

**San Juan County Commission
Regular Meeting
May 19, 2020**

Chairman Fortner called the San Juan County Commission meeting to order on May 19, 2020 at 4:03 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 Mike Mestas led the Pledge of Allegiance. Those present were:

CHAIRMAN	Jack L. Fortner
CHAIRMAN PRO-TEM	Jim Crowley
MEMBER	John T. Beckstead- VIA WEBX
MEMBER	GloJean Todacheene- VIA WEBX
MEMBER	Michael Sullivan-VIA PHONE
CLERK	Tanya Shelby
CHIEF DEPUTY TREASURER	Carol Taulbee
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
ATTORNEY	Doug Echols
DEPUTY ATTORNEY	Joe Sawyer
EMERGENCY MANAGER	Mike Mestas
EMERGENCY MANAGEMENT COORDINATOR	Ali Rye
FIRE CHIEF	John Mohler
HEALTH CARE ASSISTANCE PROGRAM COORDINATOR	Liza Lier
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PUBLIC RELATIONS MANAGER	Devin Neeley

The following attended via phone or via WebX:

COUNTY ADMINISTRATIVE OFFICER	Fran Fillerup
RISK MANAGER	Cynthia Singleton
CHIEF FINANCIAL AND STRATEGY OFFICE	Jim Cox
DEPUTY FINANCE OFFICER	Kim Martin
PARKS & FACILITIES ADMINISTRATOR	Daniel Hill
PARKS & FACILITIES DEPUTY ADMINISTRATOR	Steven Dansie
ALTERNATIVE SENTENCING ADMINISTRATOR	Jennifer Mitchell
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
BEHAVIORAL HEALTH SERVICES DIRECTOR	Su Hodgman

PRESS: Farmington Daily Times Hannah Grover

VISITORS: 6

A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Sullivan to call to order the Board of Finance Meeting. Upon voice vote, the motion passed unanimously.

Board of Finance

Carol Taulbee, Chief Deputy Treasurer, updated the Commission regarding the termination of the agreement with the Public Trust Advisors as the handlers of the County's investments. Due to the 2015 bond series spend down the investment minimum balance became below the contract amount which caused additional fees for the County. Ms. Taulbee indicated that she will be managing the investments for the County. Funds have been in the US Bank Custodial Account however, due to the fees that would be required, the County's security will be moved to the Moreton Capital Market Investment Account with RBC Capital. Chairman Pro-Tem Crowley asked various questions.

A motion was made by Chairman Pro-Tem Crowley, seconded by Chairman Fortner to adjourn the Board of Finance 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 is one change to the agenda. Melissa Wood, Benefits & Compensation Manager, will be presenting New Business Item #3, Consideration for Award of Proposal 19-20-22, Major Medical Aggregate and Specific Stop Loss Insurance to Sun Life Financial of Wellesley Hills, MA. A motion was made by Commissioner Sullivan, seconded by Chairman Pro-Tem Crowley to approve the agenda as amended. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of May 5, 2020 Regular Meeting Minutes
2. Approval of April 2020 Treasurer Check Register
3. Approval of April 2020 Finance Check Registers
4. Consideration for Renewal of Proposal 17-18-19, Employee Assistance Program Services to Choices Behavioral Health
5. Consideration for Award of Bid 19-20-18, Purchase and Installation of New Outdoor Surveillance System & Control Room Equipment and Furnishings to Next Level of Farmington NM
6. Consideration of Award of Bid 19-20-20, Price Agreement for the Purchase of Surface Treatment Aggregate to multiple source providers
7. Consideration of Approval of Resolution No. 19-20-62, Accepting the New Mexico Counties 2020-2021 Wildfire Risk Reduction for Rural Counties Grant-San Juan County Fire
8. Consideration of Award of Bid 19-20-17, Purchase of two (2) New Ambulances to Gen-T Ambulances of Elkhart, IN
9. Consideration of Request to Serve as Fiscal Agent to Apply for the Community DWI (CDWI) Prevention Grant

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

New Business

1. Consideration to Apply for Coronavirus Emergency Supplemental Funding

Mike Mestas, Emergency Manager, requested approval to apply for Coronavirus Emergency Supplemental Funding (CESF) under the United States Department of Justice grant solicitation in the amount of \$127,158.00. The CESF Grant will be used to offset the costs for the County that have accrued from COVID-19. The County will request the maximum amount available of this grant with no match required. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve to Apply for Coronavirus Emergency Supplemental Funding. Upon voice vote this motion passed unanimously.

