San Juan County Commission
Regular Meeting
September 6, 2016

Chairman Eckstein called the San Juan County Commission meeting to order on September 6, 2016 at 4:01 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Dr. Kim Carpenter 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
ASSESSOR	Jimmy Voita
CHIEF DEPUTY ASSESSOR	John Kuhn
CLERK	Debbie Holmes
TREASURER	Mark Duncan
COUNTY EXECUTIVE OFFICER	Kim Carpenter
COUNTY OPERATIONS OFFICER	Mike Stark
ATTORNEY	Doug Echols
DEPUTY ATTORNEY	Joe Sawyer
RISK MANAGER	Kristi Galloway
EMERGENCY MANAGER	Mike Mestas
CHIEF FINANCIAL OFFICER	Jim Cox
DEPUTY FINANCE OFFICER	Kim Martin
PARKS & FACILITIES ADMINSTRATOR	Daniel Hill
PUBLIC WORKS ADMINISTRATOR	Dave Keck
PUBLIC WORKS DEPUTY ADMINISTRATOR	Fran Fillerup
ADULT DETENTION CENTER ADMINISTRATOR	Tom Havel
ALTERNATIVE SENTENCING ADMINISTRATOR	Jennifer Miller
JUVENILE SERVICES ADMINISTRATOR	Traci Neff
FIRE CHIEF	Craig Daugherty
HEALTH CARE ASSISTANCE PROGRAM COORDINATOR	Liza Gomez Akley
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PRESS: Farmington Daily Times	Hannah Grover
VISITORS:	15

A motion was made by Commissioner Johns, 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 August 16, 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 Charley, seconded by Commissioner McDaniel to adjourn the Indigent Hospital and County Health Care Board Meeting and call to order the Board of Finance Meeting. Upon voice vote, the motion passed unanimously.

Board of Finance

1. Report on County Investments and Interest Earned

Mark Duncan, County Treasurer, stated the County investments earned $513,565.17 for the year ended June 30, 2016. This is $131,259.63 more than the interest earned for fiscal year 2015. Total cash and investments as of June 30, 2016 was $83,552,741.04. Deducting the June 30, 2016 outstanding checks of $974,395.00 brings the June 30, 2016 cash and investments to $82,578,346.04.

2. Consideration of Resolution 16-17-17, Waiving the $5.00 Minimum Penalty on Delinquent Property Taxes

The New Mexico State Statutes allows a county to impose a penalty of 1% per month, but not exceed 5% of the delinquent tax amount except when the penalty is less than $5.00. Each year, San Juan County waives the $5 minimum penalty on delinquent property taxes and staff is again requesting that the Commission approve Resolution 16-17-17, waiving the $5.00 Minimum Penalty on Delinquent Property taxes. This resolution waives the minimum $ 5.00 penalty on delinquent property taxes as allowed under State of New Mexico Section 7-38-50, NMSA, 1978, Compilation. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve Resolution 16-17-17, Waiving the $5.00 Minimum Penalty on Delinquent Property Taxes. Upon voice vote, the motion passed unanimously.

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Charley to adjourn the Board of Finance 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 Commissioner Johns, seconded by Commissioner McDaniel to approve the agenda as presented. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Memorandum of Understanding with New Mexico Cooperative Extension Service
2. Approval of Renewal of Bid 15-16-01, Price Agreement for the Production of Type II Base Course to C & J Gravel Products, Inc. of Durango, CO and Consolidated Constructors, Inc. of Farmington, NM
3. Approval of Resolution 16-17-14, FY17 Budget Adjustments #2 (Special Adjustment EMS Equipment for Approved Ambulances)
4. Approval of August 16, 2016 Regular Meeting Minutes
5. Approval of July 2016 Treasurer's Check Register

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. Consideration of Proclamation Declaring September 16, 2016 as Legal Fair Day

District Court Chief Judge Karen Townsend introduced Welden Neff, Court Executive Officer (CEO). District Court Chief Judge Townsend requested that a Proclamation proclaiming September 16, 2016 as Legal Fair Day be adopted. She thanked the Commission for their ongoing support of the Adult Drug Court Program and the Pre-Trial Services Program. She also thanked, on behalf of Judge Dean, Chairman Eckstein for his support of the Art Show. Legal Fair Day is to recognize the Legal Fair which is being hosted by the 11th Judicial District on September 16th at the District Court at 103 S. Oliver Dr. in Aztec from 12pm until 6pm. The 11th Judicial District Court, San Juan County Bar Association, DNA People's Legal Services, and the State Bar of New Mexico have partnered to enlist the services of volunteer attorneys to provide free (pro bono) legal assistance to those in need, in commemoration of this event and the efforts of local attorneys to provide free legal assistance. The Chairman Pro-Tem asked questions. The services have been provided for the last 6 years, the average attendance is about 216 individuals each year. Last year the American Bar Association awarded the 11th Judicial District Court the Harrison Tweed Award, a national award, and they are the smallest jurisdiction to receive such award. Mr. Neff introduced Deputy CEO, Jodie Schwebel. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the Proclamation Declaring September 16, 2016 as Legal Fair Day. Upon voice vote this motion passed unanimously.

