

San Juan County Commission Regular Meeting May 21, 2013

Chairman Eckstein called the San Juan County Commission meeting to order on May 21, 2013 at 4:00 P. M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive in Aztec, New Mexico. Chairman Pro-Tem Jack L. Fortner gave the invocation and CEO Kim Carpenter 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
UNDERSHERIFF	Ron Anderson
COUNTY EXECUTIVE OFFICER	Kim Carpenter
COUNTY EXECUTIVE OFFICE	Joann Thomas
ASSISTANT CEO	Linda Thompson
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
PUBLIC WORKS ADMINISTRATOR	Dave Keck
CHIEF HUMAN RESOURCE OFFICER	Charlene Scott
ALTERNATIVE SENTENCING ADMINISTRATOR	Rob Mitchell
JUVENILLE SERVICES ADMINISTRATOR	Traci Neff
DEPUTY FIRE CHIEF	Craig Daugherty
INDIGENT HOSPITAL CLAIMS	Victoria Edwards
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
COMMUNICATIONS DIRECTOR	David Ripley
CHIEF IT OFFICER	Vince Johns
GIS COORDINATOR	Sandi Spencer
SAFETY AND COMPLIANCE MANAGER	Stewart Logan
PRESS: Tri-City Tribune	Lauren Duff
VISITORS: 3	

A motion was made by Commissioner McDaniel, seconded by Chairman Pro-Tem Fortner 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 May 7, 2013

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene 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 Item #8 Consideration of repairs to Sheriff's Office has been added to the agenda. A motion was made by Commissioner Todacheene, seconded by Commissioner McDaniel to approve the agenda as amended. Chairman Pro-Tem Fortner requested the Commission add Item #9 to recognize Piedra Vista Softball team by Resolution. Commissioner Todacheene accepted the amendment, Commissioner McDaniel seconded. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Renewal of Proposal 10-11-17, Medical Direction for Fire and Rescue Services to Emergency Medicine Associates of San Juan County, LLC of Farmington, NM
2. Approval of Renewal of Proposal 10-11-27, Fire Support Services to Fireco, LLC of Aztec, NM
3. Approval of Resolution 12-13-45, Disposition of Surplus and/or Obsolete County Property
4. Approval of May 6, 2013 Special Commission Minutes
5. Approval of May 7, 2013 Regular Commission Minutes

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

New Business

1. **Request for Approval of Notice of Intent to Adopt Ordinance No. 82, Correcting Ordinance 81, Praxair Industrial Revenue Bonds –**

Doug Echols, Deputy County Attorney explained to the Commission that there was a misunderstanding between San Juan County and Mr. Buchholtz regarding the terms of the Payment in Lieu of Taxes (PILT) agreement for the Praxair industrial revenue bonds. The agreement for repayment of the PILT will be paid as follows: 100% the first 5 years, 75% the second 5 years and 50% for the balance of the 10 years. As a result, Ordinance No. 81 as

originally passed does not reflect the agreement between the parties. Ordinance No. 82 will properly reflect the agreement between the parties. Ordinance No. 82 includes an emergency clause so that it will be effective upon passage. Adoption of Ordinance No. 82 will not delay issuance of the bonds. If approved, a Notice of Intent to Adopt will be published in the Daily Times and adoption of Ordinance No. 82 will be placed on the June 4, 2013 Commission meeting agenda. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve Notice of Intent to Adopt Ordinance No. 82, correcting Ordinance 81, Praxair Industrial Revenue Bonds. Upon voice vote this motion passed unanimously.

