

- Pinion Hills Extension
- Energy Conservation Improvements
- County Building Improvements
- Parking Lot Improvements
- Fiber to County Buildings

Dr. Carpenter recommended that the energy conservation improvements on the list be piloted at the Adult Detention Center and the utilities monitored for a one year term. If the performance base is not as expected, the funds could be allocated to other projects. Each project on the list will be brought to the Commission for approval before implementation. Mike Stark, County Operations Officer, presented a list of energy improvements that may be implemented at the Adult Detention Center and the ADC Training Trailer. The list of improvements included:

- Upgrade interior & exterior lighting
- Harvest natural light
- Manual and day lighting controls

- Install wall and or ceiling insulation
- Demand control ventilation
- Install high efficiency air conditioners/furnaces/boilers
- Install radiant heaters
- Visual displays LED exit signs
- Install double pane windows
- On-demand hot water heater
- HVAC tune-up
- Low-flow toilets

Last fiscal year \$269,000 in electricity, \$82,000 in natural gas, and \$114,000 in water, sanitation, & sewer was paid at the Adult Detention Center alone. The savings will be reviewed within a year or sooner once the improvements are made. A motion was made by Commissioner McDaniel, seconded by Commissioner Charley to approve the List of Capital Projects as presented. Upon voice vote this motion passed unanimously.

**6. Request for Adoption of San Juan County Ordinance No. 93, Authorizing the Issuance and Sale of Gross Receipts Tax Revenue Bonds, Up to \$38,000,000**

David Buchholtz, Rodey Law Firm, stated at the February 3, 2015 Commission meeting, the Board of County Commissioners approved a resolution stating their intent to issue up to \$38,000,000 in Gross Receipts Tax Revenue Bonds. The ordinance authorizes two series of bonds. The Series A which is a refunding bond which refinances the outstanding 2005 county debt at a lower interest rate and the Series B which is an improvement bond for capital projects. The maximum of the refunding bond will be a maximum of \$20 million. The first 1/8<sup>th</sup> and the third 1/8<sup>th</sup> of Gross Receipt Tax (GRT) has been pledged towards the repayment of the refunding bond. The improvement bond is a maximum amount of \$18 million. The total maximum amount is \$38 million. The first 1/8<sup>th</sup> and third 1/8<sup>th</sup> of the GRT as well as the first 1/8<sup>th</sup> and the second 1/8<sup>th</sup> of the Hold Harmless Tax has been pledged towards the improvement bond. The second 1/8<sup>th</sup> of the Hold Harmless Tax is set to expire December of 2017. Notice of Intent to Adopt Ordinance No. 93 was published in the Daily Times on Wednesday, February 4, 2015. Paul Cassidy, RBC Capital Markets, explained the procedure following the approval of the ordinance, how the bond rating agencies will rate the county, and informed the Commission that interest rates have raised approximately 30 basis points in the last month. A motion was made by Commissioner McDaniel, seconded by Commissioner Wallace to approve Ordinance No. 93, Authorizing the Issuance and Sale of Gross Receipts Tax Revenue Bonds, Up to \$38,000,000. Upon voice vote this motion passed unanimously.

**Reports From Elected Officials And Department Heads**

Kim Carpenter, CEO, informed the Commission that today is the last day to introduce legislation. A library of the legislative issues will be forwarded to the Commissioners with a disposition of what the department heads as well as the county feel the impact will be. Dr. Carpenter receives weekly reports from Scott Scanlon, Lobbyist.

**Comments / Input From The General Public**

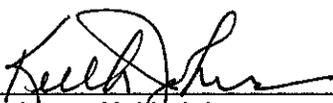
NONE

**Adjourn**

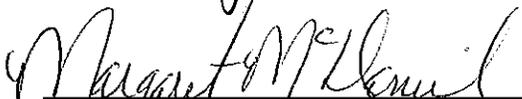
Being no further business a motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner Charley to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 5:00 p.m.

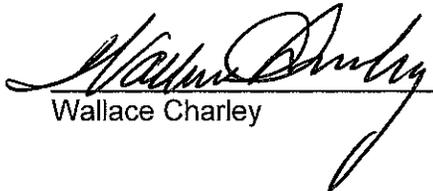
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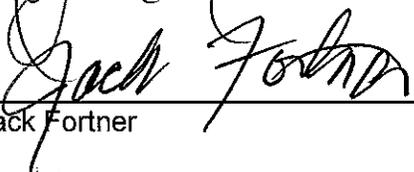
**BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:**

  
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Chairman Keith Johns

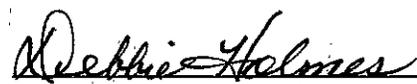
  
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Chairman Pro-Tem Scott Eckstein

  
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Margaret McDaniel

  
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Wallace Charley

  
\_\_\_\_\_  
Jack Fortner

ATTEST:

  
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Debbie Holmes, County Clerk