# San Juan County Commission
# Regular Meeting
# October 15, 2013

Chairman Eckstein called the San Juan County Commission meeting to order on October 15, 2013 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Commissioner GloJean Todacheene gave the invocation and Commissioner Margaret McDaniel led the Pledge of Allegiance. Those present were:

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| 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 |
| CHIEF DEPUTY TREASURER | Carol Taulbee |
| COUNTY EXECUTIVE OFFICER | Kim Carpenter |
| COUNTY OPERATIONS OFFICER | Mike Stark |
| DEPUTY ATTORNEY | Joe Sawyer |
| DEPUTY ATTORNEY | Doug Echols |
| EMERGENCY MANAGER | Don Cooper |
| EMERGENCY MANAGEMENT | Mike Mestas |
| CHIEF FINANCIAL OFFICER | Marcella Brashear |
| PARKS & FACILITIES ADMINSTRATOR | Mike Davidson |
| PUBLIC WORKS ADMINISTRATOR | Dave Keck |
| CHIEF HUMAN RESOURCE OFFICER | Charlene Scott |
| FIRE CHIEF | Doug Hatfield |
| DEPUTY FIRE CHIEF | Craig Daugherty |
| INDIGENT HOSPITAL CLAIMS COORDINATOR | Liza Gomez |
| GENERAL SERVICES ADMINISTRATOR | Larry Hathaway |
| HOUSING EXECUTIVE DIRECTOR | Faye Anderson |
| SAFETY & COMPLIANCE MANAGER | Stewart Logan |
| PRESS: Farmington Daily Times | Ryan Boetel |
| Tri City Tribune | Lauren Duff |

VISITORS: 10

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns 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 October 1, 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 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. He indicated that the San Juan County Fire Department received a plaque from the International City County Management Association (ICMA) and asked the Commission when they would like to present the Fire Department with the plaque. It was the census of the Commission to have the presentation before the Consent Agenda. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve the agenda as presented/amended. Upon voice vote this motion passed unanimously.

### Presentation

Mike Stark, COO announced that San Juan County has been recognized by the International City County Management Association (ICMA) with the "Voice of the People Award for Transformation and Fire Services." San Juan County participated in the National Citizen Survey in 2009 and 2012. The results of this survey are compiled nationwide by the National Research Center (NRC), who partners with the ICMA. San Juan County was 1 of 8 jurisdictions nationwide that received this award. This award is based on the level of transformation in fire service from 2009 to 2012. Fire Chief, Doug Hatfield stated that San Juan County received this award because of the professionalism, dedication and the contributions the volunteers make to San Juan County citizens. He thanked the Commission on behalf of the volunteers.

### Consent Agenda

1. Approval of September 17, 2013 Regular Minutes Meeting
2. Approval of October 1,2013 Regular Meeting Minutes
3. Approval of September 2013 Check Register

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

## New Business

### 1. Consideration of Approval of Resolution No. 13-14-24, Recognizing and Extending gratitude to New Mexico Dental Foundation's Mission of Mercy Volunteers

Kim Carpenter, County Executive Officer explained that Resolution No. 13-14-24, recognizes and extends the County's gratitude to the New Mexico Dental Foundation's Mission of Mercy Volunteers and employees of San Juan County. The Mission of Mercy event served 952 patients and provided $946,382 in care with the help of 1,330 volunteers. The event was held at McGee Park on September 13th and 14th and was successful in spite of the record flooding that occurred during that time. Mr. Carpenter read Resolution No. 13-14-24.

**SAN JUAN COUNTY, NEW MEXICO**
**RESOLUTION NO. 13-14-24**

**RECOGNIZING AND EXTENDING GRATITUDE TO NEW MEXICO DENTAL FOUNDATION'S MISSION OF MERCY VOLUNTEERS**

**WHEREAS,** the San Juan County Board of County Commissioners is pleased to recognize the accomplishments of the County's residents; and

**WHEREAS,** the San Juan County Mission of Mercy event provided two days of free dental care at McGee Park on September 13th and 14th, 2013; and

**WHEREAS,** in the face of historic rainfall and damaging flooding, the tireless work of San Juan County employees and volunteers was able to keep the facilities at McGee Park open to allow Mission of Mercy to take place; and

**WHEREAS,** Dr. Julius Manz, DDS, Dr. Charles Schumacher, DDS, and Dr. John McNeill, DDS, provided strong leadership and organizational skills as local co-chairs of the event; and

**WHEREAS,** the New Mexico Dental Foundation and New Mexico Dental Association have worked to provide relief to those in need by organizing three New Mexico Mission of Mercy events since 2010; and

**WHEREAS,** the San Juan County Mission of Mercy provided dental care to 952 adults and children at no cost; and

**WHEREAS,** over 1,300 volunteers and 116 dentists from across the state participated in the San Juan County Mission of Mercy; and

**WHEREAS,** these dental professionals and lay volunteers collectively completed 7,021 procedures, the equivalent of $586,652 dollars in dental services; and

**WHEREAS,** the San Juan County Mission of Mercy provided compassionate dental outreach to promote the long term dental health of County residents.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of San Juan County does hereby recognize and extend its gratitude to all of the dentists, oral health professionals, the New Mexico Dental Foundation, the New Mexico Dental Association, the employees of San Juan County, and all of the volunteers for their enormous contributions toward making the San Juan County Mission of Mercy a success.

