

**San Juan County Commission
Regular Meeting
April 5, 2016**

Chairman Johns called the San Juan County Commission meeting to order on April 5, 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 Commissioner Charley 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	Benay Jones
CLERK	Debbie Holmes
CHIEF DEPUTY CLERK	Tanya Shelby
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
EMERGENCY MANAGEMENT COORDINATOR	Mike Mestas
CHIEF FINANCIAL OFFICER	Jim Cox
DEPUTY FINANCE OFFICER	Kim Martin
PARKS & FACILITIES ADMINSTRATOR	Mike Davidson
PUBLIC WORKS ADMINISTRATOR	Dave Keck
PUBLIC WORKS DEPUTY ADMINISTRATOR	Fran Fillerup
CHIEF HUMAN RESOURCES OFFICER	Charlene Scott
ALTERNATIVE SENTENCING DEPUTY ADMINISTRATOR	Heidi Sawyer
FIRE CHIEF	Craig Daugherty
DEPUTY FIRE CHIEF	Thomas Fields
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
	Brett Bernsten
Talon	Debbie Israel
VISITORS:	17

Presentations

1. Recognition of Tanya Shelby, Chief Deputy Clerk, for earning Certified Election Registration Administrator (CERA) Certification

Debbie Holmes, County Clerk, stated Tanya Shelby, Chief Deputy Clerk for San Juan County was designated as a Certified Elections/Registration Administrator (CERA) the highest professional achievement, in ceremonies conducted by the Election Center at The Westin Galleria in Houston, Texas. CERA designation is achieved only through a multi-year course of study conducted by The Election Center's Professional Education Program and completion of twelve core courses taught by the Master's in Public Administration faculty of Auburn University (Auburn, Alabama) ranging from ethics, to voter registration and elections law, planning, communications, and voter participation, among others. The intent of the program is to professionalize the management of voter registration and elections administration in promoting and preserving public trust in the democratic process. This is the highest designation available to elections and voter registration officials. This is an outstanding accomplishment. San Juan County is indeed fortunate to have Tanya Shelby as one of the top designated professionals in America. Obtaining and maintaining CERA status means that she has committed to a career long process of continuing education to improve the electoral process in New Mexico and the nation. Tanya is the fourth Election Official in the state to obtain the CERA certification and the third from San Juan County.

2. Presentation of Government Finance Officers Association (GFOA) 2015 Certificate of Achievement for Excellence in Financial Reporting and 2015 Distinguished Budget Presentation Award to Finance Department

Kim Carpenter, CEO, informed the Commission that as a result of the submission of the FY15 annual Comprehensive Annual Financial Report (CAFR), the County (Finance Department) received the "Certificate of Achievement in Financial Reporting" award. This Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting and is only received by a select few of county and local governments. The FY15 award will make this the 10th consecutive year the Certificate was awarded. Special acknowledgements to:

- Marcella Brashear, Former CFO
- Jim Cox, CFO
- Mike Sofka, Financial Accountant
- Bryan Myers, Accountant II
- Brooke Quintana, Former Deputy CFO
- Kim Martin, Deputy CFO
- Travis Sisco, Financial Accountant

Additionally, as part of the FY15 budgeting process, the County (Finance Department) received the "Distinguished Budget Presentation Award." Receipt of this award affirms the County's commitment to meeting the highest principles of governmental budgeting and satisfied all nationally recognized guidelines for effective budget presentation. The FY15 award will make this the 8th consecutive year received. Special acknowledgements to:

- Marcella Brashear, Former CFO
- Kim Martin, Deputy CFO
- Brooke Quintana, Former Deputy CFO
- Travis Sisco, Financial Accountant

A motion was made by Commissioner Johns, 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. Request for Approval of Health Care Assistance Claims
2. Approval of Minutes of March 15, 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 Chairman Pro-Tem Fortner, 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 are no changes to the agenda. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Charley to approve the agenda as presented. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Renewal of Proposal 13-14-06, Comprehensive Inmate Medical and/or Mental Health Services with Presbyterian Medical Services of Farmington, NM
2. Approval of Resolution 15-16-44, FY16 Budget Adjustments
3. Approval of Proclamation Declaring April 5, 2016 as National Service Recognition Day
4. Approval of March 15, 2016 Regular Meeting Minutes

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the Consent Agenda. Upon voice vote this motion passed unanimously.

