

## San Juan County Commission Regular Meeting July 5, 2016

Chairman Eckstein called the San Juan County Commission meeting to order on July 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 McDaniel 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
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	Mike Davidson
PARKS & FACILITIES DEPUTY ADMINISTRATOR	Daniel Hill
PUBLIC WORKS DEPUTY ADMINISTRATOR	Fran Fillerup
CHIEF HUMAN RESOURCES OFFICER	Charlene Scott
ADULT DETENTION CENTER ADMINISTRATOR	Tom Havel
ADULT DETENTION CENTER DEPUTY ADMINISTRATOR	Daniel Webb
ALTERNATIVE SENTENCING DEPUTY ADMINISTRATOR	Heidi Sawyer
FIRE CHIEF	Craig Daugherty
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	Brett Berntsen
Talon	Debbie Israel
VISITORS:	12

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 June 9, 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 McDaniel, 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 are no changes to the agenda. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the agenda as presented. Upon voice vote this motion passed unanimously.

#### **Consent Agenda**

1. Approval of Resolution 16-17-01, FY16 Budget Adjustments
2. Approval of Animal Care and Control Intergovernmental Agreement
3. Approval of Renewal of Proposal No. 13-14-11, Correctional Food Management Services to A'viands, LLC (Summit Food Service, LLC) of Roseville, MN
4. Approval of June 9, 2016 Regular Meeting Minutes
5. Approval of May 2016 Check Register

A motion was made by Commissioner Johns, seconded by Commissioner Charley to approve the Consent Agenda. Upon voice vote this motion passed unanimously. Chairman Eckstein stated that he approves the Consent Agenda but is in opposition of Item #2 and expressed that the Aztec Animal Shelter should have been awarded the contract.

#### **New Business**

1. **Consideration of Request from San Juan River Dineh Water Users, Inc. to Serve as Fiscal Agent**

Martin Duncan, Superintendent for the San Juan River Dineh Water Users Inc. requested that San Juan County serve as a fiscal agent on Capital Outlay funding. The Water Users Association is requesting funds to purchase various farm equipment items on behalf of the San Juan River Dineh Water Users Inc. If the Commission approves the request, San Juan County would purchase and own the equipment. An agreement would be entered into whereby the County would loan the equipment to the organization. In addition, this request for funding would

be added to the County's Infrastructure Capital Improvement Plan (ICIP) for 2018-2022. Staff requested direction from the Commission. Commissioner Charley asked for clarification of what equipment will be purchased and requested the Commission to support it. A motion was made by Commissioner Charley, seconded by Commissioner McDaniel to approve San Juan River Dineh Water Users, Inc. to Serve as Fiscal Agent. Upon voice vote this motion passed unanimously.

2. **Consideration of Ratification of Resolution 16-17-02, Declaring the Water Quality of the Morningstar and Harvest Gold Water Systems to be a Disaster; Requesting State Aid to Mitigate the Effects of the Disaster**

Mike Mestas, Emergency Manager, briefed the Commission that the New Mexico Environment Department issued a Boil Water Advisory on June 3, 2016, regarding the quality of water dispensed by Animas Valley Water Company, LLC. A [Precautionary] Boil Water Advisory may be issued if a presumption can be made that drinking water may be contaminated by waterborne pathogens, such as from treatment failure or loss of distribution pressure. San Juan County issued an Emergency Declaration on June 16, 2016 to address the need for the City of Farmington to supply water to the Animas Valley Water system. Chairman Eckstein thanked Emergency Management for their response. Mr. Mestas stated there is continual contact with Animas Valley Water Company on the progress of the repairs and thanked Commissioner McDaniel for the bottled water that was donated by the church. Chairman Pro-Tem Fortner asked various questions. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve Ratification of Resolution 16-17-02, Declaring the Water Quality of the Morningstar and Harvest Gold Water Systems to be a Disaster; Requesting State Aid to Mitigate the Effects of the Disaster. Upon voice vote this motion passed unanimously.

3. **Consideration of Byrne Memorial Justice Assistance Grant (JAG) and Request for Public Comment**

Shane Ferrari, Undersheriff, requested Commission approval of the 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) application from the Department of Justice. The San Juan County Sheriff's Office was determined to be eligible to receive \$26,237.00. The San Juan County Sheriff's Office will be using this allocation to purchase nineteen (19) Taser ECW devices, fifty (50) 25ft cartridges, fifty (50) 15ft cartridges, nineteen (19) holsters and nineteen (19) battery packs. There are no matching funds required with this grant. Chairman Eckstein opened the floor for public comment and received none. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the Byrne Memorial Justice Assistance Grant (JAG). Upon voice vote this motion passed unanimously.

