

## San Juan County Commission Special Meeting March 23, 2020

Chairman Pro-Tem Crowley called the San Juan County Commission meeting to order on March 23, 2020 at 12:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Tanya Shelby, County Clerk, took roll call for Commissioner attendance. Chairman Fortner stated he was present, Chairman Pro-Tem Crowley stated he was present, Commissioner Beckstead stated he was present, Commissioner Todacheene stated she was present, and Commissioner Sullivan stated he was present. Total present attendees were:

CHAIRMAN	Jack L. Fortner VIA PHONE
CHAIRMAN PRO-TEM	Jim Crowley
MEMBER BY PHONE	John T. Beckstead VIA PHONE
MEMBER	GloJean Todacheene
MEMBER BY PHONE	Michael Sullivan VIA PHONE
CLERK	Tanya Shelby
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
ATTORNEY	Doug Echols
DEPUTY ATTORNEY	Joe Sawyer
RISK MANAGER	Cynthia Singleton
EMERGENCY MANAGER	Mike Mestas
FIRE CHIEF	John Mohler
PUBLIC RELATIONS MANAGER	Devin Neeley

VISITORS: 3

### **Regular Meeting**

#### **Approval of Agenda**

Mike Stark, County Manager, stated that there were no changes to the agenda. A motion was made by Commissioner Todacheene, seconded by Chairman Fortner to approve the agenda as presented. Tanya Shelby, County Clerk, took a roll call vote. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Beckstead, Commissioner Todacheene, and Commissioner Sullivan voted in favor. Upon roll call vote this motion passed unanimously.

#### **New Business**

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

Cynthia Singleton, Risk Manager, requested renewal for San Juan County property and

casualty insurance. RFP 17-18-05 was awarded to Kysar/Millennium/Leavitt Insurance Agency (hereafter referred to as K/M/L) for brokerage services to procure insurance coverages. The policy period will begin March 31, 2020 for a one-year term ending March 31, 2021, with one (1) additional one (1) year term renewal remaining on the RFP upon Commission approval. Bob Kysar of Kysar/Millennium/Leavitt Insurance Agency stated that multiple companies were offered the opportunity to bid to cover San Juan County this year. Travelers Insurance and New Mexico County Insurance Authority both offer favorable premiums as well as the required coverage. K/M/L presented the County renewal quotes as follows:

- 1) Travelers Insurance quoted an annual premium of \$1,403,775 (excluding Cyber Crime and Aircraft coverage and fees) and New Mexico County Insurance Authority (NMCIA) quoted \$1,255,501. The primary difference in the choices is that Travelers Insurance offers Occurrence Form coverage for most lines while NMCIA's coverage would change San Juan County to Claims-Made coverage for the majority of lines.
- 2) Aircraft coverage for helicopters is under Westchester Fire insurance for an increase in coverage and limits not offered by either provider at an annual premium of \$16,400.00.
- 3) Cyber Crime insurance will be provided by CRC/Corvus at an annual premium of \$25,283.12.
- 4) Brokerage services were previously awarded under RFP 17-18-05 to K/M/L under a combined fee cap of \$100,000.00. K/M/L total commission/fee under this recommendation is \$100,000.00.

Total premiums for all coverages and Kysar commission will be either \$1,397,184.12 or \$1,545,458.12 which represents at least a 9% decrease from the previous policy period. Mr. Kyser recommended Travelers Insurance. The Commission asked various questions. A motion was made by Chairman Fortner, seconded by Commissioner Beckstead to approve the Renewal of Property/Casualty Insurance for San Juan County to Kysar Millennium Leavitt Insurance Agency of Farmington, NM as recommended through Travelers Insurance. Tanya Shelby, County Clerk, took a roll call vote. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Beckstead, Commissioner Todacheene, and Commissioner Sullivan voted in favor. Upon roll call vote this motion passed unanimously.

2. **Consideration of Approval of Application for Law Enforcement Protection Fund (LEPF)**

Undersheriff Tanner requested the approval of the annual "Law Enforcement Protection Fund" (Fund 211) application from the State of New Mexico Department of Finance and Administration, Local Government Division. The funding level is determined using a formula based on the population of the jurisdiction and the number of full-time sworn law enforcement personnel. This year the County is eligible for a total of \$87,600. This money will be split between the purchase of equipment and advanced training as we have done in previous years. No match funds are required. The proposed amounts will be distributed as follows: \$62,600 for the repair and purchase of law enforcement apparatus and equipment which meet minimum nationally recognized standards and \$25,000 for advanced law enforcement training.

Commissioner Todacheene asked a question. A motion was made by Commissioner Todacheene, seconded by Commissioner Beckstead to approve the Application for Law Enforcement Protection Fund (LEPF). Tanya Shelby, County Clerk, took a roll call vote. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Beckstead, Commissioner Todacheene, and Commissioner Sullivan voted in favor. Upon roll call vote this motion passed unanimously.

