

## San Juan County Commission Regular Meeting February 5, 2013

Chairman Eckstein called the San Juan County Commission meeting to order on February 5, 2013 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 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
SHERIFF	Ken Christesen
COUNTY EXECUTIVE OFFICER	Kim Carpenter
COUNTY EXECUTIVE OFFICE	Joann Thomas
COUNTY OPERATIONS OFFICER	Mike Stark
ATTORNEY	Jim Durrett
DEPUTY ATTORNEY	Joe Sawyer
DEPUTY ATTORNEY	Doug Echols
EMERGENCY MANAGER	Don Cooper
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 ADMINISTRATOR	Tom Havel
ALTERNATIVE SENTENCING ADMINISTRATOR	Rob Mitchell
FIRE CHIEF	Doug Hatfield
INDIGENT HOSPITAL CLAIMS COORDINATOR	Liza Gomez
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
COMMUNICATIONS DIRECTOR	David Ripley
CHIEF IT OFFICER	Vince Johns
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
PRESS:	Tri-City Tribune
	KOBF
	Lauren Duff
	Ashley McElroy
VISITORS:	21

A motion was made by Chairman Pro-Tem Fortner, 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 January 8, 2013
3. Consideration of Sole Community Provider Payment Request for FY 14 – Mike Phillips, CFO, San Juan Regional Medical Center, and Liza Gomez

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

#### **Consent Agenda**

1. Approval for Renewal of Bid No. 08-09-08, Price Agreement for the Purchase of "Motorola" Radio Communications Equipment and Services, with Motorola, Inc., of Tempe, AZ

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

#### **New Business**

##### **1. Appointment of Board of Registration**

County Clerk, Debbie Holmes informed the Commission that 1-4-34 NMSA requires the board of County Commissioners at their first regular scheduled meeting in February of each odd numbered year appoint three voters who shall constitute the Board of Registration for the county. The duty of the Board of Registration is to review the list of inactive voters to determine if the voter failed to respond to a confirmation mailing and has not voted in two Federal election cycles since the date of the confirmation mailing. Mrs. Holmes suggested the board be a 4

member board, made up of two people from each major political party, with two alternates from each party. Based on the recommendations of the party chairman, I would propose the following people be appointed to the Board of Registration.

Republications: Pat Cordell and Anne Frost  
Democrats: Diane McCants and Alfred G. Glass

Alternates:  
Republications: Stewart Logan and Margaret McDaniel  
Democrats:

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the Appointments to the Board of Registration and if democrat alternate names are received those would be approved also. Upon voice vote this motion passed unanimously.

**2. Consideration of Request for Planning Grant for the East Culpepper Flats Water Association**

Mike Stark, County Operations Officer advised the Commission that Hartley Springs Subdivision is a Type V subdivision (a subdivision 24 or less parcels, each of which is 10 acres or more in size) which was approved on February 15, 2001 by the Subdivision Review Officer. At that time, Northstar Water Users Association agreed to provide domestic water to the subdivision. However, the Board misunderstood the location of the subdivision and was not able to provide services due to the distance and the fact that it was located within the service boundaries of Upper LaPlata Water User Association. Derril Gleim with the East Culpepper Flats Water Association has requested that San Juan County apply for a planning grant in the amount of \$50,000 to conduct a preliminary engineering study to determine the cost and feasibility of connecting North Star Water Users Association water lines to the Upper LaPlata Water Users Association, thereby providing not only a mechanism for East Culpepper Flats to obtain water, but to provide a secondary source of water for Upper LaPlata. Both Northstar and Upper La Plata Water Users are in support of this request. Lloyd Ayliffe, Manager of Northstar Domestic Water stated the Northstar board is in support of this. Mr. Stark requested the Commission allow staff to apply for a \$50,000 planning grant and move forward with the application. He explained that this is no cost to the county, the county would act as the fiscal agent and secure the engineer. A motion was made by Commissioner Johns, seconded by Commissioner McDaniel to approve the planning grant for the East Culpepper Flats Water Association. Upon voice vote this motion passed unanimously.