2. Consideration of Request for Approval of Memorandum of Agreements with Sandoval and Torrance County, Authorizing DWI and Incarceration Services for FY2021

Jennifer Mitchell, Alternative Sentencing Administrator, explained that the San Juan County DWI Detention/Treatment Facility has accepted offenders from other counties within the state to provide treatment services to offenders convicted of a misdemeanor Driving While Intoxicated (DWI). San Juan County provides services to approximately three to seven (3-7) out-of-county offenders per year. Memorandum of Agreements between San Juan and other counties for treatment of DWI offenders at the San Juan County DWI Detention Treatment Facility are required to be adopted annually. The FY2020 rate of \$2,557.00 will be charged to all Counties requesting utilization of these services. Chairman Fortner asked various questions. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve the Memorandum of Agreements with Sandoval and Torrance County, Authorizing DWI and Incarceration Services for FY2021. Upon voice vote this motion passed unanimously.

3. Consideration for Award of Proposal 19-20-22, Major Medical Aggregate and Specific Stop Loss Insurance to Sun Life Financial of Wellesley Hills, MA

Melissa Wood, Benefits & Compensation Manager, stated that on March 15, 2020, Central Purchasing issued two requests for sealed proposals for the purpose of selecting a firm that can provide Aggregate and Specific Stop-Loss Insurance. On April 15, 2020, Purchasing received and opened five (5) proposal responses for the aggregate and specific stop-loss insurance coverage. The Evaluation Committee for Proposal 19-20-22, Major Medical Aggregate and Specific Stop-Loss Insurance consisted of Melissa Wood, Joe Sawyer, Bill Wade, and Diana Chapman. The evaluation committee recommended the award be made to Sun Life Financial of Wellesley Hills, MA. The annual premium is estimated to be \$844,971 with a \$150,000 deductible which is a 0% change from the current premium. Currently, there are 486 County stop-loss members and 32 Communications stop-loss members totaling 518; Sun Life quoted 511 which will change and fluctuate throughout the year. Staff reviewed several options and weighed cost of insurance to potential risks of a higher specific deductible. Jim Cox, CFSO, conducted a 10-year review of premium vs claim costs and benefits received. This analysis discovered that had the County insured itself against the claims risk instead of paying a premium there could have been substantial savings to the County's overall budget; however, this means that the County accepts most of the risk of claims incurred. The evaluation committee weighed and discussed the savings vs risk however, the committee decided to continue with the \$150,000 deductible. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve the Award of Proposal 19-20-22, Major Medical Aggregate and Specific Stop Loss

Insurance to Sun Life Financial of Wellesley Hills, MA. Upon voice vote this motion passed unanimously.

4. Consideration of Adoption of Ordinances 108, 109, 110, 111 and 112, Amending Taxes in Ordinances 24, 25, 62, 45 and 60

Doug Echols, County Attorney, indicated that in the last two sessions, the State Legislature has made changes to the Gross Receipts and Compensating Tax Act (NMSA 1978, Sections 7-9-1 through -117) with HB479, cited as 2019 New Mexico Laws Chapter 274 and HB326, cited as 2020 New Mexico Laws Chapter 80. The Taxation and Revenue Department will no longer designate gross receipts tax payments to the County as "indigent fund," "environmental services," "fire protection," "multipurpose county juvenile detention facility," or "correctional facility" but these will all be placed in the general fund. At the April 21, 2020 meeting, the Commission approved the Notice of Intent to Adopt for each of the Ordinances and the Notice of Intent was published in the Daily Times on Sunday, April 26, 2020. Chairman Pro-Tem Crowley motioned to go into an open hearing, Commissioner Beckstead seconded. Upon voice vote this motion passed unanimously. There was no public comment.

- A. Ordinance 108 amends Ordinance No. 24 which enacted a one-eighth (1/8) of one percent gross receipts tax, changing the dedication of half of the revenue from "the support of indigent patients who are residents of the County" to "unrestricted."

A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve the Adoption of Ordinance 108, Amending Taxes in Ordinance 24. Upon voice vote this motion passed unanimously.

- B. Ordinance 109 amends Ordinance No. 25 which enacted a one-eighth (1/8) of one percent gross receipts tax, changing the dedication of the revenue from "county environmental services" to "unrestricted."

A motion was made by Chairman Pro-Tem Crowley, seconded by Chairman Fortner to approve the Adoption of Ordinance 109, Amending Taxes in Ordinance 25. Upon voice vote this motion passed unanimously.

- C. Ordinance 110 amends Ordinance No. 62 which enacted a one-fourth of one percent (.25%) gross receipts tax, changing the dedication of the revenue from "county fire protection" to "unrestricted."

A motion was made by Chairman Pro-Tem Crowley, seconded by Chairman Fortner to approve the Adoption of Ordinance 110, Amending Taxes in Ordinance 62. Upon voice vote this motion passed unanimously.

