

San Juan County Commission Regular Meeting March 11, 2020

Chairman Fortner called the San Juan County Commission meeting to order on March 11, 2020 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Chairman Fortner gave the invocation and Commissioner Beakstead led the Pledge of Allegiance. Those present were:

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| CHAIRMAN | Jack L. Fortner |
| CHAIRMAN PRO-TEM | Jim Crowley |
| MEMBER | John T. Beckstead |
| MEMBER | GloJean Todacheene |
| MEMBER | Michael Sullivan |
| CHIEF DEPUTY ASSESSOR | John Kuhn |
| CLERK | Tanya Shelby |
| CHIEF DEPUTY TREASURER | Carol Taulbee |
| SHERIFF | Shane Ferrari |
| UNDERSHERIFF | Cory Tanner |
| COUNTY MANAGER | Mike Stark |
| COUNTY ADMINISTRATIVE OFFICER | Fran Fillerup |
| DEPUTY ATTORNEY | Joe Sawyer |
| RISK MANAGER | Cynthia Singleton |
| EMERGENCY MANAGER | Mike Mestas |
| CHIEF FINANCIAL AND STRATEGY OFFICER | Jim Cox |
| DEPUTY FINANCE OFFICER | Kim Martin |
| PARKS & FACILITIES ADMINISTRATOR | Daniel Hill |
| PARKS & FACILITIES DEPUTY ADMINISTRATOR | Steven Dansie |
| PUBLIC WORKS ADMINISTRATOR | Nick Porell |
| CHIEF HUMAN RESOURCES OFFICER | Roberta Padilla |
| ADULT DETENTION CENTER DEPUTY WARDEN | Daniel Webb |
| ALTERNATIVE SENTENCING ADMINISTRATOR | Jennifer Mitchell |
| ALTERNATIVE SENTENCING DEPUTY ADMINISTRATOR | Gail Peters |
| JUVENILE SERVICES ADMINISTRATOR | Traci Neff |
| JUVENILE SERVICES DEPUTY ADMINISTRATOR | Bowen Belt |
| HEALTH CARE ASSISTANCE PROGRAM COORDINATOR | Liza Lier |
| GENERAL SERVICES ADMINISTRATOR | Larry Hathaway |
| CHIEF IS OFFICER | Keith Lund |
| HOUSING EXECUTIVE DIRECTOR | Faye Anderson |
| PUBLIC RELATIONS MANAGER | Devin Neeley |
| BEHAVIORAL HEALTH SERVICES DIRECTOR | Su Hodgman |

VISITORS:

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Call to Order of Canvass Board

Tanya Shelby, County Clerk, stated that due to HB 407, the City of Aztec, the City of Bloomfield, and the Town of Kirtland (who did not opt-in to participate in the Local Election November 2019) were required to hold their own elections on March 3, 2020 and canvass their election before the County Commission.

Karla Saylor, Aztec City Clerk, reported the results of the Aztec Municipal Election held March 3, 2020. Reflecting 447 early voting voters, 11 absentee voters, and 368 election day voters for a total of 826 votes. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Todacheene to accept certification of Aztec Municipal Election results. Upon voice vote this motion passed unanimously.

Crystal Hornberger, Bloomfield City Clerk, reported the results of the Bloomfield Municipal Election held March 3, 2020. Reflecting 416 election day voters, 129 early voters, 0 absentee voters and 0 provisional voters for a total of 545 votes. A motion was made by Commissioner Sullivan, seconded by Commissioner Todacheene to accept certification of Bloomfield Municipal Election results. Upon voice vote this motion passed unanimously.

Gwen Warner, Kirtland Town Clerk, reported the results of Kirtland Municipal Election held March 3, 2020. Reflecting 8 election day voters, 19 early voters, 0 absentee voters, and 0 provisional voters for a total of 27 votes. A motion was made by Commissioner Sullivan, seconded by Commissioner Beckstead to accept certification of Kirtland Municipal Election results. Upon voice vote this motion passed unanimously.

