San Juan County Commission
Regular Meeting
March 18, 2014

Chairman Fortner called the San Juan County Commission meeting to order on March 18, 2014 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Kim Carpenter, County Executive Officer gave the invocation and Mark Duncan, Treasurer 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
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
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 RESOURCE OFFICER	Charlene Scott
ADULT DETENTION CENTER DEPUTY ADMINISTATOR	Daniel Webb
ALTERNATIVE SENTENCING ADMINISTRATOR	Jennifer Miller
JUVENILE SERCVICES ADMINISTRATOR	Traci Neff
FIRE CHIEF	Doug Hatfield
INDIGENT HOSPITAL CLAIMS COORDINATOR	Liza Gomez
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
GEOGRAPHIC INFORMATION SYSTEMS COORDINATOR	Sandi Spencer
CHIEF IT OFFICER	Vince Johns
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
SAFETY & COMPLIANCE MANAGER	Stewart Logan

PRESS: Farmington Daily Times — Ryan Boetel

VISITORS: 28

Presentation

1. Approval of Resolution 13-14-43, Recognition of Hance Clark, Farmington High School

The Board of County Commission recognized Hance Clark for his perfect ACT score of 36. Kim Carpenter, County Executive Office read Resolution 13-14-43 into record which stated the following:

SAN JUAN COUNTY, NEW MEXICO
RESOLUTION NO. 13-14-43

A PROCLAMATION HONORING HANCE CLARK

WHEREAS, Hance Clark, Farmington High School senior, earned a perfect score of 36 on the ACT (American College Testing) college readiness exam; and

WHEREAS, Hance Clark was one of two students in the state of New Mexico who earned a perfect score on the ACT this year; and

WHEREAS, for the high school graduating class of 2013, only 1,162 of the 1,800,000 students who took the ACT earned a composite score of 36.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of San Juan County, New Mexico, hereby declare March 18, 2014, as "Hance Clark Day" in San Juan County, New Mexico in recognition of his perfect score of 36 on the ACT.

Kim Carpenter, County Executive Office recognized Commissioner McDaniel for receiving the 2013 Leadership San Juan Alumnus of the year award.

A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel 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 February 18, 2014

A motion was made by Commissioner Eckstein, seconded by Commissioner McDaniel 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. A motion was made by Commissioner Eckstein, seconded by Commissioner McDaniel to approve the agenda as presented. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Alternative Sentencing Division Policies and Procedures
2. Approval of Law Enforcement Protection Fund Application
3. Approval of Salmon Ruins Stabilization Grant
4. Approval of Resolution 13-14-44, Amending the Resolution Establishing a Four Day Workweek for Certain Administrative Departments
5. Approval of Resolution 13-14-40, Certifying a Report to the Secretary of the New Mexico Department of Transportation Concerning the Total Mileage of County Maintained Roads. County Maintained Roads Consist of 237.12 Miles of Paved Roads and 508.88 Miles of Unpaved Roads. Total Mileage for Certification is 746.0 Miles
6. Approval of Resolution 13-14-42, certifying a Report to the New Mexico Department of Transportation for the Total Mileage of County Maintained Roads that are Within, Adjacent to, or Provide Access to the Indian Reservation and are used as School Bus Routes. Total Mileage for Roads that are within this Area is 398.3 Miles
7. Approval for Renewal of Proposal 12-13-16, Liability and Auto Physical Damage Insurance for the Communications Authority with Kysar Insurance Agency of Farmington, New Mexico
8. Approval of February 18, 2014 Regular Meeting Minutes
9. Approval of February 2014 Check Register

