

San Juan County Commission Regular Meeting July 28, 2015

Chairman Johns called the San Juan County Commission meeting to order on July 28, 2015 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Commissioner McDaniel 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
MEMBER	Margaret McDaniel
MEMBER	Wallace Charley
CHIEF DEPUTY ASSESSOR	Jimmy Volta
CLERK	Debbie Holmes
UNDERSHERIFF	Shane Ferrari
COUNTY EXECUTIVE OFFICER	Kim Carpenter
ATTORNEY	Doug Echols
DEPUTY ATTORNEY	Joe Sawyer
RISK MANAGER	Kristi Galloway
EMERGENCY MANAGER	Don Cooper
EMERGENCY MANAGEMENT COORDINATOR	Mike Mestas
CHIEF FINANCIAL OFFICER	Marcella Brashear
PARKS & FACILITIES ADMINSTRATOR	Mike Davidson
PARKS & FACILITIES DEPUTY ADMINISTRATOR	Daniel Hill
PUBLIC WORKS ADMINISTRATOR	Dave Keck
CHIEF HUMAN RESOURCES OFFICER	Charlene Scott
ADULT DETENTION CENTER DEPUTY ADMINISTRATOR	Daniel Webb
ALTERNATIVE SENTENCING DEPUTY ADMINISTRATOR	Heidi Sawyer
FIRE CHIEF	Craig Daugherty
HEALTH CARE ASSISTANCE PROGRAM COORDINATOR	Liza Gomez
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
GEOGRAPHIC INFORMATION SYSTEMS COORDINATOR	Evan O'Keefe
SUBDIVISION REVIEW OFFICER	David Barnett
CHIEF IT OFFICER	Keith Lund
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
SAFETY & COMPLIANCE MANAGER	Stewart Logan
BUILDING INSPECTOR	Ken Douglas
PRESS: Farmington Daily Times	Hannah Grover
VISITORS:	9

Presentation

Cathy Dado, Northwest New Mexico Seniors Executive Director, presented the Excellence Award for 2016 Capital Outlay Submissions from the New Mexico Non-Metro Area on Aging to San Juan County for 98% accuracy on each application submitted to Joann Thomas. Ms. Dado introduced Michelle Murray from Lower Valley Senior Citizens Center. Ms. Murray stated all monies that were requested by Linda Thompson were received. Presentation only.

A motion was made by Commissioner Fortner, seconded by Commissioner McDaniel 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. Review of Claims
2. Approval of Minutes of July 7, 2015
3. Consideration of Request for Funding from the Health Care Assistance Program by Desert View Family Counseling for FY 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 Fortner, 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 Fortner, seconded by Commissioner McDaniel to approve the agenda as presented. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Resolution 15-16-08, FY 2015 Budget Adjustments
2. Approval of Resolution 15-16-09, FY 2015 Final Quarter Financial Report for Year Ending June 30, 2015
3. Approval of Resolution 15-16-10, FY 2015 Physical Inventory Certification
4. Approval of Alternative Sentencing Division Policies
5. Approval of Agreement with City of Farmington for Building Space Lease
6. Approval of Section Eight Management Assessment Program (SEMAP) Certification
7. Approval of July 7, 2015 Regular Meeting Minutes
8. Approval of June 2015 Check Register

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

New Business

1. Consideration of Joint Powers Agreement for the Metropolitan Planning Organization (MPO)

Fran Fillerup, MPO Associate Planner, informed the Commission that the MPO is the regional planning authority responsible for transportation planning for the cities of Aztec, Bloomfield, Farmington, and the urbanized areas of San Juan County. The MPO, in cooperation, with its member entities, NMDOT, transit operators and the general public develops both long and short range transportation plans for the area. The annual operating budget for the MPO is funded through two funding streams - federal dollars and local entity dollars, with the federal dollars funding approximately 80% of the annual budget. The current Joint Powers Agreement (JPA) expires on September 30, 2015. The MPO staff drafted a new JPA that is substantially the same as the previous agreement. The JPA describes the functions and structure of the organization and the financial contributions by the local entities. This new JPA, if approved, would be in effect from October 1, 2015 to September 30, 2018. The City of Kirtland is not part of this current agreement due to the timing of their incorporation; however, the JPA can be amended at any time to include them. Mayor Duncan indicated that the City will look to become part of the organization and the JPA at a later date. Staff recommends approval of the Joint Powers Agreement for the Farmington Metropolitan Planning Organization. A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner Fortner to approve the Joint Powers Agreement for the Metropolitan Planning Organization (MPO). Upon voice vote this motion passed unanimously.