New Business

1. **Presentation on New Mexico Association of Counties and Update on 2016 Legislative Priorities**

Sharon Stover, New Mexico Association of Counties (NMAC) President/Los Alamos County Clerk and Joy Esparsen, Intergovernmental Relations Director, presented a powerpoint on the services NMAC provides to Counties and an update to the 2016 legislative priorities. NMAC was established in 1936 and the mission is to strengthen New Mexico counties' ability to govern their

own affairs and to improve the well-being and quality of life of their constituents. Ms. Esparsen stated that the current issues of concern are roads and mental health/detention. The following information was provided regarding New Mexico counties and NMAC:

- Employ approximately 10,500 people
- New Mexico counties vary in population from 707 (Harding County) to 673,460 (Bernalillo County)
- New Mexico county elected officials are term limited and approximately 44 states do not have statewide imposed term limits
- San Juan County in New Mexico and Utah are 2 of 22 counties in the United States with the same name to border each other across state lines
- Maintain over 29,000 county road miles

NMAC has several policy committees and task forces:

- Criminal Justice Reform Policy Committee
- Economic Development and Infrastructure Policy Committee
- Healthcare Policy Committee
- Native American Policy Committee
- Public Lands and Natural Resources Policy Committee
- Tax Policy Committee
- EMS Task Force
- SJM 4 Task Force

The following bills were presented at the 2016 Legislative Session:

- HB 233-- Limits State Food and Medical Hold Harmless Distribution to Counties and Cities that have Enacted Hold Harmless GRT Increments. This bill did not pass.
- SB 56-- Local Government Investments in Brokered CD's
- SB 214-- Workers' Compensation Benefits and Intoxicated Workers
- SB 224-- Advanced Mapping
- SJR 1-- Bail Bond Constitutional Amendment

Federal Legislative Initiatives:

- Support the Payment In Lieu of Taxes (PILT) and Secure Rural Schools (SRS) Programs extending full mandatory funding
- Support long-term transportation funding and county priorities in MAP-21 Reauthorization
- Protect county interests in federal "Waters of the U.S. (WOTUS)" rulemaking
- Support NACo Stepping Up Initiative to reduce the number of people with mental illnesses in jails

Kim Carpenter, CEO, complimented NMAC for unifying the 33 counties within New Mexico and being the voice of the counties. Chairman Pro-Tem Fortner requested insight regarding HB 233. Ms. Stover stated the counties uniting as one voice to legislation and GRT reform has to

happen. Ms. Esparsen reiterated the counties stay united to come to a solution. Chairman Eckstein express his appreciation to NMAC regarding HB 233 and their representation on all the counties behalf.

This is a presentation only.

2. Consideration of Request from National Parks Service and Old Spanish Trail Association to Install and Maintain Route Marking Signs

Fran Fillerup, Deputy Public Works Administrator, briefed the Commission that the National Parks Service (NPS) and the Old Spanish Trail Association (OSTA) have requested the County Public Works staff to install and maintain 12 signs marking the route of the Armijo Line of the trail near existing County Roads. The Armijo Line comes into the County near Road 4550 at the Rio Arriba County Line, follows the Largo Wash northwest to the San Juan River, and continues northwest through Blanco, Aztec and La Plata. Other signs along State and U.S. Highways will be coordinated with NMDOT. The signs are 36"x48" in size and meet standards used by the County for signs in the right-of-way. For initial installation, OSTA would provide signs and the County would contribute sign bases, posts and hardware materials worth \$546.00 (12 posts at \$45.50 per post). The work would require three employee days of work with equipment to complete installation. OSTA would provide replacement signs in the future. Future maintenance will be as needed. OSTA has asked the County to sign an accompanying agreement for the sign installation. NPS and OSTA are working with the other state and counties along the routes of the trail to have similar signs installed. Mr. Fillerup introduced Pat Kuhlhoff from the Old Spanish Trail Association. Ms. Kuhloff presented a map of the trail which was in affect between 1829 and 1848 and in 2002 it was declared by Congress to be a national historic trail. There are 3 routes that combine to make 2,700 miles of trail in which New Mexico has 400 of those miles. Two of the routes which one is the Armijo route that is of significance because it is the first time there was contact in the Northern borderlands in New Mexico and California and the main route which go through San Juan County. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the Request from National Parks Service and Old Spanish Trail Association to Install and Maintain Route Marking Signs. Upon voice vote this motion passed unanimously.

3. Consideration of Approval of Memorandum of Agreement with Navajo Department of Fire and Rescue Services

Chairman Eckstein recognized Pete Atcity, Chief of Staff from the Navajo Nation Speaker's Office, Sophina Tyler, from the Navajo Nation Speaker's Office, and Arbin Mitchell, Chief of Staff from the Navajo Nation President's Office and thanked them for attending.