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

New Business

1. Request for Approval of Audited Financial Statements Dated June 30, 2013, as Presented

Marcella Brashear, Chief Financial Officer and Chris Garner, Principal with Axiom CPAs, LLC briefed the Commission on Section 12-6-3, NMSA 1978, requiring the financial affairs of San Juan County be thoroughly examined and audited each year. San Juan County is contracted with the firm Axiom Certified Public Accountants & Business Advisors, LLC to conduct the audit for fiscal year 2013. The County received an unmodified or "clean" opinion from the auditors, meaning that the financial statements are fairly presented in conformity with Generally Accepted Accounting Principles (GAAP). The audit report was received by the State Auditor by the required due date of November 15, 2013. It was reviewed and approved by the Office of the State Auditor. The report was presented to the Commission for approval. Upon approval, the report will be distributed as necessary. Chairman Fortner recognized the County for winning the Government Finance Officers Association (GFOA) award for the seventh year and being only 1 of 3 counties to receive it. A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel to approve the audited financial statements. Upon voice vote this motion passed unanimously.

2. Request for Approval of Application for Restaurant Beer and Wine Liquor License, Application No. A-898257, Fisheads San Juan River Lodge-Back Cast Café

Jim Durrett, County Attorney informed the Commission on February 26, 2014 there was a public hearing, to take evidence for approval or disapproval of a Restaurant Beer & Wine Liquor License, Application No.647711, with on premise consumption only, at 1796 Highway 173 in Navajo Dam, New Mexico. The applicant is Fisheads San Juan River Lodge, LLC, d/b/a Fisheads San Juan River Lodge - Back Cast Cafe. There was no one present and there were no comments in favor of or in opposition to the restaurant beer & wine license with the exception of the applicant, Christopher Taylor, owner & managing member, and Thaddeus Cano, General Manager. The State of New Mexico Alcohol and Gaming Division must be notified of approval or disapproval by March 28, 2014. Chairman Fortner confirmed Fisheads is not within 300 feet of a school or church. A motion was made by Commissioner Eckstein, seconded by Commissioner McDaniel to approve application for Restaurant Beer & Wine Liquor License. Upon voice vote this motion passed unanimously.

3. Consideration Road Maintenance Project Agreement with Navajo Nation - Attachment B of Intergovernmental Agreement

Dave Keck, Public Works Administrator stated at the October 16, 2013 Commission meeting, the Commission approved the Intergovernmental Agreement (IGA) with the Navajo Nation to cooperate on transportation projects of mutual benefit to the citizens of San Juan County. The first such project was, "Attachment A" of the IGA, by which the Navajo Nation provided the County $1,500,000 for the replacement of the Military Bridge located on County Road 7150 near the Huerfano Chapter House. This attachment was approved with the IGA at the October 16, 2013 Commission meeting. On Thursday March 13, 2014 the bid received was $2,310,000 $50,000 over the original estimate of $2,260,000 million and is still in budget. This project is anticipated to start the end of May, or early June. "Attachment B" to the IGA would consist of the Navajo Nation providing $2,105,415 upfront/startup funding to the County to provide project planning and construction services to improve, gravel, and/or pave 15 miles of various Navajo Department of Transportation/Bureau of Indian Affairs (NDOT/BIA) roads on the reservation, primarily in the San Juan Chapter area and Shiprock. Upfront/startup cost for the projects are based on materials, equipment, and labor cost including benefits. The materials represent approximately 50% of the construction cost, the County will collect approximately $1,052,000 in additional revenue which will offset its fixed equipment and labor cost. Final project cost will be based on actual expenditures incurred. Per the IGA, if the advanced funds are not adequate to complete the projects, the Nation shall advance additional funding within 30 days after receipt of written request from the County. Mr. Keck feels that Public Works has the capability and capacity to successfully perform these projects for the Nation without interference to our obligation to properly maintain County roads and recommends approval of "Attachment B" to the IGA. Chairman Pro-Tem Johns asked if there is liability working on the reservation. Mr. Keck stated to help with the liability they will purchase a builders risk policy that covers the work they are doing. Jim Durrett, Attorney confirmed that there is liability when working on the reservation and other jurisdictions. In the IGA there are clauses that state how to proceed if claims are brought against the County or Navajo Nation. A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel to approve Attachment B to the IGA between the Navajo Nation and San Juan County. Upon voice vote this motion passed unanimously.