**PASSED, APPROVED AND ADOPTED** this _____ day of _____, 2013.

Dr. McNeill thanked the Commission for their sponsorship and various departments for their assistance. Dr. Schumacher explained that once San Juan County became the lead core group and a venue was established, all surrounding communities joined in. He thanked the County on behalf of the staff at the dental foundation, all the dentist in the area and statewide. Commissioner McDaniel thanked Dr. Schumacher and Dr. McNeill and commented on how wonderful this event was. Commissioner Todacheene commended the entertainers that were at the event. Mr. Carpenter indicated he was touched by the experiences. Dr. Schumacher stated the next Mission of Mercy is scheduled for October 2014 in Rio Rancho, NM. A motion was made by Commissioner McDaniel, seconded by Chairman Pro-Tem Fortner to approve Resolution No. 13-14-24, recognizing and extending gratitude to New Mexico Dental Foundation's Mission of Mercy Volunteers. Upon voice vote this motion passed unanimously.

2. **Request for Approval of Resolution 13-14-26, Calling an Election for the Purpose of Determining whether the County Shall Adopt the Local Option Provisions of the Liquor Control Act to Permit the Issuance of Restaurant Licenses in the County Area of San Juan County**

Doug Echols, Deputy Attorney explained that the Liquor Control Act authorizes the electors of a proposed local option district to petition the governing body to hold an election to determine whether the county shall adopt the local option provisions of the Liquor Control Act. If the petitions are signed by at least five percent of the registered voters of the proposed district the governing body must hold an election to determine the question. Debbie Holmes, County Clerk received the petitions to conduct an election for the purpose of determining whether the county shall permit the issuance of restaurant licenses permitting the sale of beer and wine only in the county area of San Juan County. On September 24, 2013, the County Clerk verified that the number of valid signatures on the petitions equals or exceeds five percent of the registered voters in the county area of San Juan County. Resolution No. 13-14-26 calls an election to be held in the county area of San Juan County on December 3, 2013 to determine the question. Mr. Echols indicated that this election has to be held within 75 days from the date the signatures were verified. This is a single question election. CEO Kim Carpenter explained that State law mandates that we will follow this process and the county will absorb the cost of this election. Mrs. Holmes confirmed that this election will cost approximately $40,000 - $50,000. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve Resolution 13-14-26, calling an election for the purpose of determining whether the County shall adopt the Local Option Provisions of the Liquor Control Act to Permit the Issuance of Restaurant Licenses in the County Area of San Juan County. Upon voice vote this motion passed unanimously.

## 3. Consideration for Approval of Resolution #13-14-27, Designation of Official Polling Places for the 2014 Primary and General Elections

Debbie Homes, County Clerk advised the Commission that pursuant to New Mexico Statutes Annotated 1978, Section 1-3-2 (2011) requires the Board of County Commissioners to designate by resolution the polling places for each precinct no later than the first Monday in November of each odd-numbered year. This resolution provides for the designation of the polling places. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve Resolution No. 13-14-27, designation of official polling places for the 2014 Primary and General Elections. Upon voice vote this motion passed unanimously.

## 4. Discussion of Plan for Hospital I/8th Gross Receipts Tax

Kim Carpenter, CEO explained to the Commission that San Juan County imposed an I/8th of one percent Gross Receipts Tax (GRT) for the construction of the East Tower Addition to San Juan Regional Medical Center and for renovations and improvements to the existing hospital. San Juan Regional Medical Center has requested that San Juan County renovated the final two floors of the old portion of the hospital (2nd and 4th floor) and renovate the Endoscopy area. The estimated cost for this renovation is approximately $6 million dollars. The GRT is scheduled to sunset December 31, 2016. If the tax is terminated June 30, 2014, it is anticipated that San Juan County will collect approximately $7 million dollars. Chairman Pro-Tem Fortner asked when the Commission would need to make a decision on repealing the tax. Deputy County Attorney Doug Echols, explained that the Commission would have to enact an Ordinance and deliver it to the New Mexico Taxation and Revenue Department by March 30, 2014 to be in effect July 1, 2014. Commissioner Johns clarified that if the tax is repealed would it still provide the necessary funds for the hospital to complete the renovations on the 2nd and 4th floors. He asked if the tax went into sunset where would the additional revenue go? Mr. Echols explained that the funds would go toward capital improvements for the hospital building since it is owned by the county. Mr. Echols indicated that if this tax continues the hospital will end up with more money than is necessary. Chairman Pro-Tem Fortner requested this item be put on the February 18, 2014 Regular Meeting agenda.

## Reports From Elected Officials And Department Heads

Clyde Ward, County Assessor reported that on October 16, 2013 at 9:00 a.m. the State Property Tax Division will be conducting a property tax sale. Mr. Ward explained that 10 properties are going up for sale. He also indicated that bidding is open to the public, however Commissioners and employees that are involved in the process are not allowed to bid. Commissioner Johns asked for clarification of the process. Mr. Ward stated that this is a simple auction and highest bidder wins the property, he explained the redemption period, and the buyers of the property are responsible for mortgages, environmental hazards, etc. that come with the property.

CEO Kim Carpenter briefed the Commission on the issue of the State intercepting the county's indigent funding. He explained that the New Mexico Association of Counties Board voted unanimously against the model of the State intercepting the indigent funds. Mr. Carpenter further explained how the loss of the indigent funding would affect many of San Juan County's programs and how it would affect hospitals statewide. Liza Gomez, Indigent Health Care

Coordinator and also Chair of the Indigent Affiliate stated the Uncompensated Care Pool was set up to help the smaller hospitals. The 12 smallest hospitals in the State will receive 60% of the funding. She said this is due to the smaller counties not being able to support their hospitals. There was discussion of repealing the 1/8 locally imposed tax and repealing the food tax. The Commission requested staff keep them updated on this issue.

## 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 4:47 p.m.

**APPROVED THIS 5th DAY OF NOVEMBER, 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: Tanya Sheeby, deputy