

## San Juan County Commission Regular Meeting January 3, 2019

Chairman Pro-Tem Fortner called the San Juan County Commission meeting to order on January 3, 2019 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Chairman Pro-Tem Fortner gave the invocation and Commissioner Beckstead led the Pledge of Allegiance. Those present were:

CHAIRMAN	Jack L. Fortner
CHAIRMAN PRO-TEM	Jim Crowley
MEMBER	John T. Beckstead
MEMBER	Glojean Todacheene
MEMBER	Michael Sullivan
ASSESSOR	Jimmy Voita
CHIEF DEPUTY ASSESSOR	John Kuhn
CLERK	Tanya Shelby
CHIEF DEPUTY CLERK	Alyssa Kuhn
TREASURER	Mark Duncan
CHIEF DEPUTY TREASURER	Carol Taulbee
SHERIFF	Shane Ferrari
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
ATTORNEY	Doug Echols
DEPUTY ATTORNEY	Joe Sawyer
RISK MANAGER	Cynthia Singleton
EMERGENCY MANAGER	Mike Mestas
EMERGENCY MANAGEMENT COORDINATOR	Ali Rye
CHIEF FINANCIAL AND STRATEGY OFFICER	Jim Cox
PARKS & FACILITIES ADMINISTRATOR	Daniel Hill
PUBLIC WORKS DIRECTOR	Fran Fillerup
PUBLIC WORKS DEPUTY DIRECTOR	Nick Porell
ALTERNATIVE SENTENCING ADMINISTRATOR	Jennifer Mitchell
JUVENILE SERVICES DEPUTY ADMINISTRATOR	Bowen Belt
FIRE CHIEF	Craig Daugherty
DEPUTY FIRE CHIEF	John Mohler
HEALTH CARE ASSISTANCE PROGRAM COORDINATOR	Liza Gomez Lier
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
CHIEF IS OFFICER	Keith Lund
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PUBLIC RELATIONS MANAGER	Devin Neeley
PRESS: Farmington Daily Times	Hannah Grover
VISITORS:	13

## **Election of Chairman and Chairman Pro-Tem**

Chairman Pro-Tem Fortner conducted the election for Chairman and Chairman Pro-Tem. Commissioner Crowley nominated Chairman Pro-Tem Fortner for the position of San Juan County Chairman for the 2019 Calendar Year, Commissioner Sullivan seconded. There were no other nominations. Upon voice vote, the motion was passed unanimously. Chairman Pro-Tem Fortner was elected San Juan County Chairman for 2019. Commissioner Beckstead nominated Commissioner Crowley for position of Chairman Pro-Tem for the 2019 Calendar Year. Commissioner Todacheene seconded it. There were no other nominations. Upon voice vote, the motion passed unanimously. Commissioner Crowley was elected Chairman Pro-Tem for 2019.

## **Presentations**

### 1. Proclamation- Chevel Shepherd Week

Chairman Fortner, stated that San Juan County resident Chevel Shepherd was selected to be a contestant on NBC's hit television show "The Voice", survived numerous elimination rounds, and went on to win Season 15 of "The Voice" as well as a Universal Music Group recording contract. Almost every appearance of Chevel included a clip or interview about her life in San Juan County, and her performance has cast San Juan County in a positive light. Chairman Fortner presented Chevel with the proclamation announcing the week of January 6, 2019, as "Chevel Shepherd Week" in San Juan County, New Mexico.

### 2. Community Emergency Response Team (CERT) Plaque Presentation

Stewart Logan, Safety and Compliance Manager, reported that from March 2018 thru December 2018, twenty-two County employees attended monthly Community Emergency Response Team (CERT) classes in which topics for training ranged from severe weather observation to first aid/CPR, bomb awareness and threat detection. The employees were trained to be County's "on-the-scene first responders" until help arrives. This program was suggested and supported by Mike Mestas and the Office of Emergency Management. San Juan County is the first County in New Mexico to put employees through this program. Mr. Logan congratulated the attendees for completion of the classes.

A motion was made by Commissioner Crowley, seconded by Commissioner Todacheene to call to order the Board of Finance Meeting. Upon voice vote, the motion passed unanimously.