**3. Request for Approval of Francisco's Recreational Vehicle Park Expansion**

Larry Hathaway, General Services/Community Development Administrator advised the Commission that Eddie & Rose Francisco and Matthew & Pamela Gurule, owners of Francisco's RV Park, submitted an application to expand their current RV Park from ten spaces to twenty spaces. This RV Park is located approximately one mile west of the city limits of Bloomfield. The park consists of 5.79 acres. The property owners have installed a new septic system for these nine additional lots. Space 20 is for one night only with no hookups except for electricity. The wastewater disposal services conform to the standards of the New Mexico Environmental Department. The purpose of the Manufactured Home Parks and Recreational Vehicle Parks Ordinance #76 is to provide for manufactured home parks and recreational

vehicle parks and promote conformance with standards established to ensure such parks are suitably developed for the placement and occupancy of manufactured homes or recreational vehicles for residential, household living purposes on rented or leased spaces. The applicant has demonstrated that an adequate and reliable sanitary sewer service has been provided and that such service has been approved by N.M.E.D. An adequate and reliable water supply is available from a community water system. This RV Park is in substantial compliance with the requirements of the Manufactured Home Parks and Recreational Vehicle Parks Ordinance No. 76. The electricity is provided by the City of Farmington. The water is provided by Lee Acres Water Users Association. There are two fire hydrants located on Road 5117. Staff recommends approval of the RV Park expansion located at 8 Road 5117 in Bloomfield, N.M. Commissioner Todacheene questioned why the state application was incomplete and if there were any plans for the Recreational Vehicle Park to tie into city sewer. Mr. Hathaway confirmed that there are no immediate plans for the City of Bloomfield to expand the sewer lines. He also indicated that the application is a State form. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve Francisco's Recreational Vehicle Park Expansion. Upon voice vote this motion passed unanimously.

4. **Consideration of Resolution No. 12-13-31, Accepting the Expansion and Renovation Improvements at the San Juan County Bloomfield Health Office**

Mike Stark, County Operations Officer informed the Commission that San Juan County received a Community Development Block Grant in the amount of \$328,500 from the State of NM for expansion and renovation of the Bloomfield Health Office located at 903 W. Broadway in Bloomfield. The 1,300 sq. ft. expansion consisted of 2 exam rooms, 5 offices for clinical staff, storage space, and a conference/training room which is primarily used for client health and infant trainings. The renovation upgrades included remodeling the front counter area to be HIPPA compliant. County Matching funds of \$33,344.80 were contributed to the project bringing the total project cost to \$361,844.80. The building was designed by the architectural firm of Rodahl & Hummell and constructed by Uselman Construction. All construction work and close out documents have been reviewed by the architect and county staff. Staff recommends approval of Resolution 12-13-31, accepting the expansion and renovation improvements to the San Juan County Bloomfield Health Office. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene to approve Resolution No. 12-13-31, Accepting the Expansion and Renovation Improvements at the San Juan County Bloomfield Health Office. Upon voice vote this motion passed unanimously.

5. **Consideration of the Fourth Amendment to the Intergovernmental Agreement for Detention Center Services**

Tom Havel, Adult Detention Center Administrator explained to the Commission that the Intergovernmental Agreement for the Detention Center Services provides that the County will notify the Cities of the per diem rate for the Adult Detention Center on or before October 15<sup>th</sup> of each year. The rate would be effective July 1 of the succeeding calendar year. Based on the total number of bed days and the actual costs for fiscal year 2011 and 2012, the per diem rate would be \$70.13, an increase of \$2.34 from the previous year. Mr. Havel requested the Commission establish the per diem rate for the Detention Center for FY 2014 at \$70.13 and further requests approval of the Fourth Amendment to the Intergovernmental Agreement for Detention Center Services. Chairman Pro-Tem Fortner inquired on how many beds were being utilized in the facility. Mr. Havel explained that there are 1057 beds total, 714 are occupied as

of today, and the highest number of beds occupied was 803 and the lowest 527. CEO Kim Carpenter explained that a comparison was done with the five largest counties. He also mentioned that San Juan County's facility was the only facility in the state that has received a Certification from the US Marshall and the first Class A County in New Mexico to receive full certification. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve the fourth amendment to the Intergovernmental Agreement for Detention Center Services. Upon voice vote this motion passed unanimously.

