San Juan County Commission
Regular Meeting
August 6, 2013

Chairman Eckstein called the San Juan County Commission meeting to order on August 6, 2013 at 4:00 P. M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive in Aztec, New Mexico. Chairman Pro-Tem Fortner gave the invocation and Commissioner Johns led the Pledge of Allegiance. Those present were:

CHAIRMAN	Scott Eckstein
CHAIRMAN PRO-TEM	Jack L. Fortner
MEMBER	GloJean Todacheene
MEMBER	Keith Johns
ASSESSOR	Clyde Ward
CHIEF DEPUTY ASSESSOR	Jimmy Voita
CLERK	Debbie Holmes
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 MANAGER	Don Cooper
CHIEF FINANCIAL OFFICER	Marcella Brashear
PARKS & FACILITIES ADMINSTRATOR	Mike Davidson
PUBLIC WORKS ADMINISTRATOR	Dave Keck
CHIEF HUMAN RESOURCE OFFICER	Charlene Scott
ADULT DETENTION CENTER ADMINISTRATOR	Tom Havel
ADULT DETENTION CENTER DEPUTY ADMINISTATOR	Daniel Webb
ALTERNATIVE SENTENCING ADMINISTRATOR	Rob Mitchell
JUVENILE SERVICES DEPUTY ADMINISTRATOR	Bowen Belt
FIRE CHIEF	Doug Hatfield
DEPUTY FIRE CHIEF	Craig Daugherty
INDIGENT HOSPITAL CLAIMS COORDINATOR	Liza Gomez
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
CHIEF IT OFFICER	Vince Johns
GIS COORDINATOR	Sandi Spencer
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PRESS: Tri City Tribune	Lauren Duff

VISITORS: 4

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene 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 July 25, 2013

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to adjourn the Indigent Hospital Board Meeting and call to order the Board of Finance 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.

Board of Finance

1. Report on County Investments and Interest Earned

Mark Duncan, County Treasurer reported the status of San Juan County's investments. The County investments earned $416,570.80 for the year ended June 30, 2013. This is $315,976.16 less than the interest earned for fiscal year 2012. Since December of 2012 this is an additional 17% decrease. Total cash and investments as of June 30, 2013 was $65,698,285.12. Deducting the June 30, 2013 outstanding checks of $1,525,172.03 brings the June 30, 2013 cash and investments to $64,173,113.09. Mr. Duncan explained that between April, 2013 and May, 2013 there was a hit on County's investments. RBC Global Asset Management discovered that a couple investments did not fall within the County's investment policy. These investments have been divested. Now the County is working with RBC Global Asset Management for additional investments. Mr. Duncan further explained that another $5,000,000 CD was purchased through Wells Fargo Bank and the interest rate is .26%. Commissioner Johns asked what the term is on the CD. Mr. Duncan stated 6 months. This was an informational item only.

2. Consideration of Resolution 13-14-11, Waiving the $5.00 Minimum Penalty on Delinquent Property Taxes

The New Mexico State Statutes allows a county to impose a penalty of 1% per month, but not exceed 5% of the delinquent tax amount except when the penalty is less than $5.00. Each year, San Juan County waives the $5.00 minimum penalty on delinquent property taxes and staff is again requesting that the Commission approve Resolution 13-14-11, waiving the $5.00 Minimum Penalty on Delinquent Property taxes. This resolution waives the minimum $5.00 penalty on delinquent property taxes as allowed under State of New Mexico Section 7-38-50, NMSA, 1978, Compilation. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve Resolution 13-14-11, waiving the $5.00 minimum penalty on delinquent property taxes. Upon voice vote this motion passed unanimously.

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to adjourn the Board of Finance 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 changes to the agenda. Item #7 has been deleted, and item #1 is moved to item #6. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the agenda as amended. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Memorandum of Agreement with New Mexico Department of Agriculture for "Non-native Phreatophyte Removal and Riparian Restoration"
2. Approval of July 2, 2013 Regular Meeting Minutes
3. Approval of July 25, 2013 Regular Meeting Minutes
4. Approval of July 2013 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. Consideration of Resolution 13-14-14, Approving an Option and Lease with Skyway Towers, LLC of the Navajo Dam Fire Station No. 1 for a Wireless Cellular Tower Facility