4. **Consideration of Award of Bid 15-16-20, Lower Valley Senior Center Addition and Renovations for Community Development Block Grant (CDBG) Project #15-C-NR-I-03-G-16**

Mike Stark, COO, stated that on May 15, 2016, Central Purchasing issued a request for sealed bids for the addition and renovations to the Lower Valley Senior Center at 17 CR 6668 in Fruitland, NM. One hundred seventy-six (176) invitations were mailed. On June 14, 2016, two (2) bids were received and opened. The bid responses were reviewed by staff, the project

architect, and approved by the Local Government Division of DFA with a contingency of the General Contractor and Sub-Contractors being successfully registered with SAM (System for Award Management). Staff recommends award of Bid No. 15-16-20, Lower Valley Senior Center Addition and Renovations to Uselman Construction Company of Farmington, NM as the overall low bidder. The award will be for the base bid amount of \$388,066.23 plus Alternate No.1, Add Curb, gutter and asphalt paving at parking lot \$65,274.00, Alternate No.2, Install Shaw Banyon Creek Vinyl Tile in Rooms 107, 110 and hallway at restrooms \$10,709.60, Alternate #3 Add landscaping and concrete slab for picnic tables \$27,642.11 and NMGRT of \$32,267.39 for a total award of \$523,959.33. Funding for this project is being covered through a CDBG grant in the amount of \$493,000, county match of \$50,410, and two state senior grants of \$178,600 for a total project budget of \$722,010. Award of this contract to Uselman Construction Company is covered within the existing budget. A motion was made by Commissioner Johns, seconded by Commissioner McDaniel to approve the Award of Bid 15-16-20, Lower Valley Senior Center Addition and Renovations for Community Development Block Grant (CDBG) Project #15-C-NR-I-03-G-16. Upon voice vote this motion passed unanimously.

**5. Consideration of Opting-Out of the Provisions of the Federal Health Insurance Portability and Accountability Act**

Doug Echols, County Attorney, briefed the Commission that in 1996, the federal Health Insurance Portability and Accountability Act ("HIPAA") was enacted. Among other things, the Act limited the ability of employers to limit health insurance of pre-existing conditions, required parity in insurance coverage for mental illnesses, and made a number of other sweeping changes to insurance law. The law has obvious ramifications on the County's self-insured employee health plan. However, the various statutes also permit a governmental entity to "opt-out" of HIPAA simply by filing a notice with the Health Care Financing Administration yearly. The Commission has voted to opt-out of HIPAA each year since 1997. Although some portions of our health insurance policy comply with HIPAA, some elements may not comply and it is the recommendation of staff that we therefore opt-out of HIPAA once again. This year's HIPAA opt out is slightly different from previous years as a result of Healthcare Reform. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve Opting-Out of the Provisions of the Federal Health Insurance Portability and Accountability Act. Upon voice vote this motion passed unanimously.

**6. Report on Inspection of Detention Center**

Doug Echols, County Attorney, stated that the 2011 session of the legislature repealed NMSA 1978, §33-3-4, Inspection of Jails and Detention Centers, which required the governing body to inspect jails at least twice a year and report to the District Court and enacted a new §33-3-4 which provides that the governing body shall conduct an annual site visit to inspect the overall conditions at the facility and present an inspection report at a regular meeting of the governing body. The last report was submitted on October 7, 2015. If the Commission will visit the jail we will prepare an inspection report to present at a regular County Commission meeting.

This item is informational only.

**Report from the CEO**

Kim Carpenter, CEO, informed the Commission that Senator Martin Heinrich's office will be making contact with them.

**Reports From Elected Officials And Department Heads**

None

**Comments / Input From The General Public**

None

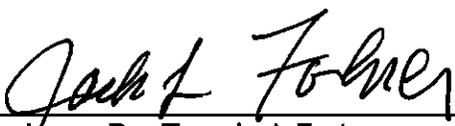
**Adjourn**

Being no further business a motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 4:25 p.m.

APPROVED THIS 26TH DAY OF JULY, 2016

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:

  
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Chairman Scott Eckstein

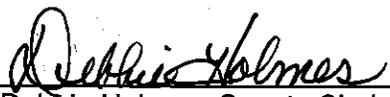
  
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Chairman Pro-Tem Jack Fortner

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Keith Johns

  
\_\_\_\_\_  
Margaret McDaniel

  
\_\_\_\_\_  
Wallace Charley

ATTEST:

  
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Debbie Holmes, County Clerk