San Juan County Commission
Regular Meeting
October 4, 2016

Chairman Eckstein called the San Juan County Commission meeting to order on October 4, 2016 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Commissioner Johns gave the invocation and Chairman Pro-Tem Fortner led the Pledge of Allegiance. Those present were:

CHAIRMAN	Scott Eckstein
CHAIRMAN PRO-TEM	Jack Fortner
MEMBER	Keith Johns
MEMBER	Margaret McDaniel
MEMBER	Wallace Charley
CHIEF DEPUTY ASSESSOR	John Kuhn
CLERK	Debbie Holmes
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
EMERGENCY MANAGER	Mike Mestas
CHIEF FINANCIAL OFFICER	Jim Cox
DEPUTY FINANCE OFFICER	Kim Martin
PARKS & FACILITIES ADMINSTRATOR	Daniel Hill
PUBLIC WORKS ADMINISTRATOR	Fran Fillerup
ADULT DETENTION CENTER ADMINISTRATOR	Tom Havel
ALTERNATIVE SENTENCING ADMINISTRATOR	Jennifer Miller
FIRE CHIEF	Craig Daugherty
HEALTH CARE ASSISTANCE PROGRAM COORDINATOR	Liza Gomez Akley
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
GEOGRAPHIC INFORMATION SYSTEMS COORDINATOR	Evan O'Keefe
CHIEF IT OFFICER	Keith Lund
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PRESS: Farmington Daily Times	Hannah Grover
Talon	Debbie Israel
VISITORS:	7

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel 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. Request for Approval of Health Care Assistance Claims
2. Approval of Minutes of September 6, 2016.

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 Commissioner Johns, seconded by Chairman Pro-Tem Fortner 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. New Business Item #2 is removed from the agenda and the item numbers were adjusted accordingly. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Charley to approve the agenda as amended. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Resolution 16-17-20, FY17 Budget Adjustments #3 (thru September)
2. Approval of September 13, 2016 Special Meeting Minutes
3. Approval of September 20, 2016 Regular Meeting Minutes

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 16-17-21 to Dissolve District 12- Shiprock Fire Department, District 13- Newcomb Fire Department, and District 14- Ojo Amarillo Fire Department and turn over these operations officially to Navajo Nation Fire**

Craig Daugherty, Fire Chief, requested adoption of a resolution to officially dissolve the following San Juan County Fire Departments; District 12 Shiprock, District 13 Newcomb and District 14 Ojo Amarillo. These Fire Departments are due to be transitioned to the Navajo Nation Fire Department, at the request of the Navajo Nation President, as of today, October 4, 2016 at 1700. After consultation with the State Fire Marshal's office it was determined that these stations need to be officially closed per this resolution. After closure of these departments San Juan County will lose the State Fire Funding we received for these departments. This will not negatively impact our ability to continue providing services to the remaining fire departments still within our jurisdiction. The Commission asked various questions. A motion was made by

Commissioner Johns, seconded by Chairman Pro-Tem Fortner to approve Resolution 16-17-21 to Dissolve District 12- Shiprock Fire Department, District 13- Newcomb Fire Department, and District 14 -Ojo Amarillo Fire Department and turn over these operations officially to Navajo Nation Fire Department. Upon voice vote this motion passed unanimously.

2. Consideration of Fees for Alternative Sentencing Division Programs

Jennifer Miller, Alternative Sentencing Division Administrator, briefed the Commission that the fees for the Alternative Sentencing Division (ASD) Screening Program are established at $90 per screening. By law (NMSA 66-8-102 (I) offenders convicted of Driving While Intoxicated (DWI) must submit to "an alcohol or drug abuse screening program approved by the department of finance and administration." Staff is recommending approval of the above stated offender fee. Ms. Miller explained the ADE system and stated that offenders may pay the fee in one lump sum or in payments and once payment is made in full it will be reported to the courts. Chairman Pro-Tem Fortner asked various questions regarding ADE and how current legislation will affect the DWI programs. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Charley to approve Fees for Alternative Sentencing Division Programs. Upon voice vote this motion passed unanimously.

3. Consideration of Resolution 16-17-22, Supporting New Mexico Association of Counties 2017 Legislative Priorities

Kim Carpenter, CEO, stated that each year, the New Mexico Association of Counties Board meets and develops a list of priorities to be presented at the upcoming legislative session. This year there are four priorities that have been voted on by the New Mexico Association of Counties Board. NMAC has requested the County to present this for consideration to the County Commission. Staff requests approval for this year's priorities for the 2017 upcoming legislative session. The 2017 priorities are as follows:

- **Whistleblower Protection Act**
  Support amendments to, among other things, better define the definition of "good faith" by requiring some minimal threshold of evidence to file a claim, narrow the definition of "retaliatory action," limit "unlawful or improper act(s)" to violations of state or federal law, and narrow the universe of individuals to whom a complaint may be communicated as a precondition to filing a claim

- **New Mexico 911 Act Revision**
  Support an amendment to the 911 surcharge statute (63-9D, NMSA 1978) to ensure all technologies utilizing 911 services are contributing equally to the New Mexico 911 fund.

- **Forfeiture Act**
  Support amendments to the Forfeiture Act that remove unreasonable burdens placed on law enforcement agencies, allow law enforcement agencies to retain forfeited property under limited circumstances, clarify appropriate use of forfeiture, and ensure that due process rights of parties involved are honored.

- **Capital Outlay for Non-Governmental Entities**
  Support recommendations that allow local Board of County Commissioners to: accept, approve, and review non-governmental entities' capital outlay funds and their fiscal impacts to county's finances prior to submission to the state legislature; suspend acceptance of 2017 legislative session capital outlay funds for purchase of vehicles, information technology, and any capital outlay expenditure of less than $50,000; and authorize the collection of a 3% administrative fee.

A motion was made by Commissioner McDaniel, seconded by Commissioner Johns to approve Resolution 16-17-22, Supporting New Mexico Association of Counties 2017 Legislative Priorities. Upon voice vote this motion passed unanimously.

Report from the CEO

Dr. Carpenter gave an update on the special legislative session he attended.

Reports From Elected Officials And Department Heads

Fran Fillerup, Public Works Administrator, informed the Commission that Public Works assisted the Bureau of Land Management Public Land Cleanup in Glade and the area north of Farmington on September 24, 2016. There were 63¼ cubic yards of trash and 35 tires collected. He also gave an update on the environment department hearing that was held on September 28, 2016 for the renewal of the permit for Waste Management at San Juan Landfill.

Comments / Input From The General Public

None

Adjourn

Being no further business a motion was made by Commissioner Johns seconded by Commissioner Charley to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 4:28 p.m.

APPROVED THIS 18TH DAY OF OCTOBER, 2016

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:

Chairman Scott Eckstein

Chairman Pro-Tem Jack Fortner

Keith Johns

Margaret McDaniel

Wallace Charley

ATTEST:

Debbie Holmes, County Clerk