2. Request for Adoption of Amended and Restated County Ordinance No. 58, the Flood Damage Prevention Ordinance

Joe Sawyer, Deputy County Attorney, stated the Office of Emergency Management and the Legal Department are requesting changes to the Flood Damage Prevention Ordinance. Floodplain Use Permit is defined and is made a requirement for all changes to a structure or land located within the floodplain. Article VI, Penalties for Noncompliance, is changed to clarify the Ordinance and make it more enforceable in court. The jail time penalty is removed. A Notice to Amend and Restate was approved at the July 7, 2015 Commission meeting and published in the Daily Times on Friday, July 10. Chairman Johns opened the floor for public comment. There being no public comment, a motion was made by Commissioner Fortner, seconded by Commissioner McDaniel to approve Adoption of Amended and Restated County Ordinance No. 58, the Flood Damage Prevention Ordinance. Upon voice vote this motion passed unanimously.

3. Request for Adoption of Amendment to San Juan County's Ordinance No.4, Unlawful Disposal of Refuse

Joe Sawyer, Deputy County Attorney briefed the Commission that the proposed Amendment would change the penalties for violation of the Ordinance, removing the 90 day imprisonment penalty for a first conviction. The 90 day sentence would still be an option for subsequent convictions and for first convictions involving hazardous waste. A Notice of Intent to Amend Ordinance No.4 was approved at the July 7, 2015 Commission meeting and was published in the Daily Times on Friday, July 10. Chairman Johns opened the floor for public comment. There being no public comment, a motion was made by Commissioner Fortner, seconded by Commissioner McDaniel to approve Adoption of Amendment to San Juan County's Ordinance No.4, Unlawful Disposal of Refuse. Upon voice vote this motion passed unanimously.

4. Consideration of Resolution Numbers 15-16-05, 15-16-06, and 15-16-07, Establishing a County Cooperative Program (COOP) with the New Mexico Department of Transportation for Pavement/Rehabilitation of Various County Roads

Dave Keck, Public Works Administrator is requesting the approval of Resolution 15-16-05, Resolution 15-16-06 and Resolution 15-16-07 which would accept funding from the New Mexico Department of Transportation for the construction and/or improvement of some designated County roads. The State requires a resolution from the County Commission in support of pursuing an Agreement to receive the funds and to agree to a 25% match. This year, the State will fund the following amounts for 'PAVEMENT/REHABILITATION OF VARIOUS COUNTY ROADS':

<u>Project No.</u>	<u>State Share</u>	<u>County Share</u>	<u>Location</u>
CAP-5-16(469)	\$148,675.00	\$49,558.00	CR390, 4980, 4990
SB-7805(102)16	85,000.00	28,333.00	CR2335, 2343,2350, 2390, 2395,2400
SP-5-15(183)	62,285.00	20,762.00	CR2896, 2929, 2930, 6663, 6668, 6669, 6675, 6800

Staff requests approval of Resolutions 15-16-05, 15-16-06, and 15-16-07 authorizing: 1) the County Executive Officer to execute the Agreements for CAP-5-16(469), SB-7805(102)16 and SP-5-15(183). 2) Payment of the 25% match totaling \$98,653.00. A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner Fortner to approve Resolution Numbers 15-16-05, 15-16-06, and 15-16-07, Establishing a County Cooperative Program (COOP) with the New Mexico Department of Transportation for Pavement/Rehabilitation of Various County Roads. Upon voice vote this motion passed unanimously.

5. Consideration of Approval for an Oil and Gas Electrical Permit

Ken Douglas, Building Official stated stakeholders in the oil and gas industry have long requested an electrical permit tailored for their specific applications. Input was received from a sampling of five companies, actively providing electrical installations in the oil and gas industry

in San Juan County, to create an Oil and Gas Electrical Permit Application. After several drafts, a final document was drafted for consideration of approval. A motion was made by Commissioner Fortner, seconded by Commissioner McDaniel to approve an Oil and Gas Electrical Permit. Upon voice vote this motion passed unanimously.