**3. Consideration of Acceptance of Donation of 0.42 acres to San Juan County for La Plata Fire Station Expansion**

Joe Sawyer, Deputy County Attorney, indicated that the San Juan County Fire Department received a New Mexico Fire Protection Grant administered by the State Fire Marshal's Office totaling \$200,000 to remodel and expand La Plata Fire Station No. 2. The expansion requires 0.42 acres of additional land in which adjoining property owners Robert and Nancy Seebeck have agreed to donate. A boundary line adjustment survey and Phase I Environmental Assessment is currently being completed on the property. Staff requested the Commission accept the donation in order to proceed on construction. A motion was made by Chairman Fortner, seconded by Commissioner Sullivan to approve the Acceptance of Donation of 0.42 acres to San Juan County for La Plata Fire Station Expansion. Tanya Shelby, County Clerk, took a roll call vote. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Beckstead, Commissioner Todacheene, and Commissioner Sullivan voted in favor. Upon roll call vote this motion passed unanimously.

**4. Consideration of Ratification of the FEMA Assistance to Firefighters Grant Application**

John Mohler, County Fire Chief, requested approval to continue the application process for the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant which is intended for firefighter mental and physical health. The grant ties directly into the current plan the fire department is implementing, where physicals and specific cancer screenings that are plaguing firefighters are provided. In addition, 27 new self-contained breathing apparatus will be requested to ensure all structure apparatus have the required amount of air packs per National Fire Protection Association (NFPA) and Insurance Services Office (ISO). The application will request approximately \$338,000.00; the federal requirements for match to this grant is 10% which is \$33,800.00. This can occur with already budgeted funds set aside for the physicals and specific cancer screening. The additional breathing apparatus will ensure firefighters are protected while working in an immediately dangerous to life or health (IDLH) environment. A motion was made by Chairman Fortner, seconded by Commissioner Todacheene to approve the Ratification of the FEMA Assistance to Firefighters Grant Application. Tanya Shelby, County Clerk, took a roll call vote. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Beckstead, Commissioner Todacheene, and Commissioner Sullivan voted in favor. Upon roll call vote this motion passed unanimously.

5. **Consideration of Approval for Submission of the Annual 2020 Emergency Management Performance Grant (EMPG)**

Mike Mestas, Emergency Manager, requested approval to apply for the 2020 Emergency Management Performance Grant (EMPG) in the amount of \$111,951.12. The funding would be distributed as follows: \$93,555.12 will be used to pay 50% of the Emergency Manager and Coordinators salary/benefits, \$18,396.00 will be used for training and exercise. This is an annual application from the Department of Homeland Security to the County. Emergency Management allocates grant funding to pay 50% of Salaries. This year, Homeland Security has capped salary and benefits and the remainder of allocated funds can be used for training and exercises. A motion was made by Commissioner Sullivan, seconded by Chairman Fortner to approve the Submission of the Annual 2020 Emergency Management Performance Grant (EMPG). Tanya Shelby, County Clerk, took a roll call vote. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Beckstead, Commissioner Todacheene, and Commissioner Sullivan voted in favor. Upon roll call vote this motion passed unanimously.

6. **Consideration of Ratification of Emergency Declaration, Declaring an Emergency as a Result of COVID**

Mike Mestas, Emergency Manager, explained that in response to the worldwide COVID-19 pandemic, County Commission Chairman Jack Fortner and County Manager Mike Stark signed an Emergency Declaration on March 16, 2020 to allow the County to render aid to citizens and municipalities, request State/Federal funds, and authorize the County Manager to modify work requirements for County employees. Mr. Mestas requested Ratification of that Emergency Declaration by the entire Board of County Commissioners. Commissioner Todacheene requested that the Emergency Declaration be amended to add the Navajo Nation to #2 of the Emergency Declaration. Chairman Pro-Tem Crowley requested an update from Mike Stark, County Manager, as to what actions the County is taking to protect the community and not overload health care system. The Commission made various comments. A motion was made by Chairman Fortner, seconded by Commissioner Todacheene to approve the Ratification of Emergency Declaration, Declaring an Emergency as a Result of COVID as amended by request of Commissioner Todacheene. Tanya Shelby, County Clerk; took a roll call vote. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Beckstead, Commissioner Todacheene, and Commissioner Sullivan voted in favor. Upon roll call vote this motion passed unanimously.