Recognition

1. NMAEMP Special Recognition Award

Mike Mestas, Emergency Manager, recognized Charles Rash for receiving the 2019 Special Recognition Award from New Mexico Association of Emergency Management Professionals (NMAEMP). The award was presented to him at the March 3, 2020 Award Dinner based on his dedication and commitment to build, maintain, and enhance radio communications within Emergency Management, Fire, Law Enforcement, and Schools. His contributions lead to a more efficient, effective, reliable, and well-known system for all. His work ensures that everyone can communicate regardless of the size or complexity of the situation, event, or incident he is involved with.

A motion was made by Commissioner Sullivan, seconded by Commissioner Todacheene to call to order the Indigent Hospital Claims Board Meeting. Upon voice vote, the motion passed unanimously.

Indigent Hospital Claims Board Meeting

1. Request for Approval of Health Care Assistance Claims
2. Approval of Minutes of February 4, 2020
3. Consideration of Approval of Resolution No. 19-20-41, Amending Section 9 of the SJC Health Care Assistance Program Policy and Procedure Manual to Remove Lifetime Limits

The Indigent Hospital Claims Board Meeting Minutes are taken separately and are made a part of the permanent minute's folder.

A motion was made by Commissioner Sullivan, seconded by Commissioner Beckstead to adjourn the Indigent Hospital Claims Board Meeting and call to order the Regular Meeting. Upon voice vote, the motion passed unanimously.

Regular Meeting

Approval of Agenda

Mike Stark, County Manager, stated that there are no changes to the agenda. A motion was made by Commissioner Todacheene, seconded by Commissioner Sullivan to approve the agenda as presented. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Regular Meeting Minutes from February 18, 2020
2. Approval of Treasurers Check Registers for February 2020
3. Approval of Financial Check Registers for February 2020
4. Consideration of Acceptance of First Amendment to Intergovernmental Grant Agreement-Census Outreach Funding
5. Approval of Budget Adjustment #8- Resolution 19-20-47
6. Consideration of Renewal of Proposal 16-17-11, Property and Casualty Insurance to Kysar Millennium Leavitt Insurance Agency of Farmington, NM for the Communication Authority
7. Consideration to Ratify Resolution No 19-20-36, Submittal of the FY2021 LDWI Grant Fund Application

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

New Business

1. **Consideration of Resolution No 19-20-49, Proclaiming March 30 through April 5, 2020 as Census Week in San Juan County**

Devin Neeley, Public Relations Manager, explained that on Wednesday, April 1, 2020 it is Census Day in the United States. This year, all people can respond to the census online, over the phone, or using a traditional census form. The State of New Mexico has provided grant funding to all counties in support of the 2020 Census and in San Juan County. The Complete Count Committee has targeted Census Week for many events to remind the public of the importance of responding to the census. Staff recommended proclaiming March 30 through April 5 as Census Week in San Juan County. A motion was made by Commissioner Beckstead, seconded by Commissioner Sullivan to approve Resolution No 19-20-49, Proclaiming March 30 through April 5, 2020 as Census Week in San Juan County. Upon voice vote this motion passed unanimously.

2. Consideration of Approval of Modifications to San Juan County Recycling Collection Program

Nick Porell, Public Works Director introduced Dan Darnell, New Mexico Public Sector Manager for Waste Management. Mr. Darnell noted that San Juan County collects single stream recycling (cardboard, paper, plastics, aluminum) at the twelve (12) County operated transfer station facilities. That single stream recycling is transported to the San Juan County Regional Landfill by San Juan County's Solid Waste division. Waste Management completes an initial processing at that facility prior to baling and transporting the material to a facility in Albuquerque for final processing. Waste Management has provided this service at no charge since 2013. Recycling services are not included in the current contract between San Juan County and Waste Management. This service has been provided ancillary to any agreement with no formal commitment. Current costs for recycling processing incurred by Waste Management was estimated at \$196/ton. Mr. Darnell offered the following options for the Commission:

- Option 1-In 2019, San Juan County collected 284 tons of single stream recycling from its transfer stations. Mr. Darnell stated that the processing of this material comes at a cost to Waste Management of \$196/ton. The 2019 recycling costs were \$55,664. Option 1 suggests San Juan County budget for and contract with Waste Management to provide recycling services estimated at \$56,000 annually.
- Option 2-San Juan County operates its recycling program as a dual stream operation. Old Corrugated Cardboard (OCC) would be collected separately from other single stream materials (plastics, aluminum, paper). This requires separate collection dumpsters at the County operated transfer stations. Mr. Darnell suggested this would result in \$10,000 in annual savings in processing costs from Option 1. Option 2 suggests San Juan County budget for and contract with Waste Management to provide recycling services estimated at a cost of \$46,000 annually.
- Option 3-San Juan County eliminates its single stream recycling program and only accept Old Corrugated Cardboard (OCC) for delivery to Waste Management. San Juan County would augment this program by accepting sorted metals for recycling at no charge. These metals would be transferred by San Juan County to its local metal recycling vendor. San Juan County currently contracts with Salvage Plus for this service at a rate of \$53/ton. Remaining single stream materials (paper, plastics) would be disposed of as standard Municipal Solid Waste (MSW) at the standard transfer station rates paid by the customer and transported to the landfill for final disposal. Paper and plastics would no longer be

recycled until such time as commodity markets improve. Mr. Darnell suggests that Waste Management will subsidize the estimated \$4,300 in annual processing costs for the OCC at no cost to San Juan County.

- Option 4-San Juan County suspends its recycling program until commodity markets improve. Recyclable materials would no longer be accepted at San Juan County transfer stations.

Staff recommended option 3 as it would allow a recycling program to continue at no additional cost to the County. It also maintains the infrastructure to expand the program should commodity pricing improve. Any change to the County recycling program would not impact recycling services within the Cities of Aztec or Farmington. Waste Management provides curbside single stream recycling in both cities. The cost of that service is included in the individual agreements the cities have with Waste Management for curbside collection. Various comments and questions were made by the Commission. A motion was made by Commissioner Sullivan, seconded by Chairman Pro-Tem Crowley to approve Option 3 for Modification of the San Juan County Recycling Collection Program. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Beckstead, and Commissioner Sullivan voted for the motion and Commissioner Todacheene voted against the motion. With a vote of 4 to 1 in the affirmative the motion passed.

3. **Consideration of Approval of Resolution 19-20-48, Supporting New Mexico Environment Department 2020/2021 Recycling and Illegal Dumping (RAID) Application**

Nick Porell, Public Works Director, requested the approval of Resolution 19-20-48 in support of an application for grant funds from New Mexico Environment Department 2020/2021 Recycling and Illegal Dumping (RAID). NMED allocated \$800,000 in funds statewide. Of those funds, 75% must be spent on scrap tire disposal programs and the remaining 25% spent on illegal dumping cleanup. Public Works intends to apply for a trailer and roll off dumpster to be used in scrap tire collection and disposal. Public Works also intends to seek funds for landfill disposal fees associated with illegal dumping on public lands in San Juan County. The application to participate in the RAID Program is due to New Mexico Environment Department (NMED) by March 31, 2020. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Crowley to approve Resolution 19-20-48, Supporting New Mexico Environment Department 2020/2021 Recycling and Illegal Dumping (RAID) Application. Upon voice vote this motion passed unanimously.

4. **Consideration of Approval of Extension of Memorandum of Understanding Between the Town of Kirtland and San Juan County, For Fire, Police and Road Maintenance Services**

Joe Sawyer, Deputy County Attorney, stated that the County and the Town of Kirtland entered a Memorandum of Understanding (MOU) in 2015 for the provision of police, fire, and road maintenance services provided by the County to Kirtland. The MOU is scheduled to end on March 18, 2020 and the extension would allow services to continue while the parties negotiate additional terms to be added to the MOU. A motion was made by Commissioner Todacheene, seconded by Commissioner Sullivan to approve the Extension of Memorandum of Understanding Between the Town of Kirtland and San Juan County, For Fire, Police and Road Maintenance Services.

Commissioner Beckstead recused himself from the vote. Upon voice vote this motion passed unanimously.

5. Consideration of Contract with Santa Fe County for Housing of Juvenile Detainees

Traci Neff, Juvenile Services Administrator, requested formal approval of a contract to provide housing of Santa Fe County juvenile detainees in San Juan County. Through this contract, San Juan County Juvenile Services house juveniles from Santa Fe County in need of secure detention at a daily rate of \$225 per day. Acceptance of the detainees is based on bed availability prior to admittance. Secure housing, supervision, meals, basic medical, education, programming, and mental health services as needed are provided. Any medical care required outside of facility services will be paid for by Santa Fe County. Transportation for court and appointments will be arranged and provided by Santa Fe County at their expense. Various comments and questions were made by the Commission. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve the Contract with Santa Fe County for Housing of Juvenile Detainees. Upon voice vote this motion passed unanimously.