Doug Echols, Deputy County Attorney advised the Commission that the San Juan County Fire Department has been approached by Skyway Towers, LLC who would like to lease 1/10 of an acre adjacent to the Navajo Dam Fire Station No. 1 property in order to construct a wireless cellular tower facility. Skyway Towers, LLC will provide space on the tower for the County to install fire/EMS communications equipment and will pay an option in the amount of $2,500 for a two-year term with an option for an additional two-year term with an additional $2,500 payment. The option is to enter into a long term lease. Assuming the property is suitable for a cell tower, the County would lease the property to Skyway Towers, LLC for up to ten (10) five year terms at an annual rent of $10,200.00 with a $3,500.00 signing bonus. The lease has 10 successive 5 year terms and each year rent shall increase by 2% based upon an appraisal by Gipson Associates, the current fair market rental value is $7,200.00 per year. Mr. Echols explained that this lease will have to be approved by the State Board of Finance (DFA). Commissioner Johns indicated that this is a great deal for the county and the citizens. A motion was made by Commissioner Johns, seconded by Chairman Pro-Tem Fortner to approve Resolution 13-14-14, approving an option and lease with Skyway Towers, LLC of the Navajo Dam Fire Station No. 1 for a wireless cellular tower facility. Upon voice vote this motion passed unanimously.

2. Consideration of Booking User Fee for Inmate Services

Tom Havel, Adult Detention Center Administrator explained to the Commission that the cost of booking and services offered to inmates such as washers, dryers, printers, TV's, computers, supplies and recreational items total more than $67,400 annually. In an effort to help offset the direct

cost to the taxpayer, staff is proposing a booking user fee of $10.00 to begin Sept. 1, 2013. This fee would be a one-time fee per inmate booking. Such a nominal fee is common in other detention facilities nationwide to help offset the costs associated with providing inmate services. Approximately 13,000 inmates are booked into the facility each year. At the proposed rate of $10.00 each, a 100 percent collection rate would generate about $130,000. However, it is anticipated that a collection rate of approximately 50% is more likely and would generate $65,000 annually. Although it is not anticipated that this fee would cover the costs of inmate services in full, it would help to offset the subsidy from the County's general fund. The collection of the fee would be handled by Trinity Services Group, the County's current commissary provider. The fee would be automatically deducted from the inmate's commissary account upon booking into the facility. Staff recommends approval of the $10.00 booking user fee, per inmate booking, to be effective Sept. 1, 2013. Chairman Eckstein questioned how the inmates that don't pay the fee would be handled. Mr. Havel explained that the fee would be held in the inmates account, not trying to make anyone indigent, but requiring the fee to be paid before inmates can purchase candy, sodas and sugar items from the commissary. Commissioner Johns asked if the $10.00 fee is standard. Mr. Havel explained that the fee is not standardized across the Nation, it ranges from a few dollars to $50.00. At one time Bernalillo County was charging a fee of $25.00, but they are no longer charging a fee. Chairman Pro-Tem Fortner confirmed the goal of this is for inmates to pay for the services that are provided to them.
A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the booking user fee for inmate services. Upon voice vote this motion passed unanimously.

3. **Request for Approval of Resolution Numbers 13-14-04, 13-14-05, and 13-14-06 for Funding Under the New Mexico Department of Transportation County Cooperative Program (COOP)**

Dave Keck, Public Works Administrator indicated that approval of Resolutions 13-14-04, 13-14-05 and 13-14-06 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 $283,299.00 and the County match will be $94,433.00 for a total of $377,732.00. The funds will be utilized for pavement/rehabilitation of the following county roads:

Project No.	State Share	County Share	Location
CAP-5-14(469)	$136,643.00	$45,548.00	CR 3000
SB-7805(102)14	$ 85,000.00	$28,333.00	CR 2900
SP-5-14(183)	$ 61,656.00	$20,552.00	CR 3100 and CR 3535

Staff requests approval of Resolutions 13-14-04, 13-14-05, and 13-14-06 authorizing: the County Executive Officer to execute the Agreements for CAP-5-14(469), SB-7805(102)14 and SP-5-14(183) and payment of the 25% match totaling $94,433.00. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve Resolution Number 13-14-04, 13-14-056, and 13-14-06 for funding under the New Mexico Department of Transportation County Cooperative Program (COOP). Upon voice vote this motion passed unanimously.

