

San Juan County Commission Regular Meeting December 1, 2015

Chairman Johns called the San Juan County Commission meeting to order on December 1, 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 Commissioner Fortner 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
ASSESSOR	Jimmy Voita
CHIEF DEPUTY ASSESSOR	Benay Jones
CHIEF DEPUTY CLERK	Tanya Shelby
CHIEF DEPUTY TREASURER	Carol Taulbee
UNDERSHERIFF	Shane Ferrari
COUNTY EXECUTIVE OFFICER	Kim Carpenter
COUNTY OPERATIONS OFFICER	Mike Stark
ATTORNEY	Doug Echols
DEPUTY ATTORNEY	Joe Sawyer
RISK MANAGER	Kristi Galloway
EMERGENCY MANAGER	Don Cooper
PARKS & FACILITIES ADMINSTRATOR	Mike Davidson
PARKS & FACILITIES DEPUTY ADMINISTRATOR	Daniel Hill
PUBLIC WORKS ADMINISTRATOR	Dave Keck
CHIEF HUMAN RESOURCES OFFICER	Charlene Scott
ALTERNATIVE SENTENCING ADMINISTRATOR	Jennifer Miller
JUVENILE SERVICES ADMINISTRATOR	Traci Neff
FIRE CHIEF	Craig Daugherty
HEALTH CARE ASSISTANCE PROGRAM COORDINATOR	Liza Gomez Akley
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
CHIEF IT OFFICER	Keith Lund
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
PROCUREMENT MANAGER	Diana Baker
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PRESS: Farmington Daily Times	Hannah Grover
VISITORS:	42

A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner Charley 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 November 17, 2015.

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 Chairman Pro-Tem Eckstein, 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 is one change to the agenda. Mike Stark will be presenting Item #2, Consideration of Intergovernmental Agreement for Behavioral Health Services Joint Intervention and Sobering House Program, under new business. A motion was made by Commissioner Fortner, seconded by Commissioner McDaniel to approve the agenda as amended. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Agreement between San Juan County, Valley Water and Sanitation District, and Lower Valley Mutual for Assignment of Debt and Transfer of Ownership of Lift Station
2. Approval of License and Services Agreement with Fusion Capital Management, LLC, doing business as Fusion (a GE Healthcare Partner) for Electronic Health Records for the Correction Division
3. Approval of Resolution 15-16-26, Adoption of Required Community Development Block Grant Policies and Certifications, and Resolution 15-16-27, Fair Housing Resolution, and Certifying Official Designation
4. Approval of November 17, 2015 Regular Meeting Minutes.

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

Old Business

1. **Consideration of Ordinance No. 95, the San Juan County Business Registration Ordinance**

Joe Sawyer, Deputy County Attorney, briefed the Commission that at the October 7, 2015 meeting after a public hearing, the Commission tabled Adoption of County Ordinance No. 95

until December so staff could receive additional input from the public on how to improve the ordinance. The public contributed suggestions by phone, email, and at a Citizen's Advisory Meeting held November 3, 2015. County staff and five people from the community attended the meeting. A revised draft was sent out and posted on the internet based on input that was received. The County received only one additional comment after the draft was sent out in which the citizen opposed the ordinance. The County has revised the proposed ordinance as follows:

1. Removed "Providing for the Collection of Fees" from the title.
2. Removed the definition of business because it was unnecessary and confusing.
3. Clarified definition of "Engaging in Business" to emphasize that the definition only covers those who are required by the State of New Mexico to pay gross receipts taxes, so individuals who are not required to pay gross receipts taxes are exempt under the ordinance.
4. Added Occasional Sale of Property or Services Exemption definition to clarify that isolated or occasional sales are not covered by the ordinance.
5. Throughout the ordinance added language that persons not required to pay gross receipts or obtain a Combined Reporting System (CRS) number are exempt from the ordinance.
6. Removed Section 8 which had imposed a business registration fee.
7. Removed Section 9 which provided for temporary business registration.
8. Replaced \$300 penalty with \$25 per day penalty.
9. Added Section 16 which provides that a 30 day warning must be issued before someone can be cited under the ordinance which gives a 30 day window to register without penalty.