2. Consideration of Request to Serve as Fiscal Agent to Apply for the Community DWI (CDWI) Prevention Grant

Amanda Evans, San Juan County Partnership indicated that San Juan County is eligible to receive \$43,288 in CDWI Prevention Program funding from the State of New Mexico Traffic Safety Bureau for FY 2014. This funding is derived from the \$75 fee collected by the courts for each DWI conviction. The San Juan County Community DWI Task Force requests that San Juan County serve as the fiscal agent for this funding and approve submittal of the grant application in the amount of \$43,288. The grant would provide funding as follows for the various components:

- Enforcement activities in the amount of \$24,083 for the Sheriff's Department, Aztec, Bloomfield and Farmington Police Departments;
- Prevention in the amount of \$3,557;
- Public Information and Education in the amount of \$3,060;
- Offenders Program in the amount of \$12,588 for the Farmington Municipal Court and the Shiprock Victims Impact Panel;

Chairman Pro-Tem Fortner asked if the Farmington Victim Impact Panel is included in the Offenders Program. Ms. Evans explained that the Farmington Victim Impact Panel does participate but is a separate program. If approved, this will be the 20th year that San Juan County has participated in the Community DWI Prevention Program. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve the request to serve as fiscal agent to apply for the Community DWI (CDWI) prevention grant. Upon voice vote this motion passed unanimously.

3. Request for Approval of Proposed FY 2014 Interim Budget

Marcella Brashear, Chief Financial Officer explained to the Commission that the FY2014 Interim Budget is due to the DFA by June 1, 2013. The budget documents will be sent to DFA after approval by the Commission. The Final Budget is due to the DFA by July 31, 2013. After approval of the Interim Budget, additional changes can be addressed in the Final Budget which will be presented for approval in July. The Final budget will include actual cash ending balances and the carryover amounts. The 3/12ths requirement has been met. This budget contains the following changes:

Increases to Revenue:

- Added PESCO lease \$1,800/year
- Solid Waste Fund – Updated estimated amount from Tribal Share – added \$51,422
- Added PREA Federal Grant – Juvenile Services \$25,000
- Added CYFD services agreement for Juvenile Community Corrections Program \$72,000

- Added Praxair PILT \$35,000
- Added \$20,000 for Road – project contributions
- Added \$39,000 to the Major Medical Fund – estimated vision premiums

Expenditures:

- Updated Stop Loss based on renewal - decrease (\$182,429) to Major Medical Fund expenditures
- Increased Farmington Animal Shelter = \$49,771 (total FMTN=\$315,000, Aztec=\$255,000)
- Increased Clerk's special elections for Valley Sanitation Water District election - increase \$2,000
- Health Insurance Premiums - implemented 79%/21% split = \$87,061 in savings (GF impact=\$72,801)
- Updated Outside Agencies - net decrease = (\$6,000)
- Added \$20,000 Road project contributions - offset by estimated revenue \$20,000
- Added \$60,000 to Communications Fund for fiber optic improvement.
- Reduced Health Claims by (\$227,235) estimated savings from Commission approved plan changes.

Transfers:

- Transferred \$83,388 from the Water Reserve Fund to the General Fund to balance.

Commissioner Johns questioned the ending balance of the Water Reserve Fund. Mrs. Brashear stated an estimated \$4.8 million. CEO Kim Carpenter indicated they were looking at a larger amount in utilizing the reserve fund, which we are able to reduce. In addition we are in the process of notifying outside agencies of reductions to give them advanced warning of potential decreases in the amount they will receive. Commissioner Todacheene asked how come there is a difference in the amounts the volunteer fire departments are receiving. Craig Daugherty, Deputy Fire Chief explained that this is based on capital requests for each district based on where the needs are. A motion was made by Commissioner Johns, seconded by Commissioner Todacheene to approve the proposed FY 2014 Interim Budget. Upon voice vote this motion passed unanimously.