6. Consideration of Commission Support for Guardian Initiatives

Captain Mark Pfetzer and Lieutenant Jarrod Slindee from the San Juan County Sheriff's Office, explained Guardian Initiatives, a Farmington based 501(c)(3) non-profit organization, was created to help people or groups who have been negatively affected by a tragic event. Guardian Initiative's premier cause was to raise money and awareness for first responder (law enforcement, fire, EMS, dispatch) mental wellness and suicide prevention. Post-traumatic stress and suicide was elevated among these groups and San Juan County was not immune from the traumas experienced by our community's heroes. In order to get the word out, Team Guardian will be rowing across the Atlantic Ocean which is a goal that has already garnered media attention from national sources. This initiative aligned with the County's desire for increased mental health treatment and has a direct impact on first responders in the Four Corners. Guardian Initiatives sought after funding and support from the San Juan County Commission. Commissioner Beckstead donated \$1500.00. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Sullivan, and Commissioner Todacheene donated \$1000.00 each for a total of \$5500.00.

7. Consideration for Award of Bid 19-20-07, Public Works Renovation to Jaynes Corporation of Farmington NM

Diana Chapman, Chief Procurement Officer, voiced that on February 9, 2020, Central Purchasing issued a request for sealed bids for the renovation of the existing Public Works Building. One Hundred and Eleven (111) invitations were mailed. On March 4, 2020, five (5) bids were received and opened. The bid responses were reviewed by staff and the project architect. Staff recommends award of Bid 19-20-07, Public Works Renovation to Jaynes Corporation of Farmington, NM as the overall low bidder. The award will be for base bid amount \$834,773.00 and alternate unit price: to remove and replace roof deck per square foot at \$2.80 per square foot plus NMGR (New Mexico Gross Rate Tax) of \$68,868.77 for a total award of

\$903,641.77. A motion was made by Commissioner Sullivan, seconded by Chairman Pro-Tem Crowley to approve the Award of Bid 19-20-07, Public Works Renovation to Jaynes Corporation of Farmington NM. Upon voice vote this motion passed unanimously.

8. **Consideration of Renewal of Property/Casualty Insurance to Kysar Millennium Leavitt Insurance Agency of Farmington, NM for San Juan County**

Cynthia Singleton, Risk Manager, stated the County had been working through Kysar Millennium Leavitt Insurance Agency to provide quotations for coverage. As of March 5, 2020, the County had only received one quote. A special meeting is required to approve the new insurance before the expiration of coverage at the end of March 2020. The Commission had various comments and questions. A motion was made by Commissioner Sullivan, seconded by Commissioner Todacheene to call a special meeting on March 23, 2020 at 12pm. Upon voice vote this motion passed unanimously.

Report from County Manager

Mike Stark invited Mike Mestas, Emergency Manager, to update the Commission on the Corona Virus. Mr. Mestas stated there are currently 3 cases in New Mexico, 2 in Socorro County and 1 in Bernalillo. The Governor has declared a public health emergency. EOC (Emergency Operations) is now at level 2. Pandemic plans are in place and the office is connected to various other offices for future planning. San Juan County is sharing information from San Juan Regional Hospital. Additionally, Household Hazardous Waste disposal is this Saturday, March 14, 2020 at the County Administration building and the Homeland Security kickoff seminar is March 25, 2020.

Mike Stark communicated that Mike Mestas is leading the Pandemic Committee for the community and Stewart Logan leading the internal Pandemic Committee. Each department worked on their own pandemic flu plan to manage operations in the County. San Juan Regional has a Corona virus hot line 505-516-0938 and the New Mexico Department of Health has a website dedicated to the issue: cv.nmhealth.org. Mr. Stark stated that there are no Corona virus cases currently in San Juan County.

