

San Juan County Commission Regular Meeting June 4, 2013

Chairman Eckstein called the San Juan County Commission meeting to order on June 4, 2013 at 4:00 P. M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive in Aztec, New Mexico. Commissioner Keith Johns gave the invocation and Chairman Pro-Tem Jack L. Fortner led the Pledge of Allegiance. Those present were:

CHAIRMAN	Scott Eckstein
CHAIRMAN PRO-TEM	Jack L. Fortner
MEMBER	GloJean Todacheene
MEMBER	Margaret McDaniel
MEMBER	Keith Johns
ASSESSOR	Clyde Ward
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
DEPUTY ATTORNEY	Joe Sawyer
DEPUTY ATTORNEY	Doug Echols
EMERGENCY MANAGER	Don Cooper
CHIEF FINANCIAL OFFICER	Marcella Brashear
PARKS & FACILITIES ADMINSTRATOR	Mike Davidson
PUBLIC WORKS ADMINISTRATOR	Dave Keck
CHIEF HUMAN RESOURCE OFFICER	Charlene Scott
DEPUTY HUMAN RESOURCES OFFICER	Roberta Padilla
ALTERNATIVE SENTENCING ADMINISTRATOR	Rob Mitchell
FIRE CHIEF	Doug Hatfield
INDIGENT HOSPITAL CLAIMS COORDINATOR	Liza Gomez
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
CHIEF IT OFFICER	Vince Johns
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PRESS: Farmington Daily Times	Ryan Boetel
Majestic Media	Lauren Duff

VISITORS: 5

A motion was made by Commissioner Johns, seconded by Chairman Pro-Tem Fortner 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 May 21, 2013

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene 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 there are no changes to the agenda. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve the agenda as presented. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Renewal of Bid 12-13-02, Cooperative Price Agreement for Fuel: Cardlock Facilities and Bulk Fuel Purchases to Western Refining Wholesale, Inc. of Tempe, AZ
2. Approval of Renewal of Price Agreements Under Bid 10-11-20, Price Agreement for the Purchase of Warehouse Supplies
3. Approval of Request to Award Proposal 12-13-17, Pharmaceutical Services Section to Contract Pharmacy Services
4. Approval of Request to Authorize the CEO to Award Proposal 12-13-17, Medical and Ancillary Services (for all three (3) Facilities) and Mental Health Services (for Adult Detention Center) to Correctional Healthcare Services
5. Approval of Alternative Sentencing Division Policies
6. Approval of DWI Grant Agreement #14-D-J-G-25 with Department of Finance and Administration / Local Government Division for operation of the Local DWI Program
7. Approval of May 21, 2013 Regular Commission Minutes

Commissioner Todacheene requested Item #2 be removed from the consent agenda and placed under new business Item #8. A motion was made by Commissioner Johns, seconded by Chairman Pro-Tem Fortner to approve Items # 1, 3 – 7 on the Consent Agenda. Upon voice vote this motion passed unanimously.