**6. Consideration of Request for Approval of Memorandum of Understanding (MOU) Between Navajo Department of Transportation and San Juan County**

Dave Keck, Public Works Administrator requested the Commission approve this Memorandum Of Understanding (MOU) with the Navajo DOT which will formally establish a framework for the parties to work together for implementation of specific plans for improvement of roads within San Juan County and the Navajo Nation. The parties will establish a working group composed of representatives of each party to carry out the purposes and objectives for the MOU. Once a specific project is identified, the parties will by resolution, or otherwise, enter into a "project specific" Inter-Governmental Obligation the parties in the expenditure of funds or the future payment of money. On an annual basis the working group will review and evaluate its ability to implement the terms of the MOU and will prepare an annual report summarizing this evaluation for the Board of County Commissioners, the Navajo Nation's President, and the Resources and Development Committee of the Navajo National Council. The MOU will be effective when signed by both parties, shall continue for five years and can be terminated by either party on thirty days notice. Mr. Keck briefed the Commissioners on some of the projects that could be proposed once this MOU is in place. Paulson Chaco, with the Navajo Nation Division of Transportation explained that this MOU will allow the Navajo Nation and County to enter into Inter-Governmental agreements for certain projects. He also mentioned that the Navajo Nation will contribute \$1.5 million to the Huerfano Bridge project and is interested in working with the County to haul road base to Chapter Houses in the Northwest portion of New Mexico. Commissioner McDaniel commented that it is very important for everyone to work together on this and she is working with the Public Works Department to make the roads safer for everyone. A motion was made by Commissioner Todacheene, seconded by Commissioner McDaniel to approve the Memorandum of Understanding (MOU) between Navajo Department of Transportation and San Juan County. Upon voice vote this motion passed unanimously.

**7. Request for Approval of Resolution No. 12-13-30, Granting County-Maintained Status for Road 6520 in Kirtland and Road 3639 in Flora Vista**

Dave Keck, Public Works Administrator advised the Commission that Public Works is requesting approval of Resolution 12-13-30, which would allow San Juan County to maintain Roads 3639 and 6520. Public Works is requesting Full County Maintained Status for the above named roads and they have met the requirements of the San Juan County Road Policy.

Road 3639 is located off of County Road 3000, West of Aztec and it is .03 of a mile in length;

Road 6520 is located off of US 64 in Kirtland and it is .65 of a mile in length.

A motion was made by Commissioner Johns, seconded by Commissioner Todacheene to approve Resolution No. 12-13-30, granting County-Maintained status for Road 6520 in Kirtland and Road 3639 in Flora Vista. Upon voice vote this motion passed unanimously.

**8. Consideration of Resolution No. 12-13-32, Authorizing Submittal of the FY 2014 LDWI Grant Fund Application**

Rob Mitchell, Alternative Sentencing Division Administrator indicated to the Commission that Resolution 12-13-32 would authorize submission of the annual DWI grant application and paperwork to the Department of Finance and Administration, Local Government Division. San Juan County will request \$1,021,642 in Distribution funds, and \$328,000 in Grant funds from the state DWI Grant Council to support the ongoing operations of the DWI Program, primarily the Detention, Treatment, and Aftercare Component. The total amount of state funding requested is \$1,349,642. This request is supported by the local DWI Planning Council. Grant and distribution funds will be leveraged with a cash match of \$1,588,252 from the City of Farmington in the amount of \$440,000, County Indigent funds \$742,460, Client fees and ARS collection in the amount of \$43,246, ADE Screening fees in the amount of \$42,874, Compliance fees in the amount of \$206,242 and Work Release fees in the amount of \$2,952, county general fund in the amount of \$92,829 and finally, an ending balance from FY13 in the amount of \$17,650. The total projected budget (including the Compliance Monitoring match) is \$2,937,894. Staff requests approval of Resolution 12-13-32 and authorization for the chairperson to execute all documents required for submission and continuance of the grant. Mr. Mitchell explained that if Senate Bill 20 passes it will allow the compliance fee to be increased to \$50.00. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene to approve Resolution No. 12-13-32, Authorizing Submittal of the FY 2014 LDWI Grant Fund Application. Upon voice vote this motion passed unanimously.