4. **Request for Approval of Resolution 13-14-12, Supporting an Agreement with the New Mexico Department of Transportation for Miscellaneous Maintenance, Restoration,**

and Rehabilitation on the San Juan County School Bus Routes Outside the Navajo Nation that serve the Navajo community

Public Works Administrator, Dave Keck requested the Commission's approval of Resolution 13-14-12 supporting an agreement with the New Mexico Department of Transportation (NMDOT) for miscellaneous maintenance, restoration, and rehabilitation on San Juan County School Bus Routes outside the Navajo Nation that serve the Navajo community. The NMDOT is providing an 80% share of $213,339 and San Juan County's 20% share is $53,335. The Total Project funding will be $266,674. This funding is used in the Checker board area and Kirtland, NM. A motion was made by Commissioner Johns, seconded by Commissioner Todacheene to approve Resolution 13-14-12, supporting an agreement with the New Mexico Department of Transportation for miscellaneous maintenance, restoration, and rehabilitation on the San Juan County school bus routes outside the Navajo Nation that serve the Navajo community. Upon voice vote this motion passed unanimously.

5. Request for Approval of Resolution 13-14-13, to Update the San Juan County Road Policy, August 6, 2013 Edition

Dave Keck, Public Works Administrator informed the Commission that due to the need to keep current the procedures for the administration of San Juan County's road system and to establish up-to-date construction standards, staff is requesting approval of Resolution 13-14-13, modifying the May, 2009 edition of the road policy. The changes are summarized, as follows:

1) Page 7 provides that half roads within subdivisions shall not be platted or constructed

2) Pages 15 and 16 allow for a Paving Variance and establishes criteria for waiving the paving requirements within subdivisions. The criteria includes anticipated traffic volumes generated by the subdivision and by surrounding land uses; location of the roads in relation to other paved roads in the area; rate of growth and population density; physical characteristics that may adversely impact the cost, difficulty of maintenance or safety of the road; comments from municipalities that have planning and platting jurisdiction over the subdivision.

The added Paving Variance section further provides that a committee consisting of the Public Works Administrator, Community Development Administrator and Subdivision Review Officer review a request for a paving variance and make recommendations to the Commission. These requirements/criteria mirror the City of Farmington's and align with the City of Aztec and City of Bloomfield. Commissioner Johns confirmed that staff would provide the Commission with a recommendation when a paving variance is requested, and also that whomever is requesting the variance can attend the Commission meeting when their variance is on the agenda. Mr. Keck requested approval of Resolution 13-14-13. A motion was made by Commissioner Johns, seconded by Chairman Pro-Tem Fortner to approve Resolution 13-14-13 to update the San Juan County Road Policy, August 6, 2013 edition. Upon voice vote this motion passed unanimously.

6. Consideration of FY2014 Membership Agreement Between the Northwest New Mexico Council of Governments and San Juan County

Jeff Kiely, Executive Director, Northwest New Mexico Council of Governments (COG) presented the Commission with a power point presentation. Mr. Kiely explained what the COG's scope of work and mission is, along with the services that they provide. He also briefed the Commission on their regional goals. This agreement will provide grant management functions, planning and technical

assistance services and regional planning to include, but not limited to: livable/sustainable communities, healthy communities, energy initiatives, economic & tourism development planning, transportation planning and demographics. And under the agreement, San Juan County will be entitled to two (2) representatives to the Board and two (2) alternates. Currently, Commissioner Johns and CEO Kim Carpenter serve in that capacity. The Agreement further provides that San Juan County will pay annual dues in the amount of $20,000. This funding is budgeted in the FY2014 budget. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve FY2014 membership agreement between the Northwest New Mexico Council of Governments and San Juan County. Upon voice vote this motion passed unanimously..

Reports From Elected Officials And Department Heads

Fire Chief Doug Hatfield introduced Duane Bair who is the new Division Training Chief for San Juan County. Mr. Bair has been a volunteer fire fighter for the County for several years.

Comments / Input From The General Public

None

Closed Executive Session

None

New Business - Deleted

7. Consideration of CEO Contract - Deleted

Adjourn

Being no further business a motion was made by Commissioner Johns, seconded by Commissioner Todacheene to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 4:50 p.m.

APPROVED THIS 20th DAY OF AUGUST, 2013

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:

Chairman Scott Eckstein

Chairman Pro-Tem Jack L. Fortner

Margaret McDaniel

GloJean Todacheene

Keith Johns

ATTEST:

Debbie Holmes, County Clerk
By: Zanya Shelby, deputy