4. Request for Approval of Publication of Notice of Intent to Adopt San Juan County Ordinance No. 86, New Mexico Economic Development Department Grant for

Warehouse Expansion Project to the Raytheon Dine Facility at NAPI Industrial Park

Joe Sawyer, Deputy Attorney reported that the Navajo Nation has received a $200,000 grant from the State Economic Development Department for procurement of architectural design of a 28,000-foot warehouse expansion to its Raytheon Dine facility. The State Economic Development Department has asked the County to serve as fiscal agent for the grant. In compliance with the provisions of County Ordinance No. 68, Promoting and Aiding Economic Development in San Juan County, the County Executive Officer has performed a cost/benefit analysis and prepared a written report of the project which will retain 42 jobs at the Raytheon Dine facility and create 2 additional jobs. Kim Carpenter, Chief Executive Officer recommends approval of Raytheon's application. Ordinance No. 86 would approve an intergovernmental agreement with the State Economic Development Department to accept the $200,000 grant and act as fiscal agent. The Ordinance also approves a project participation agreement with the Navajo Nation and Raytheon. The Navajo Nation Division of Economic Development has secured $3,300,000 in funding for the actual construction of the project. The County will not be involved in the actual construction. If approval is given for publication of the Notice of Intent, the Legal Department will schedule the proper publication of the Notice and will place this item on the April 15, 2014 Commission meeting agenda requesting adoption of the Ordinance No.86 at that time. Navajo Nation and Raytheon are still negotiating a lease agreement for the facility if an agreement is not met the $200,000 grant will revert back to the state on June 30, 2014. A motion was made by Commissioner McDaniel, seconded by Commissioner Todacheene to approve publication of Notice of Intent to Adopt Ordinance No. 86. Upon voice vote this motion passed unanimously.

5. Consideration of Request to Purchase New Operating Software for Assessor and Treasurer Offices

Clyde Ward, County Assessor and Mark Duncan, County Treasurer informed the Commission that recent events have culminated into a need to consider the purchase of the main operating software for both the Treasurer and the Assessor. The Treasurer's software was as an add-on program to financial software package Government & Education Management Software (GEMS) purchased in 2002. The Treasurer's module had difficulties communicating with the Assessor's software from the very beginning. The interface between Treasurer and Assessor is critical in the property tax process. There are approximately 60,000 accounts that must match from office to office. Working with different software vendors causes compatibility issues. Many hours are spent on the preparation and balancing of the tax roll to mail out tax bills. The first few years of the interface from Assessor to Treasurer took well over 3 weeks plus overtime with at least 3 people dedicated to the process between the two offices. It has been improved by county staff, not the vendor, to a couple of weeks of regular hours for 3 people or less. Dedicated county employees have been making the processes communicate to provide an outstanding service to the public. The tax roll is the main interface between the 2 offices but we have day to day corrections and adjustments that also must be made as changes occur that are equally cumbersome and time consuming. Additional software issues currently experienced by the Treasurer's Office:

- Vendor no longer provides this module in its software package. Therefore, support is very limited, tech support is no longer trained in this module and software is not updated.

• Difficult migration of tax roll corrections from the Assessor's Office, i.e. address changes, clerical errors, additions or deletions, exemptions etc. Not to mention, as stated above, the annual tax roll.

• Search function is very limited. Currently use Assessor's data for expanded search capabilities.

• Distribution of property tax is not done within the system and must be hand calculated and manually entered for dispersal to schools, college, county, municipalities and state.

• Software doesn't have the capability to calculate change due to the taxpayer and must be hand calculated.

• Software doesn't track who made the payment only that it was made. The only way this is accomplished is to research bank records. This is a critical issue with the mortgage carrier that needs to verify payment source.

• Software will not save the history of transactions in the data. History is maintained by a paper file for changes impacting taxation.

• Interface with Assessor is an ASCII based program that transfers data in an outdated format.

• Software format is not user friendly and requires extensive knowledge of the system to do basic functions.