7. **Ratification of Remote-Work Policy and Donated Leave Bank Policy**

Joe Sawyer, Deputy County Attorney, stated that the State of Emergency Declaration by the County Commission Chairman and the County Manager in response to the spread of the COVID-19, granted the County Manager the ability to put in place limited policies related to the operations of San Juan County and its staff. Consistent with emergency orders for mass gatherings and social distancing from Governor Lujan Grisham on March 18, 2020, the County Manager has developed and instituted a remote work policy and a donated leave bank policy for employees needing to take leave from COVID-19 related matters. These policies were developed in consultation with the County departments and elected offices. The remote work policy allows department heads and elected officials the ability to determine which County employees could work from home and still complete the required functions of their position. The donated leave bank for COVID-19 will receive donations of benefits already accrued by

employees which will be available to others who have exhausted their own leave benefits and need to be away from work. An employee would request leave and the request would be approved by the department head or elected official. The policies were presented for ratification by the County Commission. Chairman Pro-Tem Crowley requested more information regarding the policies put in place. Tanya Shelby thanked the Commission for permitting the work at home program that was arranged two years ago for the Clerks Office. A motion was made by Commissioner Todacheene, seconded by Chairman Fortner to approve the Ratification of Remote-Work Policy and Donated Leave Bank Policy. Tanya Shelby, County Clerk, took a roll call vote. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Beckstead, Commissioner Todacheene, and Commissioner Sullivan voted in favor. Upon roll call vote this motion passed unanimously.

**8. Consideration of Resolution No. 19-20-50 Requesting all Casinos in San Juan County to Follow Governor's Public Health Order**

Joe Sawyer, Deputy County Attorney, indicated that on March 11, 2020, Governor Lujan Grisham declared in Executive Order 2020-004 ("EO 2020-004") that a Public Health Emergency exists in New Mexico under the Public Health Emergency Response Act due to emergence of the COVID-19 virus, and invoked the All Hazards Emergency Management Act by directing all cabinets, departments, and agencies to comply with the directives of the declaration and the further instructions of the Department of Health. On March 13, 2020, Navajo Nation President Jonathan Nez issued Executive Order 001-20 Declaring a State of Emergency on the Navajo Nation. On March 16, 2020, Secretary Kunkel amended her Emergency Order to completely prohibit mass gatherings, and to close New Mexico casinos during the pendency of the Order. On March 17, 2020, the Navajo Gaming Enterprise announced the closing of all Navajo Nation casinos due to concerns about the COVID-19 virus until April 6, 2020. In the interest of public health and safety, the San Juan County Board of County Commissioners urges the Navajo Nation to follow Governor Lujan Grisham's Public Health Emergency Order, keeping all San Juan County casinos closed until the Governor rescinds the Order. A motion was made by Commissioner Todacheene, seconded by Chairman Fortner to approve Resolution No. 19-20-50 Requesting all Casinos in San Juan County to Follow Governor's Public Health Order. Tanya Shelby, County Clerk, took a roll call vote. Chairman Fortner, Chairman Pro-Tem Crowley, Commissioner Beckstead, Commissioner Todacheene, and Commissioner Sullivan voted in favor. Upon roll call vote this motion passed unanimously.

**Report from County Manager**

Mike Stark provided the following updates:

- New Mexico Department of Transportation has been contacted regarding trash clean-up of the Right of Ways between Aztec and Farmington on Highway 516
- Jim Cox, Chief Financial and Strategy Officer, is analyzing the financial recovery resources and reserves for the fiscal year
- Revenue shortfalls and COVID relief packages at the federal level

- Citizens interested in volunteering can contact their local chapter, American Red Cross at 505-231-8164, San Juan United Way, and San Juan Medical Reserve Corp (contact Brent Hamilton at San Juan Regional Medical Center by email at bhamilton@sjrmc.net)

**Reports From Elected Officials And Department Heads**

Devin Neeley, Public Relations Manager stated that Emergency Management is working with San Juan Regional Medical Center and San Juan United Way to set up a hotline using the 211 number. San Juan College Volunteer Center and San Juan United Way are currently accepting information from any organization that have opportunities for the citizens to get involved.

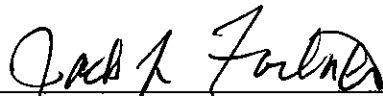
Chairman Pro-Tem Crowley stated that the Gross Receipt Tax (GRT) is being monitored closely.

**Adjourn**

Being no further business, a motion was made by Chairman Pro-Tem Crowley, seconded by Chairman Fortner to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 12:58 p.m.

APPROVED THIS 7TH DAY OF APRIL, 2020

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



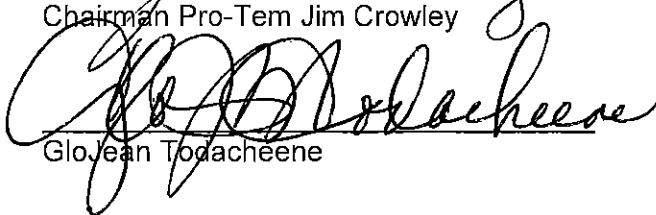
Chairman Jack L. Fortner



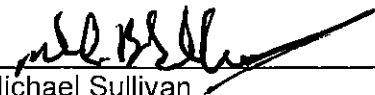
Chairman Pro-Tem Jim Crowley



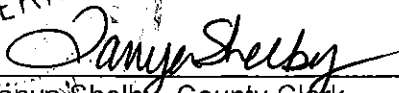
John T. Beckstead



Glo Jean Todacheene



Michael Sullivan



Janyia Shelby, County Clerk