Staff requests approval of this Notice of Intent to adopt County Ordinance No. 95, as revised. A public hearing will be held at the next Commission Meeting on January 5, 2016. Kim Carpenter, CEO, updated the Commission on the community response. Fire Chief Daugherty reiterated that the intent of Ordinance No. 95 is to protect the emergency responders and the community by identifying hazardous materials. Commissioner Fortner expressed his concerns and stated he is against the ordinance. A motion was made by Commissioner Fortner not to move forward with Ordinance No. 95, the San Juan County Business Registration Ordinance as revised. The motion died due to lack of second. A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner McDaniel to approve the Notice of Intent to Adopt Ordinance No. 95, the San Juan County Business Registration Ordinance as revised to be published. Chairman Johns, Chairman Pro-Tem Eckstein, Commissioner Charley, and Commissioner McDaniel voted in favor of the motion. Commissioner Fortner voted against the motion. Upon voice vote motion passed.

New Business

1. Presentation from the Consumer Energy Alliance

Andrew Browning, Executive Vice President, Consumer Energy Alliance (CEA) showed a PowerPoint presentation. The CEA is the voice of the energy consumer who provides consumers with sound, unbiased information on U.S. and global energy issues. The affiliates comprise a range of sectors from the energy industry, academia, small businesses,

conservation groups to travel related industries. The mission of CEA is to improve consumer understanding of our nation's energy security, including the need to reduce reliance on imported oil and natural gas, maintain reasonable energy prices for consumers, and continue efforts to diversify our energy resources. CEA is currently working with San Juan College School of Energy to engage the public by holding debates and forums. In February, General Thomas McInerney, the former head of North American Aerospace Defense Command (NORAD) will be speaking at the San Juan College School of Energy. There are 300 companies nationwide, 400,000 grassroots members including 1,000 in San Juan County. This was a presentation only.

2. Consideration of Intergovernmental Agreement for Behavioral Health Services Joint Intervention and Sobering House Program

Mike Stark, COO, stated that San Juan County and the City of Farmington seek a solution to the ongoing problem of public intoxication in the County and City. As a result, the County, City and San Juan Regional Medical Center (SJRMC) have negotiated an agreement with Presbyterian Medical Services to create a service composed of two parts-a Sobering Program, and a Joint Intervention Program (JIP). The agreement has not been finalized and staff asks that the Board grant the CEO authorization to sign once an acceptable agreement has been negotiated. The Sobering Program is designed to offer 24 hour per day, 7 days per week sobering services to adult residents throughout San Juan County who are suffering from episodes of substance overuse. For the Sobering Program, the City will transfer appropriate premises to the County, and then the County will enter into a facilities use agreement for the premises with SJRMC. SJRMC will contract with PMS for PMS to provide the sobering services. The Joint Intervention Program is a 140 day treatment regimen that will offer screening and treatment for substance abuse, as well as housing for homeless and court-ordered participants. For the Joint Intervention Program, the City will provide appropriate premises for the program and PMS will offer services. SJRMC will act as fiscal agent. The County will pay SJRMC \$333,000 per year in monthly installments of \$27,750.00. The payment will be apportioned between the Sobering Program and the Joint Intervention Program. The city will pay SJRMC \$773,000 per year, \$473,000 of which will be paid in monthly installments of \$39,416.67, to be apportioned between the Sobering Program and JIP Program. The remaining \$300,000, a State of New Mexico Detox Grant, will be paid directly to PMS in quarterly installments of \$75,000 for the JIP Program. SJRMC will be responsible for the remaining costs of the Sobering Program up to a limited of \$533,000 per year. Doug Echols, County Attorney informed the Commission that PMS will review the agreement after the rough draft is acceptable within the parameters. Commissioner Fortner asked if the Sobering House is taking the place of Four Winds and inquired on the previous costs. Mr. Stark stated the Sobering House Program will replace Four Winds. Four Winds agreed to remain open until January 1, 2016. Kim Carpenter, CEO stated the costs were \$75,000 per year and at one time it was \$168,000 per year and that Four Winds will no longer provide sobering services. Dr. Carpenter stated that the fees and cost allocations will be re-evaluated in a year. The monies come from the Health Care Assistance Fund. A motion was made by Commissioner Fortner, seconded by Commissioner McDaniel to approve Intergovernmental Agreement for Behavioral Health Services Joint Intervention and Sobering House Program once an acceptable agreement has been negotiated. Upon voice vote this motion passed unanimously.

