

**San Juan County Commission
 Regular Meeting
 August 18, 2020**

Chairman Fortner called the San Juan County Commission meeting to order on August 18, 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 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- VIA PHONE
CHIEF DEPUTY TREASURER	Carol Taulbee
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
ATTORNEY	Doug Echols
DEPUTY ATTORNEY	Joe Sawyer
EMERGENCY MANAGER	Mike Mestas
CHIEF FINANCIAL AND STRATEGY OFFICER	Jim Cox
DEPUTY FINANCE OFFICER	Kim Martin
ADULT DETENTION ADMINISTRATOR	Daniel Webb
JUVENILE SERVICES ADMINISTRATOR	Traci Neff
HEALTH CARE ASSISTANCE PROGRAM COORDINATOR	Liza Lier
PUBLIC RELATIONS MANAGER	Devin Neeley
BEHAVIORAL HEALTH SERVICES DIRECTOR	Su Hodgman

The following attended via phone or via WebX:

CLERK	Tanya Shelby
CHIEF DEPUTY CLERK	Alyssa Kuhn
RISK MANAGER	Cynthia Singleton
PARKS & FACILITIES ADMINISTRATOR	Daniel Hill
PARKS & FACILITIES DEPUTY ADMINISTRATOR	Steven Dansie
DEPUTY HUMAN RESOURCES OFFICER	Tara Martinez
FIRE CHIEF	John Mohler
HOUSING EXECUTIVE DIRECTOR	Faye Anderson

VISITORS: 7

A motion was made by Commissioner Sullivan, 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 Approval of Resolution No. 20-21-13, Waiving the \$5.00 Minimum Penalty on Delinquent Property Taxes**

Carol Taulbee, Chief Deputy Treasurer, explained that New Mexico State Statute allows a county to impose a penalty of 1% per month, but not exceed 5% of the delinquent tax amount except when the penalty is less than \$5.00. Each year, San Juan County waives the \$5.00 minimum penalty on delinquent property taxes and staff requested that the Commission approve Resolution 20-21-13, waiving the \$5.00 Minimum Penalty on Delinquent Property taxes. This resolution waives the minimum \$ 5.00 penalty on delinquent property taxes as allowed under State of New Mexico Section 7-38-50, NMSA, 1978, Compilation. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Todacheene to approve Resolution No. 20-21-13, Waiving the \$5.00 Minimum Penalty on Delinquent Property Taxes. Upon voice vote this motion passed unanimously.

2. **Report on County Investments and Interest Earned**

Carol Taulbee, Chief Deputy Treasurer, reported that for the Fiscal Year ending June 30, 2020, County investments earned \$1,018,131.70 in interest which is a 74.95% increase over interest earned in FY2018 and an 8.18% increase over the same period in FY2019. It is the first time since 2010 that the interest earned has been over one million dollars. The return on the average balance invested for the year has steadily increased from 0.92% in FY2017 to 2.23% in FY2020. The total average invested dollars are significantly lower than in FY2019 due to the continued spending down of the 2015 Bond Series funds and conservative cash flow management. With the impact of Covid-19 on interest rates and the reduction in GRT and Oil & Gas receipts, reinvesting dollars is postponed until after the 2020 property tax collections in December 2020. This strategy should assure adequate cash flows through the end of FY2021. Total cash and investments as of June 30, 2020 were \$51,684,056.72 which includes June property tax collections of which \$845,645.56 were distributed to the local municipalities and school districts in July 2020. After deducting the property tax payable and the June 30, 2020 outstanding checks totaling \$1,259,505.77 the cash and investment total is \$49,578,905.39.

A motion was made by Commissioner Sullivan, seconded by Commissioner Beckstead 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 Claims
2. Approval of Minutes of July 7, 2020.
3. Approval of Minutes of July 28, 2020.

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 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 is no change 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 for Special Meeting Minutes for July 21, 2020
2. Approval for Regular Meeting Minutes for July 28, 2020
3. Approval for Finance Check Registers for July 2020
4. Approval for Finance Check Registers for July 2020
5. Consideration of Award of Proposal 19-20-27, Design/Build for the Glade Run Recreation Area Trail Improvements-Phase 2
6. Consideration of Proclamation declaring August 17th, 2020 as "Non-Profit Day" in San Juan County
7. Consideration of Changes of Housing Choice Voucher Administrative Plan
8. Consideration of Approval of SEMAP (Section Eight Management Assessment Program) Certification
9. Consideration of Establishing a Work Period for Bloomfield Certified Fire Personnel, Resolution No. 20-21-12

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

New Business

1. **Consideration of Proclamation Declaring September 2020 as Recovery Awareness Month**

Gretchen Potter, Chair of San Juan Safe Communities Mental Health Task Force, and Su Hodgman, Behavioral Health Director proposed that September become Recovery Awareness Month in support of National Recovery Month initiatives and the County's support of Substance Abuse Recovery and Mental Wellness. Mike Stark, County Manager read the following Proclamation aloud:

PROCLAIMING SEPTEMBER 2020 AS "RECOVERY AWARENESS MONTH"

WHEREAS, substance use and mental health issues can affect the health and wellbeing of anyone, including people in San Juan County; and

WHEREAS, the number of overdose deaths involving opioids has quadrupled since 1999. More than six out ten drug overdose deaths involve an opioid and more than 91 Americans die every day from an opioid overdose; and