- D. Ordinance 111 amends Ordinance No. 45 which enacted the third one-eighth of one percent (1/8%) increment gross receipts tax, changing the dedication of the revenue from "construction or operation of a multipurpose county juvenile detention facility" to "unrestricted."

A motion was made by Chairman Pro-Tem Crowley, seconded by Chairman Fortner to approve the Adoption of Ordinance 111, Amending Taxes in Ordinance 45. Upon voice vote this motion passed unanimously.

- E. Ordinance 112 amends Ordinance No. 60 which enacted the county correctional facility one-eighth of one percent (.125%) gross receipts tax, changing the dedication of the revenue from operation of a county correctional facility to "unrestricted."

A motion was made by Chairman Pro-Tem Crowley, seconded by Chairman Fortner to approve the Adoption of Ordinance 112, Amending Taxes in Ordinance 60. Upon voice vote this motion passed unanimously.

5. Considering the Creation of a Special Revenue Fund, herein named the Senior Citizens Fund (Fund 219)

Kim Martin, Deputy Chief Financial Officer, indicated the Blanco and Lower Valley Senior Centers have provided services to seniors under the Northwest New Mexico Senior Inc. (NNMSI) umbrella. NNMSI is a 501c3 non-profit organization which was incorporated in April 1991 with the specific goal to pool administrative and technical resources for senior programs in San Juan County. NNMSI has contracted with the Non-Metro Area Agency on Aging since 1991 to provide nutritional, social, recreational, education, cultural, and health services to senior citizens in San Juan County. At the NNMSI board meeting in February 2020, the board unanimously voted not to respond to the RFP for Senior Services. The City of Farmington agreed to submit a response to the RFP to assure that senior services would continue in San Juan County. The City would transfer the proportionate share of funding for the two centers to San Juan County. San Juan County has agreed to operate the Centers due to the lack of interest from another organization to operate them. This will ensure the Centers stay open and provide beneficial senior services to County residents. To effectively account for these services, a special revenue fund will be created that will be restricted to account for the revenues and expenditures of these centers. Staff requested to establish a special revenue fund, number it the 219 Fund, and name it Senior Citizens Fund. The FY21 budgeted revenues are estimated at \$213,733 and expenditures are estimated at \$226,476. There is also a budgeted cash transfer from the General Fund for San Juan County's contribution in the amount of \$12,743. Historically, San Juan County has contributed \$38,800 to assist in the operation of these centers via the Outside Agencies. There will be a total of 8 County positions available the first week of June (6 at the Lower Valley Senior Center and 2 at the Blanco Senior Center). The Commission asked various questions. A motion was made by Commissioner Sullivan, seconded by Chairman Pro-Tem Crowley to approve the Creation of a Special Revenue Fund, herein named the Senior Citizens Fund (Fund 219). Upon voice vote this motion passed unanimously.

6. Consideration of Proposed FY21 Interim Budget

Kim Martin, Deputy Chief Financial Officer, explained the FY21 interim budget is due to Department of Finance and Administration (DFA) by June 1, 2020 via electronic submission into their Local Government Budget Management System (LGBMS) upon approval by the Commission. DFA will approve the interim budget by July 1, 2020, which will become a legal binding document until the final budget submitted to DFA by July 31, 2020 is approved. Upon approval of the interim budget, additional Commission changes can be addressed in the final budget prior to approval by DFA in July. The final approval from DFA will be received by September 1, 2020, in which the final budget will be the official budget of record for the County and a legal binding document. Budget adjustments can subsequently be made as operational demands change throughout the fiscal year. Ms. Martin reported the following:

- The County met the Department of Finance and Administration (DFA) requirement of 3/12 reserves for general fund expenditures and 1/12 for the road fund

- County departments reviewed and reduced their operating expenditures
- There are 18 frozen positions and 1 eliminated position which is \$945,409 in cost savings
- There has been a significant revenue reduction of GRT in oil & gas
- General fund expenditures decreased by 3.65%
- Outside agencies budget has been reduced by \$149,767 which is an estimated 26.8% reduction from the FY20 final budget (this percentage includes the amount approved for the 219 Fund)
- Budgeted revenues total \$103,535,042
- General Fund revenues total \$53,261,450 (higher due the HB479 and HB326) which is 51.44% of total revenues
- Gross Receipt Tax is 15.9% which equates to an estimate of \$5,655,429 which is a reduction in GRT
- Gas production has experienced 35% decrease currently in the FY20 budget, a 3.7% decrease was also factored in
- Total budgeted expenditures totals \$123,181,906
- Currently no step increase included in the FY21 budget for San Juan County, Communications Authority, or Criminal Justice
- San Juan Water Commission Board approved a 2% step increase and a 2% Cost of Living Adjustment (COLA)
- Total expenditures are allocated as follows:
 - 42.84% General Fund/Sub-Fund Operations
 - 47.83% Special Revenue/Component Units
 - 5.07% Capital Projects
 - 4.26% Debt Service

Due to the economic uncertainties of the COVID-19 pandemic, there will be another final budget workshop on July 21, 2020 to ensure the budget is adequate to provide services to the citizens of the County. Changes requested in this meeting will be made prior to the presentation of the final budget. Mr. Stark commended the elected officials and department heads for their assistance in balancing the interim budget by reducing their operating expenses for two consecutive years. Mr. Stark stated that property tax collections are at 95%. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Todacheene to approve the Proposed FY21 Interim Budget. Upon voice vote this motion passed unanimously.

