

**San Juan County Commission  
Regular Meeting  
October 21, 2014**

Chairman Fortner called the San Juan County Commission meeting to order on October 21, 2014 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Chairman Pro-Tem Johns gave the invocation and Chariman Fortner led the Pledge of Allegiance. Those present were:

CHAIRMAN	Jack L. Fortner
CHAIRMAN PRO-TEM	Keith Johns
MEMBER	GloJean Todacheene
MEMBER	Margaret McDaniel
MEMBER	Scott Eckstein
CHIEF DEPUTY ASSESSOR	Jimmy Voita
CLERK	Debbie Holmes
TREASURER	Mark Duncan
COUNTY EXECUTIVE OFFICER	Kim Carpenter
COUNTY OPERATIONS OFFICER	Mike Stark
ATTORNEY	Jim Durrett
DEPUTY ATTORNEY	Doug Echols
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 ADMINISTATOR	Daniel Webb
ALTERNATIVE SENTENCING ADMINISTRATOR	Jennifer Miller
FIRE CHIEF	Doug Hatfield
DEPUTY FIRE CHIEF	Craig Daugherty
HEALTH CARE ASSISTANCE PROGRAM COORDINATOR	Liza Gomez
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
GEOGRAPHIC INFORMATION SYSTEMS COORDINATOR	Sandi Spencer
SUBDIVISION REVIEW OFFICER	David Barnett
COMMUNICATIONS DIRECTOR	David Ripley
CHIEF IT OFFICER	Vince Johns
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PRESS: Farmington Daily Times	Hannah Grover
VISITORS: 32	

A motion was made by Commissioner McDaniel, 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 October 7, 2014

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

A motion was made by Commissioner McDaniel, 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.

### **Regular Meeting**

#### **Approval of Agenda**

Kim Carpenter, CEO stated that Item #1 Consideration of Resolution No. 14-15-17, Praxiar Industrial Revenue Bonds will be presented by Craig Sweeney and Justin Horowitz from Rodey Law Firm. A motion was made by Commissioner McDaniel, seconded by Commissioner Todacheene to approve the agenda as amended. Upon voice vote this motion passed unanimously.

#### **Consent Agenda**

1. Approval of Grant Agreement with the New Mexico Department of Transportation's Traffic Safety Division for Highway Safety Projects
2. Approval of Award of Proposal No. 14-15-02, On Call Engineering Services for Various County Road, Bridge and Infrastructure Improvement Projects to URS Corporation of Albuquerque, NM
3. Approval of Renewal of Intergovernmental Agreement for Ambulance Services
4. Approval of FY2015 Client Fees for the DWI Treatment and Aftercare Services and the Axis & Nexus Treatment, Transition and Aftercare Services
5. Approval of Alternative Sentencing Division Policies
6. Approval of October 7, 2014 Regular Meeting Minutes
7. Approval of September 2014 Check Register

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

### **New Business**

#### **1. Consideration of Resolution No. 14-15-17, Praxair Industrial Revenue Bonds**

Justin Horwitz, Rodey Law Firm, informed the commission that Praxair, Inc. has submitted an application for the County to issue approximately \$70 million in Industrial Revenue Bonds to finance the expansion of its current facility located in Kirtland, including acquisition of land and construction. The expansion is a self-funded transaction and the county would serve only as a conduit issuer. Any approval will not obligate the county to pay any part of the bonds or the project. A notice will be filed in the Daily Times two weeks in advance to the bond ordinance. Craig Sweeney, Praxair, stated that the expansion will allow Praxair to produce oxygen and other products from the atmosphere to help expand the oil and gas industry as well as other industries, ie. metal fabrication, food freezing, food services. The expansion and construction will provide employment opportunities for the community. A motion was made by Commissioner McDaniel, seconded by Chairman Pro-Tem Johns to approve Resolution No. 14-15-17, Praxair Industrial Revenue Bonds. Upon voice vote this motion passed unanimously.