## **Board of Finance**

### 1. **Consideration of Resolution 18-19-38, Authorizing Investment of Monies in the Local Short-Term Investment Fund**

Carol Taulbee, Chief Deputy Treasurer, explained that at the beginning of each year, the San Juan County Commission must authorize the County Treasurer and the Chief Deputy Treasurer to invest County monies in the local short-term investment fund, pursuant to Section 6-10-10.1,

N.M.S.A., 1978. The fund is managed by the New Mexico State Treasurer. Resolution 18-19-38 authorizes P. Mark Duncan, County Treasurer and Carol Taulbee, Chief Deputy County Treasurer to deposit or withdraw monies in the local short-term investment fund. Ms. Taulbee requested approval of Resolution 18-19-38. A motion was made by Commissioner Beckstead, seconded by Chairman Pro-Tem Crowley to approve Resolution 18-19-38, Authorizing Investment of Monies in the Local Short-Term Investment Fund. Upon voice vote this motion passed unanimously.

A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Sullivan to adjourn the Board of Finance Meeting and 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 December 4, 2018.

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 Chairman Pro-Tem Crowley, seconded by Commissioner Todacheene 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**

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

#### **Consent Agenda**

1. Approval of Resolution 18-19-41, FY19 Budget Adjustments #5
2. Approval of November 2018 Check Register

A motion was made by Chairman Pro-Tem Crowley to move Item #1 on the Consent Agenda to Item #9 in New Business, seconded by Commissioner Todacheene. The Consent Agenda was approved as amended. Upon voice vote this motion passed unanimously.

## **New Business**

**1. Consideration of Adoption of Amended and Restated San Juan County Ordinance No. 101, New Mexico Economic Development Department Grant for Plant Expansion Project to the PESCO, Inc. Facility Located on U.S. Highway 64**

Joe Sawyer, Deputy County Attorney, stated that in 2017, PESCO, Inc. received a Local Economic Development Act (LEDA) grant of \$1,000,000 from the New Mexico Economic Development Department (NMEDD) to expand its facility on U.S. Highway 64. The expansion created 170 new jobs. NMEDD has offered PESCO an additional LEDA grant of \$1,350,000 for additional plant modification and expansion to create an additional 180 jobs. NMEDD has asked the County to again serve as fiscal agent for the grant. Amended and Restated Ordinance No. 101 would approve a new intergovernmental agreement with NMEDD to accept the additional grant and act as fiscal agent. The Ordinance also approves a new Project Participation Agreement between PESCO and the County that describes the responsibilities of each party in greater detail. The Commission approved publication of the Notice of Intent to Adopt Amended and Restated Ordinance No. 101 at its December 18, 2018 meeting, and it was published in the Daily Times on December 20, 2018. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve the Amended and Restated San Juan County Ordinance No. 101, New Mexico Economic Development Department Grant for Plant Expansion Project to the PESCO, Inc. Facility Located on U.S. Highway 64. Upon voice vote this motion passed unanimously.

**2. Consideration of Approval of Ordinance No. 103, Amending Ordinance No. 94 to Allow the Transfer of the Harper Valley Subdivision Wastewater Collection System to Valley Water & Sanitation District**

Joe Sawyer, Deputy County Attorney, explained that in March 2015 and November 2016, the Board of County Commissioners adopted Ordinances 94 and 98 authorizing the County to enter a loan agreement of up to \$750,000 with the New Mexico Environment Department (NMED) to construct a lift station to connect Harper Valley Subdivision to the Valley Water & Sanitation District (VWSD). The Project has been completed and the final amount borrowed from NMED was \$660,735.97. VWSD requested that the County transfer ownership of the System to VWSD, with VWSD reimbursing the County for the NMED loan over a 20-year payback period. In order to transfer the Harper Valley Lift Station System to VWSD, it is necessary to amend Ordinance No. 94 to give the County that authority. Ordinance No. 103 amends Ordinance No. 94 as required. The Commission approved publication of the Notice of Intent to Adopt Ordinance No. 103 at the December 18, 2018 meeting, and Ordinance No. 103 was published in the Daily Times on December 20, 2018. Chairman Pro-Tem Crowley asked a question. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Todacheene to approve Ordinance No. 103, Amending Ordinance No. 94 to Allow the Transfer of the Harper Valley Subdivision Wastewater Collection System to Valley Water & Sanitation District. Upon voice vote this motion passed unanimously.