New Business

1. Consideration of Animal Shelter Services Agreement with the City of Farmington

Mike Stark, County Operations Officer advised the Commission that the previous animal shelter services agreement with the City of Farmington has expired. County staff has worked with the City of Farmington staff to develop a new intergovernmental agreement based on the framework of the previous agreement. The primary difference between this agreement and the previous agreement is that the City of Farmington has requested to use FY 14 budgeted expenditures for year one of the agreement in determining the net shared costs versus using the prior year's operational costs. The reason for the change is the anticipated increase in operating costs associated with the new facility which is expected to be completed in October. In addition to an increase of 6,800 sq. ft. of additional space to heat and cool, 6 additional full-time employees are being added to staff the new facility. Other operational costs such as medical, animal food, and chemicals are expected to increase due to the increased capacity of the facility. Historically, vet bills have been billed separately to San Juan County but will now be included within the operational costs. For year one of the agreement, the shared net costs of \$350,219 will establish a not to exceed cap for FY 14. However, budgeted operating costs and budgeted usage will be reconciled at the end of FY 14 with a credit being issued to San Juan County for any difference. After year one, we will return back to the previous formula of using the prior year's actual costs and usage to determine the County's net shared costs. Staff had previously budgeted \$316,389 in animal shelter fees with the City of Farmington for next year not knowing the exact increase in operational expenses and usage being proposed by the City. Staff recommends approval of the intergovernmental animal shelter services agreement with the City of Farmington. In addition, staff would request a budget adjustment of \$33,830 in the FY14 to cover the budgeted shortfall. Chairman Eckstein questioned the increase in this agreement over the last few years. Mr. Stark indicated that there has been a 100% increase since FY09, from last fiscal year this is a 34% increase. He also stated that the number of animals have stayed consistent, the increase is due to operational costs. Approximately 8600 animals were dropped off this fiscal year at the local shelters; City of Farmington 4468 and City of Aztec 4153. Chairman Pro-Tem Fortner confirmed that the County would receive a credit if the usage or expenditures are less than estimated. Also Chairman Pro-Tem Fortner stated that the majority of the animals come off the Navajo Reservation, this is one of the areas where the cost needs to be shifted back to the reservation. CEO Kim Carpenter explained various discussions that have taken place in regards to this and the county spends approximately \$100,000 plus on the Navajo Nation animals. Cory Styron, City of Farmington representative, indicated that this increase is due to animals staying in the shelter longer, expenditures due to the new shelter, and 6 new full time staff members at \$160,000. Mr. Styron invited the Commission to the walk through the Shelter on Friday June 14, 2013 at 2:00 p.m. Commissioner Johns and Chairman Eckstein requested staff put a cost analysis together if the county were to have their own animal shelter. Commissioner McDaniel confirmed that the City of Farmington's budget shortfall has been taken care of and she stated in the beginning of this project the County was told there was not going to be an increase in employees. Mr. Stryon explained that currently the shelter employs 2 full time and 6 temporary employees; however the temporary employees are currently working full time. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene to approve the animal shelter services agreement with the City of Farmington. Upon voice vote this motion passed unanimously.

2. Request for Adoption of Ordinance No. 82, Correction of Praxair Industrial Revenue Bonds

Doug Echols, Deputy County Attorney explained to the Commission that at the May 21, 2013 meeting, they approved a Notice of Intent to Adopt Ordinance No. 82 which corrects an error contained in Ordinance No. 81, the issuance of Praxair Industrial Revenue Bonds. There was a misunderstanding between San Juan County and Mr. Buchholtz regarding the terms of the Payment in Lieu of Taxes (PILT) agreement for the Praxair industrial revenue bonds. The first 5 years of PILT will be 100%, second 5 years 75% and last 10 years 50%. As a result, Ordinance No. 81 as originally passed does not reflect the agreement between the parties. Ordinance No. 82 will properly reflect the agreement between the parties. Ordinance No. 82 includes an emergency clause so that it will be effective upon passage. Adoption of Ordinance No. 82 will not delay issuance of the bonds. A Notice of Intent to Adopt was published in the Daily Times on Wednesday, May 22. A motion was made by Commissioner Todacheene, seconded by Commissioner Todacheene to approve the adoption of Ordinance No. 82, correction of Praxair Industrial Revenue Bonds. Upon voice vote this motion passed unanimously.

3. Request for Approval of Publication of Notice of Intent to Adopt Ordinance No. 83, Re-Enacting a County Water and Sanitation Gross Receipts Tax Within the Valley Water and Sanitation District

Deputy County Attorney, Doug Echols indicated that on May 15 the Valley Water & Sanitation District presented to the County a resolution calling on the Commission to adopt an ordinance to hold an election to re-enact a one-fourth percent gross receipts tax. NMSA 1978, Section 7-20E-26 requires the Commission to adopt such an ordinance and call for an election when presented with a resolution. This tax was originally enacted in 2007 after approval by the voters within the District. Staff is requesting permission from the Commission to publish notice of intent to adopt Ordinance No. 83. The Ordinance would be considered for adoption at the regular meeting of July 2, 2013. The election needs to be held, certified, and the Ordinance and results delivered to the New Mexico Department of Taxation & Revenue prior to October 1, 2013, if the taxes are to be imposed January 1, 2014. A motion was made by Commissioner Johns, seconded by Commissioner Todacheene to approve the Publication of Notice of Intent to Adopt Ordinance No. 83, re-enacting a county water and sanitation gross receipts tax within the Valley Water and Sanitation District. Upon voice vote this motion passed unanimously.

