

**San Juan County Commission  
Regular Meeting  
May 17, 2016**

Chairman Eckstein called the San Juan County Commission meeting to order on May 17, 2016 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Commissioner Johns gave the invocation and Commissioner Charley led the Pledge of Allegiance. Those present were:

CHAIRMAN	Scott Eckstein
CHAIRMAN PRO-TEM	Jack Fortner
MEMBER	Keith Johns
MEMBER	Margaret McDaniel
MEMBER	Wallace Charley
ASSESSOR	Jimmy Voita
CLERK	Debbie Holmes
TREASURER	Mark Duncan
SHERIFF	Ken Christesen
UNDERSHERIFF	Shane Ferrari
COUNTY EXECUTIVE OFFICER	Kim Carpenter
COUNTY OPERATIONS OFFICER	Mike Stark
ATTORNEY	Doug Echols
DEPUTY ATTORNEY	Joe Sawyer
EMERGENCY MANAGEMENT COORDINATOR	Mike Mestas
CHIEF FINANCIAL OFFICER	Jim Cox
DEPUTY FINANCE OFFICER	Kim Martin
PARKS & FACILITIES ADMINSTRATOR	Mike Davidson
PUBLIC WORKS ADMINISTRATOR	Dave Keck
PUBLIC WORKS DEPUTY ADMINISTRATOR	Fran Fillerup
CHIEF HUMAN RESOURCES OFFICER	Charlene Scott
ALTERNATIVE SENTENCING DEPUTY ADMINISTRATOR	Heidi Sawyer
DEPUTY FIRE CHIEF	Thomas Fields
HEALTH CARE ASSISTANCE PROGRAM COORDINATOR	Liza Gomez Akley
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
GEOGRAPHIC INFORMATION SYSTEMS COORDINATOR	Evan O'Keefe
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PRESS: Talon	Debbie Israel
VISITORS:	9

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Charley to call to order the Indigent Hospital and County Health Care Board Meeting. Upon voice vote, the motion passed unanimously.

### **Indigent Hospital and County Health Care Board Meeting**

1. Request for Approval of Health Care Assistance Claims
2. Approval of Minutes of May 3, 2016.

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

A motion was made by Commissioner Johns, seconded by Commissioner McDaniel to adjourn the Indigent Hospital and County Health Care 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 Commissioner McDaniel, seconded by Commissioner Charley to approve the agenda as presented. Upon voice vote this motion passed unanimously.

#### **Consent Agenda**

1. Approval of Renewal of Proposal 12-13-17, Pharmaceutical Services for the San Juan County Detention Facilities to Contract Pharmacy Services (CPS) of Warrington, PA
2. Approval of April 2016 Check Register

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

#### **New Business**

1. **Annexation into the Town of Kirtland**

Mark Duncan, Mayor, Town of Kirtland, requested the Commission to sign the Landowner petition for Annexation into the Town & Sewer District. There is no impact on the County, if sewer is needed the County is in the district. There are no residential properties from the County owned property and the town of Kirtland will bear the expense. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the Annexation into the Town of Kirtland. Upon voice vote this motion passed unanimously.

**2. Transfer of Ownership and Change of Location of Liquor License for Western Refining Retail, LLC**

Doug Echols, County Attorney, briefed the Commission that Western Refining Retail, LLC has purchased Liquor License No. 1053 from HVCC, LLC which was located at Hidden Valley Golf Course and has applied to the Alcohol and Gaming Division for a transfer of location to their Giant Store #706 at 1241 W. Highway 170 in La Plata, New Mexico. Liquor License No. 1053 is available for use within San Juan County only. There is currently a liquor license at the La Plata Giant Store, No. 4034, which is available for use anywhere in the State of New Mexico. Western Refining wishes to switch out one liquor license for the other so that they may transfer License No. 4034 to another location in New Mexico. Notice of Public Hearing was published in the Daily Times on Tuesday, March 29 and Tuesday, April 5. A public hearing was held on May 2 to take evidence for approval or disapproval. There was no one present at the hearing with the exception of Mariann Mattia from Western Refining who appeared by telephone from Tempe, Arizona. There were no comments in favor of or in opposition to the transfer. We must notify the State of New Mexico Alcohol and Gaming Division of approval or disapproval by June 1, 2016. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the Transfer of Ownership and Change of Location of Liquor License for Western Refining Retail, LLC. Upon voice vote this motion passed unanimously.

**3. Consideration of Resolution 15-16-43, Opposing State Parks Service Plan**

Kim Carpenter, CEO, stated that the State of New Mexico Parks Service presented a plan to reduce their jurisdictional coverage at Navajo Lake State Park which would place a bigger burden on the County Sheriff's Office and serve as yet another unfunded mandate from the state. The Director of the Parks Service and staff discussed the plan and as a result a resolution opposing the change is being presented. Staff requests approval of this resolution. The Commission made various comments. A motion was made by Commissioner Johns, seconded by Chairman Pro-Tem Fortner to approve Resolution 15-16-43, Opposing State Parks Service Plan. Upon voice vote this motion passed unanimously.