4. Consideration of Inter-Governmental Agreement with Bernalillo County

Traci Neff, Juvenile Services Administrator informed the Commission that in January, the New Mexico Association of Counties (NMAC), San Juan County and three other counties (Bernalillo, Chaves, and Taos) collaborated together in applying for a grant from the Department of Justice. Bernalillo County submitted the grant on behalf of all four counties and NMAC. The purpose of the grant is to implement Prison Rape Elimination Act (PREA) zero tolerance policies in juvenile detention centers in New Mexico. The overall goal of this grant is to provide juvenile agencies and facilities of all sizes, political divisions, and geographic locations training and resources to prevent, detect, and eliminate sexual abuse of residents in custody – and for responding effectively to abuse when it does occur. The Department of Justice awarded all entities with the grant. A total of \$25,000 will be appropriated to San Juan County for a PREA Coordinator. San Juan County Juvenile Services will designate existing staff to fulfill the requirements of this grant. Staff requests Commission approval of this inter-governmental agreement between San Juan County and Bernalillo County. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Johns to approve the Inter-Governmental Agreement with Bernalillo County. Upon voice vote this motion passed unanimously.

5. Request for Approval of Alternative Sentencing Division Policies

Rob Mitchell, Alternative Sentencing Division reported to the Commission that staff is engaged in an ongoing process of developing Professional Operation Standards specific to the San Juan County Alternative Sentencing Division. The Alternative Sentencing Division is developing Professional Operations Standards in order to align with the New Mexico Association of Counties (NMAC)/New Mexico Municipal League (NMML) established jail operations standards. These policies and procedures have been reviewed and approved by the county legal department. The policies relate to Alternative Sentencing Division Physical Plant (1 policy) and Security and Control (3 policies). Mr. Mitchell explained that the Commission has approved approximately 60% of the 209 policies. A motion was made by Commissioner Todacheene, seconded by Commissioner McDaniel to approve Alternative Sentencing Division Policies. Upon voice vote this motion passed unanimously.

6. Consideration of Commission Meeting Schedule for June and July 2013

Kim Carpenter, CEO advised the Commission that the second regular meeting in June is scheduled for June 18, 2013 which is the beginning of the annual New Mexico Association of Counties Conference. Staff is recommending that the second meeting be cancelled. At this time, we know of no reason to hold a second meeting, but should something come up, staff could request a Special Meeting. Mr. Carpenter also explained that the second meeting in July is scheduled for July 16, 2013. Final budgets are due July 31, 2013. Staff is requesting that the Commission consider moving the second meeting in July to July 24th or 25th at 4:00 p.m. in order to provide more time for Finance to prepare the final budget. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to vacate the June 18, 2013 meeting and move the July 16, 2013 meeting to July 25, 2013. Upon voice vote this motion passed unanimously.

7. Consideration for the Award of Bid 12-13-28, Price Agreement for the Production of 1" Base Course

Larry Hathaway, Community Development explained to the Commission that on April 21, 2013, Central Purchasing issued a request for sealed bids to establish a price agreement with a Contractor for the production of 1" base course for San Juan County's Public Works Department. The initial term of the agreement will be from May 22, 2013 through May 21, 2014, with options to renew for up to three (3) additional one year terms. Six (6) invitations were sent out. On May 16, 2013, two (2) bids were received and opened. Staff from Public Works has reviewed the bid responses and recommends that the Commission award Bid 12-13-28 to Sterling Brothers Construction as the overall low bidder meeting the specifications and requirements. The Public Works Department would like to award both Item 1 and Option 1 of the bid. The quantities required are estimated only and will be ordered on an as needed basis during the term of the agreement. Mr. Hathaway indicated that Sterling Brothers has been San Juan County's provider for the last 4 years. There is a 7% price increase, from \$3.90 per ton to \$4.20 per ton. A motion was made by Commissioner Johns, seconded by Commissioner Todacheene to approve the award of Bid 12-13-28, price agreement for the production of 1" base course. Upon voice vote this motion passed unanimously.