**3. Agreement between San Juan County, Valley Water and Sanitation District, and New Mexico Environment Department for Assignment of Debt and Transfer of Ownership of Lift Station**

Joe Sawyer, Deputy County Attorney, stated that to transfer ownership of the Harper Valley Subdivision Wastewater Collection System, the Board must approve and execute an assignment agreement, a promissory note, an assignment of the utility easement from the County to VWSD, and a Bill of Sale. In exchange for the County's assignment and transfer of the project to VWSD, they will pay the County \$3,301.70 per month which the County will forward to NMED to repay the \$660,735.97 loan used to construct the system. VWSD has already repaid \$23,111.90 to the County. VWSD will sign the Final Promissory Note and will accept assignment of the Project and the associated easement. VWSD will obtain the money to pay the County from HVHOA members through a monthly assessment. Staff requested Commission approval and execution of the Harper Valley Lift Station Assignment Agreement, Final Promissory Note, Assignment of Grant of Utility Easement and Bill of Sale that have been reviewed and approved by NMED. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve the Agreement between San Juan County, Valley Water and Sanitation District, and New Mexico Environment Department for Assignment of Debt and Transfer of Ownership of Lift Station. Upon voice vote this motion passed unanimously.

**4. Consideration of 2019 State and Federal Legislative Requests**

Mike Stark, County Manager, informed the Commission that the 2019 State Legislative Session (60-day session) begins January 15, 2019. Every year San Juan County submits various capital outlay requests to our Legislative delegation for consideration. All capital outlay requests must be in by February 11, 2019. Staff requested direction of the 2019 State and Federal Legislative requests and prioritization. After discussion by the Commission the list is as follows:

1. Economic Development- Film Studio
2. East Culpepper Flats Water System Improvements (Phase 1)
3. Kirtland Walk Path Extension (Phase 2)
4. Bike Path from Farmington to Aztec

A motion was made by Chairman Fortner, seconded by Commissioner Beckstead to move and approve Economic Development-Film Studio to Item #1 of the 2019 State and Federal Legislative Requests. Upon voice vote this motion passed unanimously.

A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve Items #2-4 of the 2019 State and Federal Legislative Requests. Upon voice vote this motion passed unanimously.

**5. Consideration for Approval of Audit Services Proposal for EMS**

Jim Cox, Chief Financial and Strategy Officer, reported that the Intergovernmental Agreement (IGA) for Ambulance Services has established an Emergency Medical Services Oversight Committee (Committee) to oversee the operations of Ambulance Services currently operated under San Juan Regional Medical Center (SJRMC). On December 12, 2018, the Committee

considered approval of engaging Page, Wolfberg & Wirth, LLC (PWW) to conduct an audit of the operations and revenue cycle of the Ambulance Services. In recommending approval, a factor considered relevant by the Committee was the protection of public funds by ensuring that operation of the Ambulance Services is adequate to generate revenue. Such adequacy protects the County's payment to SJRMC from the loss on operations through payment of monies generated from the County's 3116th Emergency Communications and Medical Services Gross Receipts Tax (currently serving the cost of the Communications and EMS services). The Committee unanimously approved the recommendation to the County Commission to engage PWW to complete the audit services. Furthermore, under the IGA, the County Commission is responsible for the strict accountability of all receipts and disbursements under the agreement. Due to 1) the last audit of the Emergency Medical Services (EMS) was completed in February 2013, 2) it is best practice to engage independent audit of Ambulance Services to protect the public's interest as the taxing authority, and 3) the cost of the EMS audit contract would be considered a small purchase of professional services which does not require an Request for Proposal (RFP) under the procurement code, staff recommended the County Commission approve the proposal of audit services. Payment under the audit services proposal would be paid from the Communications/EMS tax fund and coordinated through the County Finance Department with cooperation of the San Juan Regional Medical Center. Upon approval of the proposal by the Commission, the Legal Department will work with the Audit Services Provider to draft an acceptable contract. The Commission asked various questions. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Sullivan to approve the Audit Services Proposal for EMS. Upon voice vote this motion passed unanimously.

**6. Consideration of Open Meetings Resolution, No. 18-19-39**

Doug Echols, County Attorney, stated that the Open Meetings Act requires that a public body determine annually what notice for a public meeting is reasonable when applied to that body. Unless otherwise specified, regular meetings of the Board of County Commissioners will be held on the first and third Tuesdays of each month at 4:00 p.m. Notice of regular meetings will be given three (3) calendar days prior to the meeting date. A motion was made by Chairman Pro-Tem Crowley seconded by Commissioner Beckstead to approve the Open Meetings Resolution, No. 18-19-39. Upon voice vote this motion passed unanimously.