4. Consideration of Employee Vision Benefit Plan Document

Doug Echols, County Attorney advised the Commission that at the May 7, 2013 meeting, the Commission approved a small premium for vision coverage: \$2.00 per pay period for Employee only, \$4.00 per pay period for Employee +1, and \$8.00 per pay period for Family. The Legal Department has drafted a Vision Plan Benefit Document to be used in administering the Vision Plan which reflects the changes approved by the Commission. Tall Tree Administrators will administer the account for no additional fees. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve the employee vision benefit plan document. Upon voice vote this motion passed unanimously.

5. Consideration of Fee Adjustments for Alternative Sentencing Division Programs

Rob Mitchell, Alternative Sentencing Administrator explained to the commission that fees for the Alternative Sentencing Division jail-based treatment programs are established by a formula that takes into consideration the previous fiscal year's population and the proposed budget for the new fiscal year. The DWI formula has been used annually since 2005 and this is the first adjustment requested to the Axis/Nexus fee since the program's inception in 2006. Both of these budgets rely heavily on the Indigent Health Care Fund with approximately 70% of DWI program clients requesting fund use and 100% of Axis clients doing so. Adjusted fees are being requested for three programs operating within the Alternative Sentencing Division: both jail-based treatment programs and the Adult Misdemeanor Compliance Program. Staff is recommending approval of client fees for FY2014, as follows:

DWI Jail-based Treatment and Aftercare Services: Staff requests approval to decrease the FY2014 client fee for the 28-day DWI Treatment program from \$3,470 to \$2,423 due to a reduction in budget and increased number of DWI offenders.

Axis Jail-based Treatment / Aftercare Services and Nexus Transitional Services: Staff requests approval to decrease the FY2014 client fee from \$9,053.15 to \$8,120 due to an increased number of program participants.

Adult Misdemeanor Compliance Program Services: Staff requests approval to increase the FY2014 client fee to \$40/month, due to legislative changes increasing the maximum amount that can be charged from \$30/month to \$50/month.

Chairman Pro-Tem Fortner asked Mr. Mitchell if it is considered a violation if an individual does not pay the compliance fee. Mr. Mitchell indicated that it is not a violation and explained that they are allowed to do community service in lieu of payment. Chairman Pro-Tem Fortner also confirmed that individuals on any kind of public assistance qualify for a reduced charge.

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the fee adjustments for Alternative Sentencing Division programs. Upon voice vote this motion passed unanimously.

6. Request for Approval of Resolution 12-13-47, FY13 Budget Adjustments, as Presented

Marcella Brashear, Chief Financial Officer presented the FY13 budget adjustments to the Commission for approval. The budget adjustments approved by the Commission will be sent to the NM Department of Finance & Administration for their approval. The revenues have been increased by \$167,866 and the expenditures have been increased by \$126,237 due to refunds, donations, project contributions, and sale of surplus revenue received. The grant revenues have been decreased by \$286,922 and grant expenditures have been decreased by \$393,186 based on adjustments to grant agreements. The Criminal Justice Training Authority revenues have been increased by \$22,500 for course fees and the expenditures have been increased by \$51,663. The lease equipment expenditure has been increased by \$71,068 to buy out the golf car lease with the funding provided by a transfer from the Capital Reserve Fund. The transfers from the Health Care Fund to Alternative Sentencing were increased by \$277,904 due to additional claims. The total adjustment to revenue is \$96,556 and the total adjustment to expenditures is \$144,218. A motion

was made by Commissioner Johns, seconded by Commissioner Todacheene to approve Resolution 12-13-47, FY 13 budget adjustments as presented. Upon voice vote this motion passed unanimously.