2. Staff Summary Title Consideration of Proclamation Declaring September 17 - 23 to be Constitution Week 2016

Diane Halvorson, Regent of the Desert Gold Chapter of the National Society of the Daughters of the American Revolution (NSDAR) gave a brief history on the U.S. Constitution and asked that San Juan County issue a proclamation declaring the week of September 17th - 23rd to be Constitution Week 2016. Ms. Halverson stated this is the 50th Anniversary of the Vietnam War. She and Pat Gifford presented commemorative pins to Veterans of the Vietnam War and thanked them for their service and sacrifice. A Memorial Dedication will be held September 17, 2016 at the Vietnam Veterans Park on North Butler at 1:30 p.m. to honor the Vietnam Veterans.

SAN JUAN COUNTY, NEW MEXICO
PROCLAIMING SEPTEMBER 17TH – 23RD AS
CONSTITUTION WEEK 2016

Whereas, September 17, 2016 marks the two hundred and twenty-ninth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through September 23 as Constitution Week;

NOW, THEREFORE, the County of San Juan does hereby proclaim the week of September 17 through 23, 2016 to be

CONSTITUTION WEEK

in San Juan County, and encourage our citizens to learn about the history and meaning of our Constitution and to reaffirm the ideals the Framers of the Constitution had in 1787.

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve the Proclamation Declaring September 17th-23rd to be Constitution Week 2016. Upon voice vote this motion passed unanimously.

3. <u>Consideration of Extension of the Cooperative Project Agreement Between San Juan County and the New Mexico Department of Transportation for County Road 3900</u>

Fran Fillerup, Public Works Administrator briefed the Commission that San Juan County is developing a project to make improvements on County Road 3900 from County Road 3000 to 390 (This is the County's portion of the extension of Pinon Hills Boulevard). The County has an agreement with NMDOT awarding $588,000 toward design work; there is no County match required. The current agreement expires September 30, 2016 and this extension would be until September 30, 2017. The County is currently completing right-of-way mapping and environmental documentation for the project according to NMDOT and Federal Highway Administration requirements. Construction will be funded by bond funds already identified by the County. This is the third extension of the agreement. The County anticipates completing the design phase of the project and seeking bids for construction in late spring 2017. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve the Extension of the Cooperative Project Agreement Between San Juan County and the New Mexico Department of Transportation for County Road 3900. Upon voice vote this motion passed unanimously.

4. Consideration of Resolution 16-17-15, Certification of FY16 Physical Inventory and Authorization for Book Disposal of Missing Items

Jim Cox, Chief Financial Officer, reported that as a result of the Tyler Munis ERP software implementation, the County underwent additional detailed asset inventory observation to 1) allow for better preparation upon implementation of the ERP system and 2) to allow for the clean-up of assets that have been identified by several County departments as missing. Through the course of approximately 2.5 months, the County performed a physical inventory of the Assessor's Office, Clerk's Office, Treasurer's Office, Finance Department, Geographic Information Systems, Legal Department, County Executive Office, Sheriff's Department, Criminal Justice Training Authority, Adult Detention Center, Juvenile Services Department, Safety Department, Public Works, Solid Waste Department, Parks and Facilities Department, Riverview Golf Course, and fire operations (includes all fire stations with the exception of Valley Fire Station #1 due to ongoing construction). Mr. Cox informed the Commission that the amounts provided are the updated amounts. The physical inventory identified 109 non-capital assets (i.e. not reported on the Comprehensive Financial Report - CAFR) as missing, for a total cost of $235,114. Additionally, a total of 494 capital assets (reported on the CAFR) were identified to have been missing. The original cost of these assets totaled $2,676,186 and related accumulated depreciation through the date of requested disposal totaled $2,388,289. Of the 494 assets, 473 assets were fully depreciated. The remaining 21 assets were not fully depreciated and would cause a loss on disposal of $287,897 to be reported on the CAFR for the year ended June 30, 2016. The assets that have been identified as missing were purchased between the periods of September 1977 and November 2014. The reported loss on disposal has no budgetary impact on the CAFR. This item is booked on the full accrual basis and, as such, those statements are not budgeted. Staff is requesting approval of Resolution 16-17-15 for the required annual certification of FY16 physical inventory and authorization for the book disposal of the above identified missing items. The Commission asked various questions. A motion was made by Commissioner Johns, seconded by Commissioner McDaniel to approve the Resolution 16-17-15, Certification of FY16 Physical Inventory and Authorization for Book Disposal of Missing Items. Upon voice vote this motion passed unanimously.