#### **2. Discussion of Request to Allow All State-Approved Fireworks**

Jim Burnham requested that Ordinance No. 15 be amended to allow the sale of all state approved fireworks. San Juan County's Ordinance No. 15 permits the sale of certain aerial and ground audible fireworks including aerial devices, mines, roman candles, shells, ground audible devices, and firecrackers. Mr. Burham presented a petition with 5500 signatures of customers who are in support of the full state menu of approved fireworks that surrounding counties currently sale. If the fireworks vendors were permitted to sale the full state menu, it would bring additional revenue to the county and the vendors. Chairman Fortner stated the request will be placed on the agenda in November for a vote. Mr. Carpenter, CEO, will meet with the Fire Department for review. Discussion Item Only

#### **3. Consideration of Funding for Proposed Detox and Joint Intervention Program**

Mike Renaud, Presbyterian Medical Services (PMS) Region Director presented a powerpoint presentation on the Joint Intervention Program (JIP) to the commissioners. San Juan County recently received notice that our current detox provider, Four Winds, will not be able to provide detox services beyond June 30, 2015. In addition, they will not be able to provide services to San Juan County beyond November 15, 2014, unless the County agrees to contract for a new daily rate of \$170.00 per person. As a result of this letter, the County CEO has been working with City of Farmington and San Juan Regional Medical Center to find an alternative service provider. Presbyterian Medical Services has put together an alternative program that will encompass a 40-bed sobering house facility combined with a 40-bed Joint Intervention Program (JIP). The new model will be based on a pay-for-capacity versus pay-for-individual concept. Given the nature of the sobering house model and the freedom to leave voluntarily, it would be extremely difficult to track and apply a daily rate. The estimated cost of the new program is

\$1,639,666 and is currently being proposed to be funded at a fixed fee by the City of Farmington at \$773,000, San Juan Regional at \$533,333 and San Juan County at \$333,333. Last year, San Juan County spent \$105,742 for 896 detox days. If the requested daily rate of \$170.00 was applied, the County's cost would have been \$152,320. Historically, San Juan County has funded the detox services via the Health Care Assistance Program formerly known as the Indigent fund. Based upon past utilization, the county comprised 13% of the use at the Detox Center. Factored into the new program budget that amount would equate to \$213,156. However, the request for the funding share is approximately 20%. To date, San Juan County has not been asked to participate in any capital expense related to the construction costs for the new program. Staff is requesting direction from the Commission on proceeding forward with the fee change for Four Winds and the new PMS Program. The commission asked various questions and provided comments. A motion was made by Commissioner Todacheene, seconded by Commissioner Eckstein to approve additional funding to Four Winds. Upon voice vote this motion passed unanimously. A motion was made by Commissioner McDaniel, seconded by Chairman Pro-Tem Johns to table Consideration of Funding for the Proposed Detox and Joint Intervention Program. Upon voice vote this motion passed unanimously.

**4. Consideration of Request for Funding for an Upgrade to the Computer-Aided Dispatch/Records Management System for the San Juan County Communications Authority**

David Ripley, Director of the San Juan County Communications Authority, informed the commission that the current Computer Aided Dispatch/Records Management system is outdated as support for the software is limited and potentially to be discontinued in a few months. A quote for an upgraded system was received from New World in the amount of \$2,061,857. It should be noted that this amount does not include the expenses, taxes and hardware associated with the upgrade. It is estimated that the total project cost would be \$2,220,943 for the software (\$2,061,857 plus travel expenses and tax) and \$250,000 for hardware. Currently, there is a projected cash ending balance of \$9,680,087 in the Communications/EMS Gross Receipts Tax Fund. A motion was made by Commissioner McDaniel, seconded by Chairman Pro-tem Johns to approve funding to upgrade the Computer Aided Dispatch/Records Management System. Upon voice vote this motion passed unanimously.

**5. Consideration of Provisional Agreement to Provide Fire and Law Enforcement Services to the Proposed Town of Kirtland**

Mark Duncan requested fire and law enforcement on behalf of the proposed Town of Kirtland. The review team formed by the State of New Mexico, Department of Finance & Administration, to review the application packet for the proposed Town of Kirtland has indicated that it would like to see some indication from the County Commission that it is willing to provide fire and law enforcement services. County staff proposed providing fire services at \$240 per call and providing law enforcement services for \$71,000, which would cover the cost of a deputy. Mr. Duncan has indicated that this is acceptable and is requesting that the Commission grant provisional approval to provide these services at the proposed rates, subject to the successful incorporation of the town and a subsequent agreement with the Town of Kirtland. Due to the delay in funding, Mr. Duncan further requests that the County bill for services on a quarterly basis. A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel to approve the Provisional Agreement to Provide Fire and Law Enforcement Services to the Proposed Town of Kirtland. Upon voice vote this motion passed unanimously.