7. Presentation of a 4-10 Work Schedule

Mike Stark, County Operations Officer informed the Commission that at the budget workshop meeting on May 6, 2013 the County Commission reviewed the cost savings associated with moving to a 4-10 work schedule with operational closure on Friday. After much discussion, the Commission directed the CEO to further investigate and report back on the feasibility of implementing such a schedule. Mr. Stark presented the Commission with a power point presentation regarding the research and feedback gathered by the CEO staff. Aztec City Manager, Josh Ray explained how a 4 – 10 work week works for the City of Aztec. Mr. Ray indicated that there are more pros than cons with the 4 – 10 work week. Joshua Payne, President and Co-Owner of San Juan Title Company spoke against a 4 -10 work week. After additional discussion Mr. Stark indicated that this was an informational item only and will be on the July 2, 2013 Regular Meeting Agenda.

8. Approval of Renewal of Price Agreements Under Bid 10-11-20, Price Agreement for the Purchase of Warehouse Supplies

This item was moved from the consent agenda.

Larry Hathaway, General Services Community Development Administrator explained to the Commission that on June 7, 2011, the Commission awarded several 1-year price agreements to various vendors for the purchase of warehouse supplies. These price agreements allow for up to three (3) additional 1-year renewals. The current term of the agreements will expire on June 21, 2013. The request for renewal would cover the second renewal term available under the price agreements and are based on the same terms and conditions as the original award. Price redeterminations are based on the manufacturers documented price adjustments. Staff has indicated their satisfaction with the various vendors and therefore requests that the Commission consider a renewal of these price agreements for a term of June 22, 2013 through June 21, 2014. The quantities required are estimated only and will be ordered on an as needed basis during the term of the agreements. Commissioner Todacheene asked Mr. Hathaway why vendors that the county is dissatisfied with are part of the renewal requests. Mr. Hathaway explained that there are other products the vendors supply that the county is satisfied with. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve renewal of price agreements under bid 10-11-20, price agreement for the purchase of warehouse supplies. Upon voice vote this motion passed unanimously.

Reports From Elected Officials And Department Heads

Faye Anderson, San Juan Housing Authority Director reported that San Juan County housing has been awarded 15 Veterans Affairs Supportive Housing (VASH) vouchers to house homeless veterans.

County CEO Kim Carpenter reported that he will be meeting with Arizona Public Service (APS) on Friday regarding the sale of the mine and the closure of the three units. If the sale doesn't go through the plant and mine will shut down in 2016

Commissioner Todacheene reported that San Juan County will be hosting the next Council of Governments meeting. She also mentioned that she attended the Western Interstate Region Conference in Flagstaff, Arizona. She explained how Arizona educates individuals on the reservation regarding the courts.

Commissioner McDaniel commended Don Cooper, Emergency Manager for the successful Amateur Radio Operator (HAM Radio) training for the volunteers.

Comments / Input From The General Public

None

Closed Executive Session

None

Adjourn

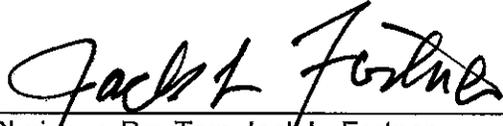
Being no further business a motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 5:53 p.m.

APPROVED THIS 2nd DAY OF JULY, 2013

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



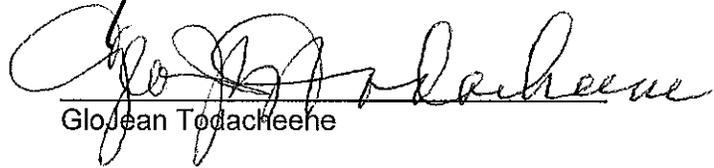
Chairman Scott Eckstein



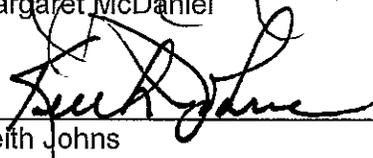
Chairman Pro-Tem Jack L. Fortner



Margaret McDaniel

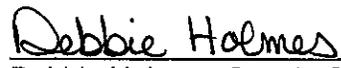


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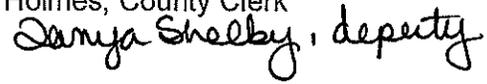


Keith Johns

ATTEST:



Debbie Holmes, County Clerk

By:  Janyia Shelby, deputy