Mr. Stark mentioned that HB 432 (Senate transportation bill) totaling \$50 million was vetoed by the Governor including \$750,000 in funds for San Juan County. Those funds were to be used for County Road improvements totaling \$600,000 and for the alternative study on the 5-mile Bridge totaling \$150,000. The film industry dollars remained intact.

Reports From Elected Officials And Department Heads

Commissioner Todacheene reported that she attended a meeting at San Juan College on Career and Technical Education. The meeting highlighted high demand jobs including manufacturing, health care, entrepreneurship, information technology, education and film.

Commissioner Beckstead informed the Commission that they received appreciation from the Valley Senior Center the Commission's efforts to keeping the facility operating.

Devin Neeley, Public Relations Manager, communicated that after a year long process the new San Juan County website had been launched.

Commissioner Sullivan asked if the Employee Bargaining Act had been signed. Mike Stark, County Manager, acknowledged that the bill was signed into law by the Governor.

Chairman Fortner stated he and Commissioner Beckstead received a call from a constituent about alerts for missing/kidnapped adults. Sheriff Ferrari informed him that Amber alerts include children only and Silver alerts are for Senior citizens and there are no alerts for people in between who may have been kidnapped and/or missing.

Comments / Input From The General Public

Norman Benally voiced concern about public safety within the County with street lighting and how it affects people on the roads not being seen by drivers. Referring to an accident in Waterflow. Mr. Benally questioned who was responsible for the cleanup of the accident.

Closed Executive Session

A motion was made by Commissioner Sullivan, seconded by Commissioner Todacheene to go into closed executive session to discuss the following:

1. Acquisition of Film Studio Property
2. Disposition of County Right-Of-Way
3. Threatened or Pending Litigation
 - Taxation and Revenue, GRT Lawsuit
 - NMED Gold King Lawsuit-PNM

Upon voice vote this motion passed unanimously. Upon return a motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Todacheene to go back into open meeting. Upon voice vote this motion passed unanimously. Chairman Fortner stated that nothing other than what was stated in the motion to go into closed executive session was discussed.

New Business (Open Session)

9. Consideration of Film Studio Purchase Agreement

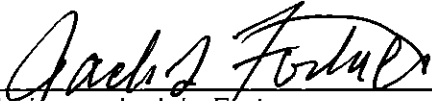
Mike Stark, County Manager, requested that the Commission authorize the purchase of the Totah Theater from Totah LLC for the appraised price of \$320,000. Funds will come from the appropriation from the Legislature in 2019 for film studio development. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve the Film Studio Purchase Agreement. Upon voice vote this motion passed unanimously.

Adjourn

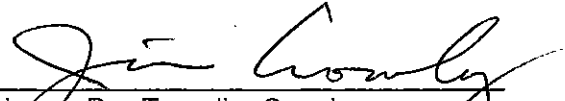
Being no further business, Chairman Fortner adjourned the meeting at 6:30 p.m.

APPROVED THIS 7TH DAY OF APRIL, 2020

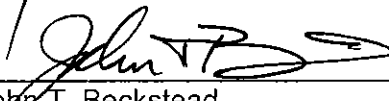
BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



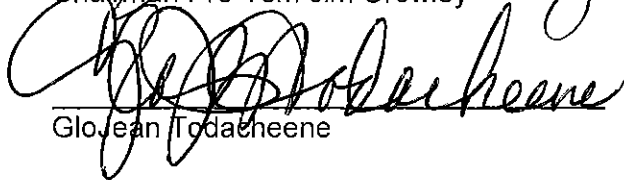
Chairman Jack L. Fortner



Chairman Pro-Tem Jim Crowley



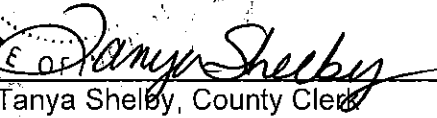
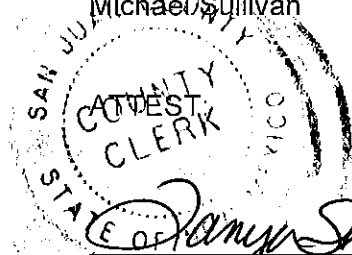
John T. Beckstead



Glojean Todacheene



Michael Sullivan



Tanya Shelby, County Clerk