Doug Echols, County Attorney, informed the Commission the Navajo Nation Fire Department is not yet ready to take over the Shiprock, Newcomb, and Ojo Amarillo fire stations, they have proposed a Memorandum of Agreement wherein the County continues operating the fire stations until they are ready to take over, and will pay the County \$67,500 per month. The first payment will be made by April 15 in the amount of \$67,500 and before May 15 will pay \$135,000 for the months of May and June. Each subsequent payment thereafter will be made by the first day of the following month. Mr. Mitchell stated there is difficulty in the hiring process

but there are 12 recruits at the present time and the employment policy is currently in review. Commissioner Charley expressed his concerns regarding the low pay for positions that require a degree and the capability of the Navajo Nation to fund the operation and upkeep of equipment in the three fire stations. Chairman Pro-Tem Fortner made various comments. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve the Memorandum of Agreement with Navajo Department of Fire and Rescue Services. Upon voice vote this motion passed unanimously.

4. Consideration of Resolution 15-16-43, Combining Navajo Dam Fire District #10 into Blanco Fire District #5

Craig Daugherty, Fire Chief, requested adoption of Resolution No. 15-16-43 to combine the following San Juan County Fire Districts, Navajo Dam District #10 into Blanco Fire District #5. The reason for combining these districts is because of a regression in Navajo Dam's Insurance Service Rating (ISO). We were unable to correct this ISO regression over the last year due to a lack of volunteers responding to calls within that District. After consultation with the State Fire Marshal's office it was determined that our best course of action would be to combine Navajo Dam District 10 into Blanco District 5. We have already been administratively operating in this capacity for the last year and personnel from these districts understand the situation. By combining these districts we will be able to maintain our current level of state fire funding, but will lose out on the opportunity to apply for an annual \$100,000 state fire grant. By not combining we will lose out on the opportunity for the grant and take a huge loss on our State fire funding. Also by not combining we will possibly cause insurance rates in the Navajo Dam community to rise. However this may still be inevitable depending on an individual's insurance provider. In the future if we are able to recruit enough volunteers in the Navajo Dam community we will look at recreating a Navajo Dam District 10 as we have operated in the recent past. Chairman Eckstein asked various questions. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve Resolution 15-16-43, Combining Navajo Dam Fire District #10 into Blanco Fire District #5. Upon voice vote this motion passed unanimously.

5. Consideration of Award of Bid 15-16-15, McGee Park Maintenance Building Addition

Larry Hathaway, General Services / Community Development Administrator, stated on February 21, 2016, Central Purchasing issued a request for sealed bids for the addition to the McGee Park maintenance building. One Hundred and Fifty-Five (155) invitations were sent to various contractors and on March 10, 2016, three (3) bids were received and opened. Bid responses were reviewed by staff and Tom Hummell with Rodahl & Hummell Architecture. Staff recommends award of Bid 15-16-15 to B & M Cillessen Construction of Farmington, NM as the overall low bidder meeting specifications and requirements. Total bid amount is \$232,306.25; Base bid amount \$218,000.00 plus NMGRT (\$14,306.25). The amount of \$265,000 was approved for this project by the Commission at the October 7, 2015 County Commission Meeting. A motion was made by Commissioner Johns, seconded by Chairman Pro-Tem Fortner to approve the Award of Bid 15-16-15, McGee Park Maintenance Building Addition. Upon voice vote this motion passed unanimously.

6. Consideration of Resolution 15-16-45, Opposing BLM Onshore Orders 3, 4, 5, and 9

Kim Carpenter, CEO briefed the Commission on BLM Onshore Orders 3, 4, 5 and 9 that are being proposed by the BLM will be devastating to an already depressed economy in San Juan County. There is great opposition of people against these rules that was demonstrated at a recent hearing by the BLM and there is activity through Real People-Real Jobs in an effort to build that strength of opposition. However, Senator Udall, Senator Heinrich, and Congressman Lujan have expressed their support of these rules. In the event, these rules are implemented it will create the estimated closure of 7500 wells in the basin, creating approximately 9000 additional layoffs and even more significant impacts on businesses and local government budgets. Staff is requesting approval of this resolution. Dr. Carpenter read Resolution No. 15-16-45 to the Commission.