3. Request for Approval of Additional Funding for Sobering House Construction

Kim Carpenter, CEO, informed the Commission that the construction costs of the Sobering House came back with change orders that encompassed the need for additional materials in order to complete the project. There was a small amount of contingency funding built in to the project however there was a \$12,000 dollar shortfall. In addition there was a request for the need for methane monitoring which was not in the budget. Staff is requesting approval of this adjustment to the overall construction budget in the amount of \$25,000 from the Hospital GRT Fund to complete the project. The additional funding will be used for:

- Installation of hot box and heat trace which is required by the City of Farmington
- Additional footings and walls for handicap accessible ramps as well as a curb and gutter along the south ramp wall
- Installation of an additional natural gas line from the meter to the BTU heaters and BTU water heater
- City of Farmington water meter
- Methane monitoring system

A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner McDaniel to approve Additional Funding for Sobering House Construction. Upon voice vote this motion passed unanimously.

4. Consideration of Commission Meeting Schedule for December

Kim Carpenter, CEO, reported two of the Commissioners will be attending the Colorado River Water Users Conference during the week of December 14, 2015. He recommended canceling the December 15, 2014 Commission Meeting. The next Commission Meeting will be held January 5, 2016. A motion was made by Commissioner Fortner, seconded by Commissioner Charley to approve the Commission Meeting Schedule for December. Upon voice vote this motion passed unanimously.

5. Consideration of Resolution 15-16-28, Establishing the Calendar Year 2016 Holiday Schedule for San Juan County

Kim Carpenter, CEO stated that in December, the County Commission designates San Juan County's legal holiday schedule for the upcoming year. Section 12-5-2, N.M.S.A.1978, as amended, designates the legal public holidays in New Mexico. The proposed 2016 Holiday Schedule for San Juan County follows the statute with the following exceptions:

Martin Luther King Jr. Birthday will be observed on Friday, November 25th;
The observance of Good Friday on Friday, March 25th and
Columbus Day will be observed on Friday, December 23rd

The resolution further includes New Year's Day, 2016 to be observed on Monday, January 2, 2017. Staff requests approval of Resolution 15-16-28, establishing the Calendar Year 2016 Holiday Schedule for San Juan County. The proposed holiday schedule has been reviewed by department heads, elected officials and the Employee Point of View Committee and meets their

approval. A motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner McDaniel to approve Consideration of Resolution 15-16-28, Establishing the Calendar Year 2016 Holiday Schedule for San Juan County. Upon voice vote this motion passed unanimously.

Reports From Elected Officials And Department Heads

Kim Carpenter, CEO, informed the Commission that CGI Communications will be contacting business owners in the community to partner with San Juan County to advertise on the County website.

Commissioner Fortner requested that Kim Carpenter and Mike Stark review the budget to see if it is possible to repeal the 1/16 Tax Increase prior it's sunset at the beginning of the year. Doug Echols, County Attorney stated the earliest the tax would be removed is July 1, 2016.

Comments / Input From The General Public

None

Adjourn

Being no further business a motion was made by Chairman Pro-Tem Eckstein, seconded by Commissioner Charley to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 4:45 p.m.

APPROVED THIS 5TH DAY OF JANUARY, 2016

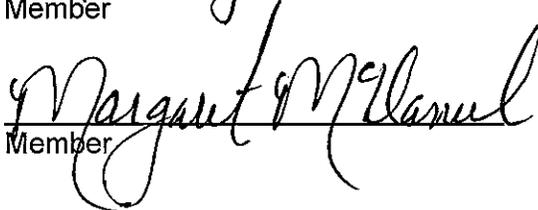
BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:


Chairman


Chairman Pro-Tem

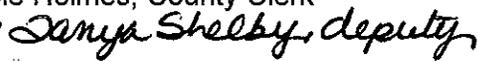

Member


Member


Member

ATTEST:


Debbie Holmes, County Clerk

By:  deputy

