

San Juan County Commission Regular Meeting February 7, 2019

Chairman Fortner called the San Juan County Commission meeting to order on February 7, 2019 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 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
CLERK	Tanya Shelby
CHIEF DEPUTY CLERK	Alyssa Kuhn
CHIEF DEPUTY TREASURER	Carol Taulbee
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
COUNTY ADMINISTRATIVE OFFICER	Fran Fillerup
ATTORNEY	Doug Echols
DEPUTY ATTORNEY	Joe Sawyer
EMERGENCY MANAGER	Mike Mestas
EMERGENCY MANAGEMENT COORDINATOR	Ali Rye
CHIEF FINANCIAL AND STRATEGY OFFICER	Jim Cox
DEPUTY FINANCE OFFICER	Kim Martin
PARKS & FACILITIES ADMINISTRATOR	Daniel Hill
PARKS & FACILITIES DEPUTY ADMINISTRATOR	Terrill Harvey
PUBLIC WORKS ADMINISTRATOR	Nick Porell
CHIEF HUMAN RESOURCES OFFICER	Charlene Wells
ADULT DETENTION CENTER DEPUTY WARDEN	Daniel Webb
DEPUTY FIRE CHIEF	John Mohler
HEALTH CARE ASSISTANCE PROGRAM COORDINATOR	Liza Lier
GENERAL SERVICES ADMINISTRATOR	Larry Hathaway
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PUBLIC RELATIONS MANAGER	Devin Neeley

VISITORS: 12

A motion was made by Commissioner Todacheene, seconded by Commissioner Beckstead to call to order the Canvass Board. Upon voice vote, the motion passed unanimously.

Call to Order of Canvass Board

Tanya Shelby, County Clerk, explained that the New Local Election Act requires that the County Commissioners canvass elections for the school districts. Ms. Shelby presented the results of

the 2019 All-Mail Special School Election which was conducted February 5, 2019. The voting results to the tax question for each school district were as follows:

Aztec School District	1,201 For 1,992 Against	Total Votes Cast- 3,193 29% turnout
Bloomfield School District	1,006 For 1,076 Against	Total Votes Cast- 2,082 22% turnout
Central Consolidated School District	2,682 For 1,073 Against	Total Votes Cast- 3,755 20% turnout

Aztec and Bloomfield elections failed and Central Consolidated passed. Ms. Shelby stated that in the 2013 February Mil Election the turnout for Aztec School District was 6%, Bloomfield School District was 6%, and Central Consolidated School District was 8%. Dr. Kimberly Mizell, Bloomfield School District Superintendent, expressed her concerns regarding the election, the process, and the how the tax not passing will affect the school district. Ms. Shelby explained the mailing process, whom the ballots were sent to, and the costs involved in the election. The Commission made various comments and asked questions.

A motion was made by Commissioner Beckstead, seconded by Chairman Pro-Tem Crowley to adjourn the Canvass Board 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.

Carol Taulbee explained FY2019 County investments earned \$435,692.15 in interest for the 6-month period ending December 31, 2018. This is a 68.32% increase over interest earned in FY2018 and 58.18% increase over the same period in FY2017. Although interest rates are rising, our total invested dollars are down due to the spending of the 2015 Bond Series funds. The return on investment has shown a steady increase from 0.34% in FY2016 to 0.77% in FY2018. Total bank cash and investments as of December 31, 2018, were \$92,292,324.56 which includes the December property tax collections of which \$22,929,744.25 was distributed to the local municipalities and school districts in January 2019. Deducting the property tax payable and the December 31, 2018 outstanding checks of \$355,519.39 brings the December 31, 2018 cash and investment total to \$69,007,060.92.

A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Todacheene to adjourn the Board of Finance Meeting and call to order the Indigent Hospital and County Health Care 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 January 3, 2019.

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 Beckstead 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 Commissioner Todacheene, seconded by Commissioner Sullivan to approve the agenda as presented. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Resolution 18-19-49, FY Budget Adjustments #7
2. Approval of Renewal of Bid 16-17-07, Price Agreement for the purchase of Magnesium Chloride to Desert Mountain Corporation of Kirtland, NM.

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

New Business

1. Renewal of Lease of Water Rights

Joe Sawyer, Deputy County Attorney, explained that Southside Mutual Domestic Water Association (SSMDWA) requested that the County renew their lease of 20 acre-feet of water per year for \$100 per acre-foot. SSMDWA has been leasing this water since 1977. The last lease expired September 30, 2016 and renewal was overlooked. SSMDWA continued to use water after the lease expired but has repaid \$8,000 for the period from 2015 to October 2018. This lease has a term of five years, beginning October 1, 2016 and ending October 2021. The Commission asked various questions. A motion was made by Commissioner Sullivan, seconded by Chairman Pro-Tem Crowley to approve Renewal of Lease of Water Rights. Upon voice vote this motion passed unanimously.

2. Consideration of Oil and Gas Lease Offer by Enduring Resources, LLC

Fran Fillerup, County Administrative Officer, stated that the lease offer by Enduring Resources, LLC is for 0.287 net mineral acres; the wells operating this lease include 320.3 acres total. These are subsurface mineral rights for a 100-foot by 125-foot parcel at the La Plata Fire Station #2. The terms of the lease are for a 1/6th royalty. Enduring is offering to pay \$288.80.