**6. Request for Approval of Application No. 915559 for Small Brewers License for Hiway Grill**

Jim Durrett, County Attorney, stated that a Notice of Public Hearing was published in the Daily Times on September 21, 2014 and September 28, 2014. A public hearing was held October 9, 2014, to take evidence for approval or disapproval of a small brewers license for Paschall Enterprises, Inc., d/b/a Hiway Grill. There was no one present and there were no comments in favor of or in opposition to the transfer of ownership with the exception of the applicants, Robert, Sean, and Mike Paschall. We must notify the State of New Mexico Alcohol and Gaming Division of approval or disapproval by November 8, 2014. A motion was made by Commissioner Todacheene, seconded by Commissioner Eckstein to approve Application No. 915559 for Small Brewers License for Hiway Grill. Upon voice vote this motion passed unanimously.

**7. Consideration of B & L RV Park Expansion**

David Barnett, Subdivision Review Officer informed the commission that B & L RV Park is located off Road 1788, approximately four miles north of the city limits of Farmington. It consists of 9.71 acres and is owned by Leo Parker. There are 15 existing spaces that were installed prior to the Manufactured Home Parks and Recreational Vehicle Parks Ordinance No. 76. The owner proposes adding 14 spaces. The RV park has adequate fire protection from the fire hydrant located at the southwest corner of the property. Water is provided by Upper La Plata Water User's Association. Electrical service is provided by the City of Farmington. The owner has received written approval of the wastewater disposal plan from the New Mexico Environment Department. The B & L RV Park is in substantial compliance with the requirements of Ordinance No. 76. Staff recommends approval of the RV Park expansion. A motion was made by Commissioner Eckstein, seconded by Commissioner McDaniel to approve the B & L RV Park expansion. Upon voice vote this motion passed unanimously.

**8. Consideration of Commission Meeting Schedule for November and December 2014**

Kim Carpenter, County Executive Officer stated the County Commission's first Regular meeting in November is scheduled for Election Day on Tuesday, November 4, 2014 at 4:00 p.m. Staff requests that this meeting be rescheduled to Thursday, November 6, 2014 at 9:00 a.m. in order to canvass the results of the election. In addition, it is requested that the Commission consider cancelling their first meeting in December, 2014. The week prior is Thanksgiving and it is anticipated that there will be few, if any, items for the agenda. Typically, the Commission has one meeting in December due to the holiday season and lack of agenda items. A motion was made by Commissioner Todacheene, seconded by Commissioner McDaniel to reschedule the November County Commission Meeting to November 6, 2014 and cancel the first county commission meeting in December. Upon voice vote this motion passed unanimously.

**Reports From Elected Officials And Department Heads**

None

**Comments / Input From The General Public**

None

**Closed Executive Session**

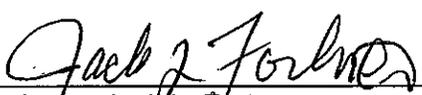
None

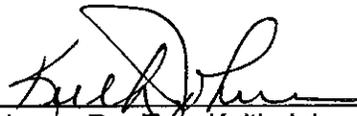
**Adjourn**

Being no further business a motion was made by Commissioner Eckstein, seconded by Commissioner Todacheene to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 5:32 p.m.

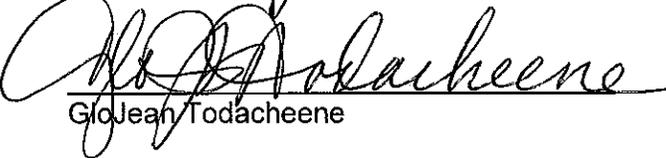
**APPROVED THIS 6th DAY OF NOVEMBER, 2014**

**BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:**

  
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Chairman Jack L. Fortner

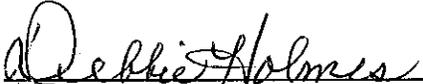
  
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Chairman Pro-Tem Keith Johns

  
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Margaret McDaniel

  
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Scott Eckstein

ATTEST:

  
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Debbie Holmes, County Clerk