8. Consideration of Repairs to Sheriff's Office

Linda Thompson, Assistant CEO reported to the Commission that San Juan County issued \$17,450,000 in revenue bonds in 2008, for the purpose of expanding and renovating the District Court facility in Aztec; constructing a new District Attorney's office and renovate and expand the Sheriff's office to include a crime lab and crime investigative facility. These funds were matched with grant funding in the amount of \$700,000 and general funds in the amount of \$1.3 million dollars. Ms. Thompson stated that the District Attorney's office is completed and the District Court expansion and renovation is completed with the exception of modifications to two courtrooms. The Sheriff's Office expansion is approximately 70% completed. The existing Sheriff's Office is 15 years old. The EIFS system on the facility is failing on the south side and is cracking on the surrounding sides. In addition, the roof is leaking in several locations, much of which can be corrected by capping the parapet walls and replacing the drip edge along the clear story. The cost to make the necessary repairs to the facility is \$153,894.00. Staff is requesting the Commission authorize the use of the remaining project funds to make these repairs. There is an estimated \$500,000 remaining in the project funds, after allowing for additional change orders and landscaping of the District Court and Administration Building. Commissioner Johns stated that with the remodel that is currently in process it would be a shame not to go ahead and make these repairs. Chairman Pro-Tem Fortner, Ms. Thompson and Marcella Brashear, Chief Financial Officer discussed the counties bonds, repayment and ratings. A motion was made by Commissioner Johns, seconded by Commissioner McDaniel to approve the repairs to the Sheriff's Office. Upon voice vote this motion passed unanimously.

9. Resolution Recognizing Piedra Vista Softball Team

CEO, Kim Carpenter read Resolution No. 12-13-46 Proclamation honoring the Piedra Vista High School Softball Team:

WHEREAS, the Piedra Vista High School Softball Team won the 2013 4A State Softball Championship on May 18, 2013; and

WHEREAS, this State championship marks the eighth consecutive 4A State Championship for the Piedra Vista High School Softball Team; and

WHEREAS, no other 4A high school in the State of New Mexico has won eight consecutive State softball titles.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of San Juan County, New Mexico, hereby declare May 21, 2013, as "Piedra Vista High School Softball Team Day" in San Juan County, New Mexico in recognition of their 8th consecutive state championship.

PASSED, APPROVED AND ADOPTED this 21st day of May, 2013.

Chairman Pro-Tem Fortner requested "Kevin Werth Day" be added to this resolution. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve Resolution No. 12-13-46 Recognizing Piedra Vista Softball Team as amended. Upon voice vote this motion passed unanimously.

Reports From Elected Officials And Department Heads

CEO Kim Carpenter informed everyone that Michael Arnold, former mayor of Aztec passed away on May 18, 2013. Commissioner Todacheene also mentioned that former Sheriff and County Commissioner Billy Hillgartner also passed away.

Rob Mitchell advised the Commission that on May 31, 2013 three staff members and a UNM researcher are meeting with the Governor and a stakeholders group to discuss how San Juan County is handling jail based treatment and policy issues related to what we are doing here.

Mike Stark, COO reported to the Commission that on May 31, 2013 at 3:30pm the District Court is hosting their first art show. Local artist have been asked to submit pieces of their art, some pieces will be selected for permanent display.

Comments / Input From The General Public

None

Closed Executive Session

None

Adjourn

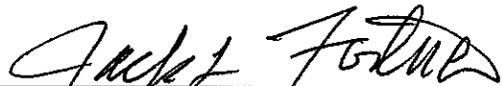
Being no further business a motion was made by Commissioner Todacheene, seconded by Commissioner Johns to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 4:38 p.m.

APPROVED THIS 4th DAY OF JUNE, 2013

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



Chairman Scott Eckstein



Chairman Pro-Tem Jack L. Fortner



Margaret McDaniel

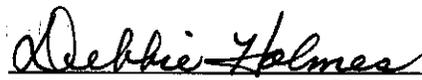


Glo Jean Todacheene



Keith Johns

ATTEST:



Debbie Holmes, County Clerk