This figure includes \$38.80 as royalty payment for production of the well since Enduring has owned the well (July 2017 to May 2018), plus a one-time payment of \$250. Enduring will also make payment for the royalties for June 2018 to present and while the wells remain in production. The estimated earnings will be \$188.00 per year. Various questions were made by the Commission. A motion was made by Pro-Tem Crowley, seconded by Commissioner Beckstead to approve the Oil and Gas Lease Offer by Enduring Resources, LLC. Upon voice vote this motion passed unanimously.

3. Appointment of Board of Registration

Tanya Shelby, County Clerk, explained that statute 1-4-34 NMSA requires that a Board of Registration with a minimum of 3 members be appointed by the Board of County Commissioners at their first meeting in February of odd numbered years. The duty of the Board is to purge voters from the voter files. Ms. Shelby suggested that the board be a 4 - member board made up of 2 people from each major political party, with 5 alternates; 2 from the Democrat party and 3 from the Republican party. The Libertarian party doesn't have a local chairman. There were no recommendations received from the Libertarian party based out of their headquarters in Albuquerque. Based on the recommendations received from the Republican and Democratic Party Chairmen, Ms. Shelby proposed the following individuals be appointed to the Board of Registration:

Republicans:	Sally Bramhall and Neva Meeks
Democrats:	Brian Lee and MP Schildmeyer

Alternates

Republicans:	Krista Edwards, Anne Frost and Stewart Logan
Democrats:	Gloria Lehmer and Lynn Love

A motion was made by Commissioner Todacheene, seconded by Commissioner Beckstead to approve the Appointment of Board of Registration. Upon voice vote this motion passed unanimously.

Report from County Manager

Mike Stark communicated that Friday, February 15, 2019 there will be a County's Day at the State Capitol Rotunda from 10 a.m. to 3 p.m. and invited the Commission to attend the event.

Mr. Stark stated that currently there are approximately 1,140 new Bills introduced at the Capitol. He will continue to recognize pertinent information and keep the Commission informed.

Reports From Elected Officials And Department Heads

Commissioner Sullivan requested an update on water banking the County water rights. Joe Sawyer, Deputy Attorney, explained NMSA 73-2-55.1 gives community ditches the power to water bank. In 2004, Jim Durrett, former County Attorney, hired Charles Melton to research and identify the County's water rights in deeded properties and subdivisions. Mr. Sawyer has

contacted the ditch companies associated with the subdivisions and deeded properties to get their rules on water banking and their application forms. He has communicated with Farmers Mutual Ditch, Bloomfield Irrigation District, and Farmers Ditch in Aztec; each have stated that the County needs certified water rights from the State Engineer's Office and maps.

Commissioner Todacheene gave an update on a visit made to San Juan College's Big Idea that is in the Quality Center for Business. She encouraged others to visit.

Chairman Fortner gave an update on a meeting with the Executive Vice President of PNM regarding the closure of PNM and the coal mine.

Jim Cox, Chief Financial and Strategy Officer, updated the Commission on the Oil & Gas Gross Receipt Tax (GRT) collections through January of FY2019.

Nick Porell, Public Works Administrator, updated the Commission regarding the trail project and trail grants.

Mike Maestas, Emergency Manager, gave an update on Farmers ditch. He also stated that the Emergency Management Safe School Group conducted a Safe School Summit in Pagosa Springs, CO. He requested the Commission attend the Homeland Security Seminar.

Comments / Input From The General Public

M.P. Schildmeyer from the Democratic Party of San Juan County, brought before the Commission information regarding Senate Bill 498 which has specific provisions for San Juan County.

Closed Executive Session

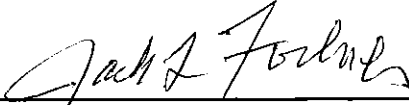
A motion was made by Commissioner Beckstead, seconded by Chairman Pro-Tem Crowley to go into closed executive session to discuss PNM Litigation. Upon voice vote this motion passed unanimously. Upon return a motion was made by Commissioner Beckstead, seconded by Commissioner Sullivan to go back into open 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.

Adjourn

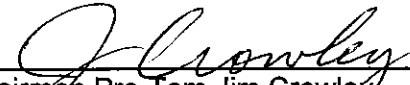
Chairman Fortner adjourned the meeting at 5:21 p.m.

APPROVED THIS 7TH DAY OF MARCH, 2019


BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



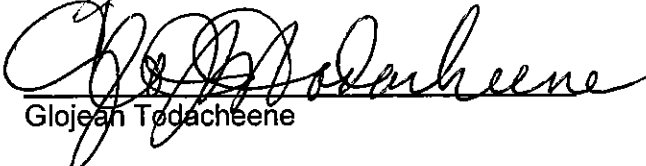
Chairman Jack L. Fortner



Chairman Pro-Tem Jim Crowley



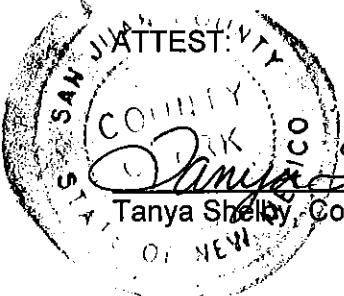
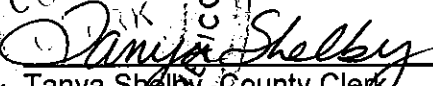
John T. Beckstead



Glojean Todacheene



Michael Sullivan

Tanya Shelby, County Clerk