**SAN JUAN COUNTY
RESOLUTION NO. 15-16-45**

**EXPRESSING THE OPPOSITION OF THE SAN JUAN COUNTY COMMISSION TO
BLM PROPOSED ONSHORE ORDERS 3, 4, 5, AND 9 (THE VENT AND FLARE RULES)**

WHEREAS, San Juan County, New Mexico, each of the incorporated communities within the County, each school district, and the San Juan College district are all heavily dependent on the oil and gas industry for meeting the needs of the citizens; and

WHEREAS, San Juan County, New Mexico is a major producer of oil and gas within the State of New Mexico; and

WHEREAS, 63% of New Mexico's natural gas production and 54% of New Mexico's oil production originates from mineral leases on federal land, including substantial Bureau of Land Management holdings; and

WHEREAS, the proposed BLM Rules 3,4,5 and 9 have the potential of devastating the economy by resulting in potentially 7,500 wells to be closed during the next few years; and

WHEREAS, the closure of these wells will likely result in up to 9,000 more layoffs in the San Juan Basin, an area which already has shown to have the highest increase in unemployment in the Nation; and

WHEREAS, the loss of jobs in the oil and gas industry will most assuredly result in significant drops in gross receipts taxes, a substantial means of payment for all local governmental entities' expenses; and

WHEREAS, with the substantial economic losses forecast, San Juan County will have no choice but to substantially cut services to its citizens, including public safety services such as police and fire protection as well as social services and quality of life services which are regularly provided to its citizens; and

WHEREAS, in addition to cutting services, in order to meet minimum requirements, it will be necessary for San Juan County to evaluate the need to raise property taxes, imposing yet

another additional burden on those citizens already stretched thin as a result of the downturn in the oil and gas industry, which is simply increased exponentially by the proposed new rules; and

WHEREAS, Senator Udall, Senator Heinrich, and Representative Lujan have all indicated their support for these proposed rules that would further create a larger budgetary deficit in the state's current economy.

NOW, THEREFORE, IT IS RESOLVED that the Board of County Commissioners of San Juan County, New Mexico, strongly opposes the BLM's proposed onshore orders 3, 4, 5, and 9.

BE IT FURTHER RESOLVED that the County Executive Officer is directed to provide copies of this Resolution to each of the Federal elected officials who serve San Juan County, New Mexico, as well as copies to the United States Secretary of Interior and the Director of the Bureau of Land Management.

PASSED, APPROVED AND ADOPTED this 5th day of April, 2016.

A motion was made by Commissioner McDaniel, seconded by Commissioner Charley to approve Resolution 15-16-45, Opposing BLM Onshore Orders 3, 4, 5, and 9. Upon voice vote this motion passed unanimously.

Report from the CEO

Kim Carpenter, CEO, provided information regarding the proposed Town of Kirtland annexation to be reviewed by the Commission and requested direction. He also commended Fire Chief Daugherty, San Juan County Fire Department, volunteers, and the Emergency Management Department for their response to the fires April 3, 2016. As a result of significant brush fires all stations were activated.

Reports From Elected Officials And Department Heads

None

Comments / Input From The General Public

Glojean Todacheene expressed her concerns regarding the Navajo Nation operating the three fire stations, that she would like to see salaried fire personal rather than volunteers, and commended San Juan County Fire Departments for their response to the recent fires. She also thanked Commissioner Charley for expressing his concerns.

Chairman Pro-Tem Fortner recognized John Buffington from San Juan Regional Medical Center.

Dan Smith Sr., resident of Shiprock, has been in fire service over 30 years. He is concerned that the Navajo Nation cannot maintain the fire stations and equipment. He thanked San Juan County Fire Department for their service and that San Juan County Firefighters are well trained.

He believes the tribe cannot fund the fire stations and is leery with the Navajo Nation operating the three fire stations and the ISO ratings will drop. He stated the Navajo Nation is not offering incentives or insurance and thanked Commissioner Charley for expressing his concerns.

Closed Executive Session

A motion was made by Commissioner Johns, seconded by Chairman Pro-Tem Fortner to go into closed executive session to discuss threatened or pending litigation and the acquisition or disposal of real estate. Upon voice vote this motion passed unanimously. Upon return a motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to go back into open meeting. Upon voice vote this motion passed unanimously. Commissioner Johns 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 6:07 p.m.

APPROVED THIS 19TH DAY OF APRIL, 2016

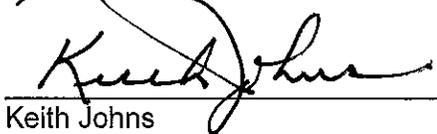
BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



Chairman Scott Eckstein



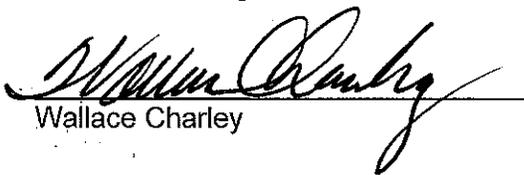
Chairman Pro-Tem Jack Fortner



Keith Johns

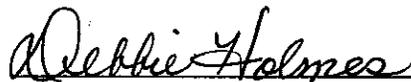


Margaret McDaniel



Wallace Charley

ATTEST:



Debbie Holmes, County Clerk