5. Review and Consideration of Fee Schedules for the Munis System
A. McGee Park Fee Schedule
B. Compliance Program Fee Schedule

Mike Stark, COO, informed the Commission that staff has been working on the Phase 1 implementation of the Pinnacle project which includes the Finance and Purchasing modules. We are currently creating revenue charge codes in the system and for some specific fees; we were unable to find documentation of previous Commission approval. Therefore, in order to show that all fees and credits have been approved by the Commission, we are bringing the entire fee schedules for Mc Gee Park and Misdemeanor Compliance program back for approval. Staff recommends approval of both fee schedules as presented. Chairman Pro-Tem Fortner requested that churches are not excluded from Community Service. Jennifer Miller, Alternative Sentencing Administrator, stated she will make those adjustments. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the Fee Schedules for A. McGee Park Fee Schedule and B. Compliance Program Fee Schedule in the Munis System with the amendment that the churches are not excluded from Community Service. Upon voice vote this motion passed unanimously.

6. Consideration of Resolution 16-17-16, Planning Grant Agreement with New Mexico Finance Authority

Mike Stark, COO, briefed the Commission that in 2015 the County applied for a planning grant with the New Mexico Finance Authority for a preliminary engineering report on the water of the Totah Vista Subdivision located just south of the City of Farmington in the unincorporated part of San Juan County. The Subdivision has 129 lots utilizing well water at this time, and the hope is to tie those homes into the nearby City of Farmington water infrastructure. The preliminary engineering report has now been completed at a cost of $50,000. Submission of the executed Planning Grant Agreement and Resolution No. 16-17-16 will result in reimbursement of the $50,000 cost by the New Mexico Finance Authority to the County. Doug Echols, County Attorney, stated the resolution which authorizes the execution of the grant agreement. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve Resolution 16-17-16, Planning Grant Agreement with New Mexico Finance Authority. Upon voice vote this motion passed unanimously. Mr. Echols requested that the Commission approve the Planning Grant Agreement. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve the Planning Grant Agreement with New Mexico Finance Authority. Upon voice vote this motion passed unanimously.

7. Consideration of Request for Implementation of Certain Capital Bond Projects

Daniel Hill, Parks & Facilities Deputy Administrator, explained that at the February 19, 2015 Regular Commission Meeting, staff indicated that it would bring forth to the Commission each project prior to implementation. Staff would like to proceed with implementing the following project either by direct contract, RFP/Bid process or under an approved contract if applicable:

1) **Pavement Preservation Projects at McGee Park-** One of the bond projects presented to the Commission back in February of last year was pavement preservation of all of the paved areas in and around McGee Park and Sun Ray Casino. Public Works has evaluated all of the paved areas and recommends the following process to preserve and extend the life of the pavement.

-Slurry Seal of McGee Park $135,179.90 (GRT included)

This project was originally presented to the Commission with an estimated cost of $300,000. With the revised estimate, this project is $164,820.10 less than the previously presented budget. Additional crack sealing will be necessary to cover other pavement areas in the park. This will be brought to the Commission for consideration at a later meeting. Staff recommends approval of the pavements preservation project at McGee Park utilizing 2015 Revenue bonds. Chairman Pro-Tem Fortner asked if there was additional money in the budget because the amount is less. Kim Carpenter, CEO, replied that there are still incurred expenses for crack and slurry seal. There will be excess but there are others that exceeded and the budget will balance. A motion was made by Commissioner Johns, seconded by Commissioner Charley to approve the Request for Implementation of Certain Capital Bond Projects. Upon voice vote this motion passed unanimously.

8. Consideration of Request to Issue Written Order to Impose 2016 Property Tax Rate

Jim Cox, Chief Financial Officer, informed the Commission, the Board of County Commissioners is required to issue a written order imposing the property tax at the rates set on the taxable value of property allocated in the appropriate governmental units. The order must be issued within five days of receipt of the Department of Finance & Administration's Property Tax Rate-Setting Order. The Commission's written order must be delivered to the County Assessor immediately. Mr. Cox requested that a Special Meeting be held September 13, 2016 at 4:00 p.m. The Commission agreed.

Report from the CEO

Dr. Carpenter informed the Commission that Dave Keck is retiring after 25 plus years of service.

Dave Keck, Public Works Administrator, expressed his gratitude to the present and past Commission and County Managers. He also praised the county employees. He also stated that Fran Fillerup will be taking his place as the Public Works Administrator. The Commission made various comments.

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 Charley to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 4:45 p.m.

APPROVED THIS 20TH DAY OF SEPTEMBER, 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