Report from County Manager

Mike Stark, County Manager, requested Mike Mestas, Emergency Manager, provide a COVID-19 update. Mr. Mestas reported the following:

- The County is currently in Pre-Phase One operations: Golf courses are now open, curbside service/pick-up delivery for non-essential retailers, firearm retailers open for appointment only sales, stay at home order still in place, must wear masks out in public
- Phase 1 is estimated to take place June 1, 2020. In Phase 1:
 - Retailers can operate at 25% fire code capacity which does not include entertainment venues (movie theaters, concert halls, or amusement parks)
 - Office spaces and call centers may operate at 25% pre-crisis staffing levels

- Employers still encouraged to have employees work from home whenever possible
- Houses of worship will only be allowed 25% of occupancy
- Emergency Operations Center's (EOC) priority is to pick up Personal Protective Equipment (PPE) every Thursday and provide it to the community.
- The homeless shelter is now open at the Rimrock Motel. The Department of Health is providing vouchers for the homeless shelter and food services. Medical services are currently being provided by Presbyterian Medical Services.
- The Department of Health has been updating COVID-19 statistics only twice a week for citizens on social media and the Navajo Nation is not reporting daily numbers for cases by County, only by regions so the statistics for San Juan County may not be accurate.
- The Department of Health is mandating more testing in Kirtland and McGee Park which is to be announced this week.

Mr. Mestas thanked the Commission and Mike Stark, County Manager, for their continued support.

Mike Stark, County Manager reported the following:

- San Juan Regional will be conducting external assessment testing, Monday and Wednesday. The New Mexico Department of Health will provide testing for citizens who are not symptomatic on Tuesday, Wednesday, and Thursday from 8:30 a.m. to 10 a.m. and will continue as a drive-up event. San Juan Regional is only testing citizens who are symptomatic.
- Enchanted Energy Carbon and New Mexico Tech received a grant to demonstrate the Capture Well that is used to dispose of CO2.
- A webinar will be conducted by the Bureau of Land Management on May 27, 2020 at 6 p.m. to inform the public on a proposed project by Shiprock Solar LLC

Reports From Elected Officials And Department Heads

Fire Chief Mohler updated the Commission regarding the early fire restrictions on all non-municipal, non-federal and non-tribal land statewide which was mandated by the State Forester. The County is currently in D2, severe drought, and may become D3, extreme drought, very soon.

Tanya Shelby, County Clerk, updated the Commission on the Primary Election. Early Voting at the alternate sites began on May 16, 2020, with the exception of 2 sites. To date there have been 1,061 early voters; 10,203 absentee ballots were mailed, and 2,626 ballots have been returned. In the 2016 Primary Election, there were 1,235 absentee ballots mailed, 1,036 were returned, and 13,376 citizens voted early or on Election Day. Ms. Shelby stated that she has received many positive comments regarding safety at the voting sites. Ms. Shelby thanked Mike Mestas, Emergency Management and Stewart Logan, Safety and Compliance for their assistance with PPE. Ms. Shelby commended the many departments who are involved in the election process. Chairman Fortner asked various questions.

Comments / Input From The General Public

Linda McCoy expressed concerns about the deplorable grounds condition at Memory Gardens Cemetery in Farmington.

Vickie Ives expressed concerns about the grounds condition at Memory Gardens Cemetery in Farmington.

Chairman Fortner requested comment from Doug Echols, County Attorney regarding Memory Gardens Cemetery. Mr. Echols stated that it is a private for-profit business.


Pamela Moltke expressed concerns regarding the roles of law enforcement and the current restrictions that have been set in place due to Covid-19.

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 5:07 p.m.

APPROVED THIS 9TH DAY OF JUNE 2020

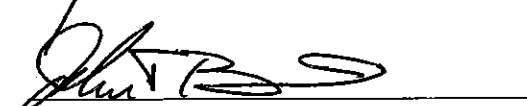
BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:




Chairman Jack L. Fortner




Chairman Pro-Tem Jim Crowley



John T. Beckstead



GioJean Todacheene



Michael Sullivan





Tanya Shelby, County Clerk