**7. Consideration of Resolution No. 18-19-40, Cancelling and Rescheduling Certain Meetings in Calendar Year 2019**

Mike Stark, County Manager, explained that the second Commission meeting in January falls during the New Mexico Counties legislative conference; likewise, the second Commission meeting in June falls during the New Mexico Counties annual meeting. Staff recommended rescheduling the second meeting in January to January 22, 2019 and cancel the second meeting in June due to the Association of Counties annual meeting. Staff requested adoption of Resolution No. 18-19-40. A motion was made by Commissioner Sullivan, seconded by Chairman Pro-Tem Crowley to approve Resolution No. 18-19-40, Cancelling and Rescheduling Certain Meetings in Calendar Year 2019. Upon voice vote this motion passed unanimously.

**8. Consideration for Award of Bid 18-19-02 Human Resources Administration Addition**

Larry Hathaway, General Services/Community Development Administrator, reported that on November 28, 2018, Central Purchasing issued a request for sealed bids for the addition of the Human Resources Department at the Administration Building in Aztec, NM. One hundred and twenty (120) invitations were sent. On December 20, 2018, five (5) bids were received and opened. The bid responses have been reviewed by County staff and the project architect and recommended award of Bid No. 18-19-02, Human Resources Administration Addition to Winters Construction, LLC of Farmington, NM as the low bidder meeting specifications and requirements. The award will be for lump sum bid amount \$669,498 plus Alternate #1: Voting Room Renovations \$10,495, Alternate #2: Security Checkpoint \$46,802 and NMGRT \$58,143.60 for a total of \$784,938.60. A motion was made by Commissioner Sullivan, seconded by Chairman Pro-Tem Crowley to approve the Award of Bid 18-19-02 Human Resources Administration Addition. Upon voice vote this motion passed unanimously.

**9. Approval of Resolution 18-19-41, FY19 Budget Adjustments #5**

Jim Cox, Chief Financial & Strategy Officer, presented the budget adjustments to the Commission for approval. Once the budget adjustments are approved by the Commission they will be sent to the New Mexico Department of Finance and Administration for their approval. The FY19 budgeted expenditures will increase by \$80,195; specifically affecting the Criminal Justice Training Authority (CJTA) fund. The increase is due to a re-evaluation of the FY19 operations as compared to the initially planned budget. The CJTA has decided that they will need additional monies to allow their operations to continue through the 2019 fiscal year and plan to utilize their available accumulated cash balance to offset this increase. A motion was made by Commissioner Beckstead, seconded by Chairman Pro-Tem Crowley to approve Resolution 18-19-41, FY19 Budget Adjustments #5. Upon voice vote this motion passed unanimously.

**Report from County Manager**

Mike Stark commended the Finance Department and Alternative Sentencing for awards received.

**Reports From Elected Officials And Department Heads**

Fran Fillerup, Public Works Administrator, gave an update on snow removal.

Commissioner Todacheene asked if the County has received an invitation to the Navajo Inauguration on January 15, 2019. Chairman Fortner requested that Commissioner Todacheene represent the County upon invitation.

**Comments / Input From The General Public**

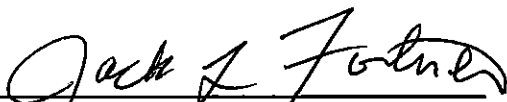
None


**Adjourn**

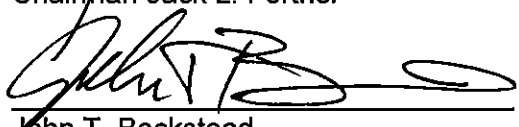
Being no further business a motion was made by Commissioner Todacheene seconded by Commissioner Sullivan to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 5:04 p.m.

**APPROVED THIS 22ND DAY OF JANUARY, 2019**


**BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:**

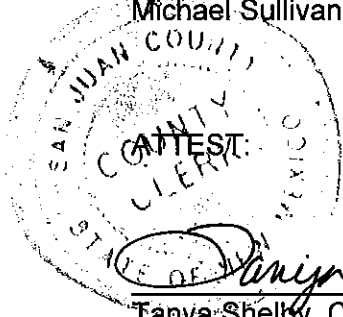
  
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Chairman Jack L. Fortner

  
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Chairman Pro-Tem Jim Crowley

  
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John T. Beckstead

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Glojean Todacheene

  
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Michael Sullivan



  
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Tanya Shelby, County Clerk