6. Request for Approval of Resolution 15-16-11, Fiscal Year 2016 Final Budget

Marcella Brashear, Chief Financial Officer indicated to the Commission that the FY16 Final Budget must be submitted to the Department of Finance and Administration (DFA) by July 31, 2015. The budget documents will be sent to the DFA after approval by the Commission. She explained that this budget exceeds the 3/12ths reserve requirements. She stated a list of major changes from the interim to the final budget, outside agencies, capital, personnel changes and the frozen positions, and a copy of the financial policies which will be approved as part of the budget resolution in the final budget. The state auditor changed the audit due date from November 15th to November 1st. A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner McDaniel to approve Resolution 15-16-11, Fiscal Year 2016 Final Budget. Upon voice vote this motion passed unanimously.

7. Request for Approval of Resolutions 15-16-03 and 15-16-04, Authorizing the County's Pick-Up of a Portion of PERA Municipal Police and Fire Member Contributions

Marcella Brashear, Chief Financial Officer informed the Commission the Public Employees Retirement Act, NMSA 1978, Section 10-11-5, authorizes public employers to be responsible for making contributions of up to seventy-five percent of its employees' member contributions to the Public Employees Retirement Association (PERA) under certain conditions. With the adoption of the FY16 Final Budget, the Commission approved and funded a Pick Up of 4% of the employees' share of PERA contributions for certified Sheriff and Fire employees covered under PERA Municipal Police Member Coverage Plan 5 and PERA Municipal Fire Member Coverage Plan 5. The estimated cost of the Pick Up funded in the FY16 Final Budget is \$235,343 for Sheriff and \$20,102 for Fire. Once approved, the Pick Up Resolutions are irrevocable and will need to be included in all future budgets. Pick Up contributions will be effective the first full pay period of the month following the filing of the approved Resolutions with the PERA Board. Undersheriff Shane Ferrari and Fire Chief Craig Daugherty thanked the Commission for their consideration to the PERA change, which will help with moral and recruitment efforts. Commissioners made various comments. A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner Charley to approve Resolutions 15-16-03 and 15-16-04, Authorizing the County's Pick-Up of a Portion of PERA Municipal Police and Fire Member Contributions. Upon voice vote this motion passed unanimously.

Reports From Elected Officials And Department Heads

Liza Gomez, Health Care Assistance Program Coordinator briefed the Commission on the developing legislative changes to the Safety Net Care Pool.

Comments / Input From The General Public

Cholla Khoury, Assistant Attorney General, introduced James Hallinan, member of the Senior Staff for the New Mexico Attorney General's Office. Ms. Khoury thanked the Commission for their time and the opportunity to speak. She informed the Commission that the County has the opportunity to intervene in the case with the Public Regulations Commission (PRC) regarding the Public Service Company of New Mexico San Juan Generating Station proceeding. Commissioners asked various questions. Kim Carpenter, CEO stated that a meeting will be held to discuss how the County can become more involved.

Adjourn

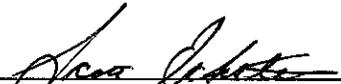
Being no further business a motion was made by Commissioner Fortner, seconded by Chairman Pro-Tem Eckstein to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 4:50 p.m.

APPROVED THIS 18th DAY OF AUGUST, 2015

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



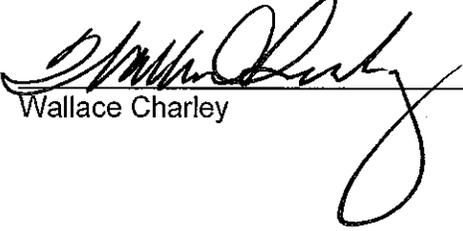
Chairman Keith Johns



Chairman Pro-Tem Scott Eckstein



Margaret McDaniel

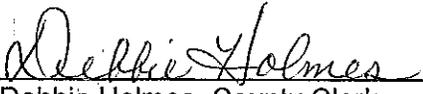


Wallace Charley



Jack Fortner

ATTEST:



Debbie Holmes, County Clerk