**9. Request for Approval Resolution No. 12-13-33, FY 13 Budget Adjustments as Presented**

Marcella Brashear, Chief Financial Officer requested the Commission approve Resolution No. 12-13-33, FY13 budget adjustments. She explained that once the budget adjustments are approved by the Commission they will be sent to the NM Department of Finance & Administration for their approval.

Departmental Budget Meeting Adjustments

The oil & gas revenue estimate was decreased by \$1,960,350. Additional revenues were adjusted for a net increase of \$276,241. These included adjustments to Correction's prisoner care, Public Works' Legislative Funding, and Golf Course revenues. Departmental expenditures were decreased by \$1,050,171.

The total adjustment to revenue for the departmental budget meeting adjustments is (\$1,684,109) and (\$1,050,171) in expenditure adjustments.

Regular Budget Adjustments

The revenues and expenditures in the Indigent Hospital Claims Fund increased by \$399,251 due to Sole Community Provider funds. Grant revenues increased by \$832,900 and grant expenditures increased by \$868,521. Revenues increased by \$543,145 and expenditures increased by \$516,724 due to refunds, donations, project contributions, and insurance

recoveries. Correction's expenditures were increased by \$157,450 for the jail management system upgrade. This will be paid from Capital Replacement Reserve funds and was previously approved by the Commission on December 18, 2012. The Tribal Share revenue was decreased by \$6,507 to reflect the actual amount. The Communication Authority expenditures were increased by \$49,000 for the SMART911 software implementation. This was previously approved by the Commission on October 2, 2012.

The total adjustment to revenue for these regular budget adjustments is \$1,768,789 and \$1,990,946 in expenditure adjustments. A motion was made by Commissioner Johns, seconded by Chairman Pro-Tem Fortner to approve Resolution No. 12-13-33, FY 13 budget adjustments. 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**

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to go into closed executive session to discuss threatened or pending litigation and the acquisition or disposal of real property. Upon voice vote this motion passed unanimously. Upon return a motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene to go back into open meeting. Upon voice vote this motion passed unanimously. Chairman Eckstein stated that nothing other than what was stated in the motion to go into closed executive session was discussed.

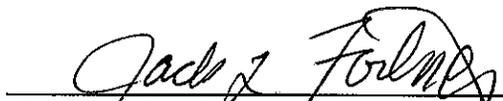
### **Adjourn**

Being no further business a motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 6:50 p.m.

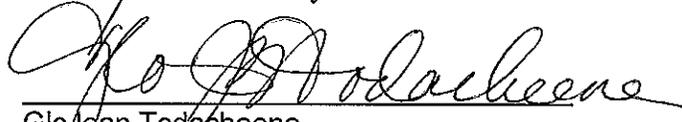
APPROVED THIS 5<sup>th</sup> DAY OF MARCH, 2013

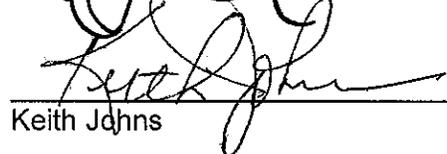
BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:

  
Chairman Scott Eckstein

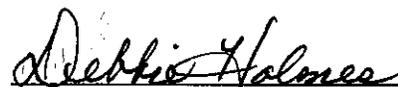
  
Chairman Pro-Tem Jack L. Fortner

  
Margaret McDaniel

  
Glojean Todacheene

  
Keith Johns

ATTEST:

  
Debbie Holmes, County Clerk