There are a couple of reasons for the Assessor to move forward with a purchase of new software in conjunction with the Treasurer. The first reason is a simple one; the Assessor's current software provider, Colorado CustomWare Inc., filed for bankruptcy in 2013 and was purchased by Harris, a Canadian based computer system provider. When the county originally purchased the software in 2001, the source code/intellectual property was included. Harris was not agreeable to the source code staying with the county and did not agree to continue servicing the software. Mr. Ward stated they are currently in negotiations with a 3rd party technical support company to assist with technical issues that might arise. This is not a long term solution. Basically, they are in the same position as the Treasurer; having software with minimal support available. The second reason is the most significant because it involves the Treasurer's ability to move forward with a new system that will be compatible with the Assessor's system and provide a much needed upgrade to a very antiquated system. Because the two offices are so interwoven it has become painfully apparent that the computer systems must obviously be the common thread. The current systems, with minimal support, are not going to carry us into the future. The interface between Treasurer and Assessor is the main problem that we seek to overcome. The most significant need is in the Treasurer's Office but the data they require is provided by the Assessor's Office. Since both systems need replacing the only option is for the Assessor to convert to the new software first and then transfer the data to the Treasurer. They have started the review process of potential software vendors and reached out to Assessor and Treasurer offices throughout the state to benchmark what other counties are utilizing. The most prevalent software system currently being used is the Tyler Technologies Eagle system with 13 counties within New Mexico currently on this system. Dona Ana County is currently working on a contract with them now. Both departments have seen demonstrations of this product and feel confident that this is a good solution for both departments. Tyler currently participates in the National Joint Power Alliance (NJPA) of which San Juan County is a member. The purchasing

department is currently reviewing if this is an acceptable agreement for San Juan County to utilize for purchasing software. If it is not, they will issue a Request for Proposals to find the appropriate vendor. The Assessors and Treasurers recently engaged the services of the Governmental Finance Officers Association (GFOA) to review the various requirements and software needs of both departments. In addition, regardless of the vendor selected, GFOA also provided us with a draft contract, statement of work detail, and other contractual language to ensure that San Juan County's best interests are protected in moving forward with this major purchase. Estimated total cost for both the Assessor's and the Treasurer's software systems and related hardware is approximately $525,000. This amount was not budgeted, so funding for the purchase is being requested from the capital reserve fund #316-180-480-48315. In conclusion, due to the complexity of the software for both the Treasurer and Assessor this is something that cannot be implemented overnight. We can expect over a year to properly convert, implement and train staff on these software packages. The Treasurer's need is critical and is the driving factor for both systems to be replaced. The current systems are no longer supported, updated or improved from this point on and we need a seamless interface to exist between the two systems. We respectfully ask for your support in this purchase. The Commissioners asked various questions regarding the Tyler Technologies Eagle systems. A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel to approve request to purchase new operating software. Upon voice vote this motion passed unanimously

6. Consideration of Request for Implementation of Fee Schedule for Floodplain Determination and Manufactured Home Placement Permitting

Don Cooper, Emergency Manager requested the Commission to consider adopting a fee schedule that will generate revenue for the Floodplain Program. To date, San Juan County has provided services to the community at no charge. Implementing a reasonable fee schedule could provide revenue that will help this program be more self-sufficient. Charging a fee would help provide revenue to fund the outreach projects that are required to maintain San Juan County's Class 8 status of the Community Ratings System (CRS), which provides a 10% discount on National Flood Insurance Program (NFIP) Flood Insurance. The outreach projects include a brochure in the Farmington Utility Bill and a booth at the County Fair where general information and promotional items are distributed. Each Floodplain permit requires a review of submitted documentation, data entry, follow up, possible site visits, and a final review. For Manufactured Home Placement Permits, the same process for floodplain determination is in place along with contacting the land owner and/or the home transporter or sales office. The proposed fee schedule is as follows:

PERMIT TYPE	FLOODPLAIN/NON-FLOODPLAIN	PROPOSED FEE
Site Built	Floodplain	$75
	Non-Floodplain	$10
Manufactured Home	Floodplain	$75
	Non-Floodplain	$25
RV /Manufactured Home Park	Floodplain	$150
	Non-Floodplain	$50

Subdivision	Floodplain	$150
	Non-Floodplain	$50

A motion was made by Commissioner Eckstein, seconded by Chairman Pro-Tem Johns to approve Implementation of Fee Schedule for Floodplain Determination & Manufactured Home Placement Permitting. Upon voice vote Chairman Fortner, Chairman Pro-Tem Johns, Commissioner Eckstein, Commissioner Todacheene voted for the motion and Commissioner McDaniel voted against.

7. Request for Approval of the Updated Multi-Jurisdictional Natural Hazard Mitigation Plan

Don Cooper, Emergency Manager stated the San Juan County Office of Emergency Management was awarded a Sub Grant Agreement in the amount of $45,000.00 to update the Mitigation Plan. A contractor, B-Sting Ventures, was hired and throughout the course of numerous meetings, several plan drafts and reviews, the Plan was ultimately approved by FEMA on November 26, 2013. The next step in the process is for San Juan County, and the cities of Aztec, Bloomfield, and Farmington to approve the plan. This will formally adopt the updated plan and it will be in effect until it is required to update again in 2018. A motion was made by Commissioner Todacheene, seconded by Commissioner McDaniel to approve the Updated Multi-Jurisdictional Natural Hazard Mitigation Plan. Upon voice vote this motion passed unanimously.

8. Consideration of Award of Property/Casualty Insurance, RFP 13-14-07

Kristi Galloway, Risk Manager briefed the Commission that RFP 13-14-07 was issued for the insurance policy period beginning March 31, 2014, with the option of three additional one-year terms not to exceed a total of four years. Submitted proposal were evaluated by a committee of five members; Mike Stark, County Operations Officer, Kristi Galloway, Risk Manager, Dave Keck, Public Works Administrator, Tom Havel, Adult Detention Center Administrator and Ron Anderson, Undersheriff. The Evaluation Committee scored each proposal based on specific criteria, ranking each proposal according to highest scores. The greatest number of points was awarded to Kysar Insurance Agency, Inc., with coverage provided by Travelers. Based on the Evaluation Committee's scoring and ranking of each proposal, it is recommended that our property and casualty insurance be awarded for a one-year term, March 31, 2014 through March 31, 2015, with Kysar Insurance Agency, Inc.; insurance coverage provided by Travelers. There will be renewal options for RFP 13-14-07. The proposal submitted by Travelers of $1,345,450.00, is a premium increase from the previous year of .56612%, in the amount of $7,574.00. Chairman Pro-Tem Johns confirmed Kysar has been a carrier for the County for 12 years. A motion was made by Chairman Pro-Tem Johns, seconded by Commissioner McDaniel to approve Award of Property/Casualty Insurance, RFP 13-14-07 to Kysar Insurance Agency, Inc. Upon voice vote this motion passed unanimously.

Reports From Elected Officials And Department Heads

Kim Carpenter, County Executive Officer acknowledged Ryan Boetel from the Farmington Daily times and wished him the best with his move to the Albuquerque Journal. This was his last meeting.

Traci Neff, Administrator Juvenile Services Center announced that Bowen Belt was leaving as her Deputy Administration and welcomed Heidi Sawyer as Deputy Administration.

Comments / Input From The General Public

Rick Nez, San Juan Chapter Navajo Nation, thanked the Commissioners for their support with the Intergovernmental Agreement.

Closed Executive Session

NONE

Adjourn

Being no further business a motion was made by Commissioner Todacheene seconded by Commissioner Eckstein to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 5:00 p.m.

APPROVED THIS 1st DAY OF APRIL, 2014

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:

Chairman Jack L. Fortner

Chairman Pro-Tem Keith Johns

Margaret McDaniel

GloJean Todacheene

Scott Eckstein

ATTEST:

Debbie Holmes, County Clerk