**4. Consideration of Resolution 15-16-50, Authorizing Operation of Recreational Off-Highway Vehicles on County Roads**

Joe Sawyer, Deputy County Attorney, informed the Commission that the New Mexico Legislature amended NMSA 1978, Section 66-3-1011 in the 2016 session, to authorize counties to allow operation of recreational off-highway vehicles and all-terrain vehicles on County-owned and controlled paved streets and highways. The state statute lists the following restrictions:

- One or more headlights/taillights
- Brakes, mirrors, and mufflers
- Valid Driver's license, instruction permit or provisional license and Off-highway vehicle safety permit
- Must be insured and in compliance with the Mandatory Financial Responsibility Act
- Operator of the vehicle has eye protection and a safety helmet That comply with the Highway Motor Vehicle Act

Commissioner Johns asked where to get the Off-highway Vehicle Safety Permit. Mr. Sawyer stated that New Mexico currently doesn't have an Off-road Safety Permit and that the Sheriff's Department will make provision. The Commission asked various questions. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the Resolution 15-16-50, Authorizing Operation of Recreational Off-Highway Vehicles on County Roads. Upon voice vote this motion passed unanimously.

**5. Consideration of Request for Implementation of Certain Capital Bond Projects**

Mike Stark, COO, explained that at the February 19, 2015 Regular Commission Meeting, staff indicated that it would bring forth to the Commission each project prior to implementation. Staff would like to proceed with implementing the following projects either by direct contract, RFP/Bid process or under an approved contract if applicable:

**1) Relocation of existing county owned fiber line on 20th St. in Farmington** - At the May 6, 2015 Commission meeting, the County Commission approved the use of bond funds to upgrade the county to a fiber network. The project has been completed with the City of Farmington electric utility using a combination of leased and county owned fiber lines. Staff was recently notified by the City of Farmington electric utility that an approximate 4,000 ft. stretch of 20th St. in Farmington near the Farmington library requires moving all attached overhead lines underground. The City of Farmington is required to upgrade their sidewalk on this stretch of road to current ADA standards. Due to the lack of necessary Right of Way, the only way to accommodate the upgraded sidewalk is to bury all lines underground. On this stretch of 20th St., San Juan County owns a fiber line running to the DWI facility on Municipal Drive in Farmington. The current pole agreement with the City of Farmington requires the entity owning the lines relocate them at their expense if such a need arises. The City of Farmington is defraying some of the cost by providing an open trench and conduit for appropriately burying our line. The attached quote for \$27,262.95 is for installation of the new fiber line underground and splicing into the existing overhead line. Staff recommends approval of utilizing existing county bond funds to relocate the county owned fiber on 20th St. in Farmington from overhead to underground. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve the Request for Implementation of Certain Capital Bond Projects. Upon voice vote this motion passed unanimously.

**6. Consideration of Award of Proposal 15-16-19, Independent Licensed Architect-ADA Services**

Larry Hathaway, General Services/Community Development Administrator, informed the Commission that on February 28, 2016, Central Purchasing issued a request for qualifications based sealed proposals for the purpose of selecting a firm that can provide independent licensed architectural services to assist the County in fulfilling the Americas with Disabilities Act (ADA) settlement agreement. Thirty-two (32) invitations were mailed out. On March 24, 2016, we received and opened one (1) proposal. The Evaluation Committee, consisting of Daniel Hill, Stewart Logan and Diana Baker, evaluated the proposal response in accordance with the evaluation criteria and recommends that an award is made to Recreation Accessibility Consultants, LLC of Hoffman Estates, IL, as the highest rated Offeror for the services. The award will be subject to the successful negotiation of a Contract. Services are estimated to be \$254,428.50 plus \$72,240, if needed, for general consulting on an hourly rate, training for San

Juan County staff or contractors or assistance with reporting to US Department of Justice. Chairman Pro-Tem Fortner asked if the cost includes the improvements to be made. Mr. Hathaway stated that the monies are for the evaluation only. Mike Stark, COO, informed the

Commission the improvements are in the budget. The Commission made various comments. A motion was made by Commissioner Johns, seconded by Chairman Pro-Tem Fortner to approve the Award of Proposal 15-16-19, Independent Licensed Architect-ADA Services. Upon voice vote this motion passed unanimously.

### **Report from the CEO**

None

### **Reports From Elected Officials And Department Heads**

Mike Mestas, Emergency Management Coordinator, advised the Commission that Kim Carpenter, CEO declared a State of Emergency for the City of Bloomfield. The Bloomfield Irrigation Ditch had a 50x80 foot breach. The estimated time for repair is two weeks and there is only a 14 day reserve for the reservoir. San Juan County is not responsible for the repairs. The only concern is water to the crops and livestock. Ratification of the declaration will be presented at the next Commission Meeting.

Mike Mestas also stated that Wilton Charley, CEO, Navajo Agricultural Products Industry (NAPI) advised Emergency Management Services that the siphon breached and are not watering the crops. He stated that he referred him to the Navajo Emergency Services.

Doug Echols, County Attorney, informed the Commission that there was a potential data breach at Alternative Sentencing. In order to comply with the Health Insurance Portability and Accountability Act (HIPAA) requirements, notice was given to the Office of Civil Rights.

Shane Ferrari, Undersheriff, briefed the Commission that the meeting between the Sheriff's office and the Navajo Nation regarding improving communications, as well as the Amber Alert system, has been cancelled. It will be rescheduled at a later date.

### **Comments / Input From The General Public**

None

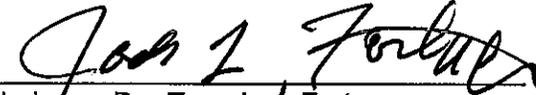
### **Adjourn**

Being no further business a motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 4:35 p.m.

APPROVED THIS 9TH DAY OF JUNE, 2016

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:

  
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Chairman Scott Eckstein

  
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Chairman Pro-Tem Jack Fortner

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Keith Johns

  
\_\_\_\_\_  
Margaret McDaniel

  
\_\_\_\_\_  
Wallace Charley

ATTEST:

  
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Debbie Holmes, County Clerk