WHEREAS, 1.1 million persons with serious mental illness are admitted annually to U.S. jails. Among these admissions, 72 percent also meet criteria for co-occurring substance use disorder; and

WHEREAS, substance use treatment and mental health services can enable those with mental and substance use disorders to live healthy, rewarding, and productive lives; and

WHEREAS, every citizen in San Juan County can make a positive difference by reducing the stigma and misconceptions that cloud public understanding of mental and substance use disorders, potentially discouraging others from seeking help; and

WHEREAS, "Together we are stronger" as the community of San Juan County to remain vigilant and dedicated to the recovery process by helping people address these preventable and treatable conditions, and support individuals in recovery, as well as their family members; and

WHEREAS, supportive experiences of meaning can give persons with mental and substance use disorders a sense of purpose that sustains recovery; and

WHEREAS, the Board of County Commissioners desires to increase awareness and public understanding of the importance of substance recovery and improved overall health of our community.

NOW, THEREFORE, BE IT RESOLVED THAT THE Board of County Commissioners of San Juan County, New Mexico, does hereby proclaim the month of September 2020 as "Recovery awareness Month" in San Juan County to increase public awareness and understanding of the importance of substance use recovery and to encourage San Juan County citizens to seek identification and treatment of substance use and mental health issues.

Ms. Potter announced that an event for Recovery Awareness Month will be held on September 26 and 27 in which a series of virtual events will be posted on a YouTube channel set up by the New Mexico Recovery Month Initiative. A video was submitted by San Juan County which contains 9 individuals in recovery giving their testimony and the services provided to them in San Juan County. There will also be a list of resources available in the County to the citizens. Beginning the first Tuesday in September, San Juan County will be highlighting a person in recovery, their strengths, and the services that have helped them. Chairman Pro-Tem Crowley commended Ms. Potter and Ms. Hodgman for their efforts in filling the mental illness gap. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve the Proclamation Declaring September 2020 as Recovery Awareness Month. Upon voice vote this motion passed unanimously.

2. Consideration of Approval of 2020 Byrne Memorial Justice Assistance (JAG) Grant Agreement

Cory Tanner, Undersheriff, explained that the San Juan County Sheriff's Office is eligible to receive \$46,554 from the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) application from the Department of Justice. The funding is allocated to purchase a police cruiser, an in-car camera system for a police vehicle, utility uniform polo shirts, and New Mexico Criminal and Traffic Law Manuals to support existing agency operations. There are no matching funds required with the grant. Chairman Fortner opened a Public Hearing. There was no comment. The Public Hearing was closed. A motion was made by Commissioner Beckstead, seconded by Commissioner Todacheene to approve the 2020 Byrne Memorial Justice Assistance Grant (JAG). Upon voice vote this motion passed unanimously.

3. Consideration of Approval of Memorandum of Understanding Partnership with New Mexico Children Youth & Family Department and New Mexico Coalition to End Homelessness

Charlotte Stanley, Housing Specialist of San Juan County Housing Authority, stated that through the Foster Youth to Independence (FYI) initiative, Housing and Urban Development (HUD) will provide Tenant Protection Vouchers (TPVs) for youth eligible under the Family Unification Program, subject to availability. HUD is investing in local, cross-system collaborative efforts to prevent and end homelessness among youth with a current or prior history of child welfare involvement. The success of this effort requires that community partners coordinate effectively to identify, target, and connect eligible youth at risk of or experiencing homelessness. This includes ending homelessness among unaccompanied youth and other young adults aging out of foster care or with histories of involvement with foster care who are at risk of homelessness. Mike Stark, County Manager, explained that the eligible youth must be at least 18 years of age and not more than 24 years of age. The Housing Authority also known as the PHA must accept referrals of youth by the Primary Child Welfare Agency, the Housing Authority must determine if youth referred are eligible for rental assistance and must administer the vouchers in accordance with program regulations/requirements. There is a maximum award of 25 TPVs per PHA. This program does not interact with the program administered by San Juan County Juvenile Services. The Commission asked various questions. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Todacheene to approve the Memorandum of Understanding Partnership with New Mexico Children Youth & Family Department and New Mexico Coalition to End Homelessness. Upon voice vote this motion passed unanimously.

4. Consideration to terminate secure housing for Juvenile Justice Service (JJS) Clients Agreement with Children, Youth and Families Department (CYFD)

Traci Neff, Juvenile Services Administrator, requested approval for San Juan County Juvenile Services to terminate Agreement No. 20-690-3000-16581 with CYFD to provide secure housing for adjudicated juveniles. The contract between San Juan County and CYFD was initially approved in February 2007 and clients held under this contract are adjudicated and therefore must be separated from all other pre-adjudicated juveniles. Juvenile Services has a designated 10-bed unit for this population because of the strict separation of housing and staffing requirement. Staff is unable to control the number of juveniles CYFD transfers to the facility for secure housing and this decision is made by the intake team within CYFD which makes the determination whether a juvenile will return to San Juan County or not. In addition, CYFD does not pay for beds that are unoccupied and operationally a minimum of five (5) juveniles must be housed in order to break even financially due to the strict requirements within the agreement. Over the past seven (7) months, numbers have declined below the minimum, which is costing San Juan County an excessive amount to maintain operating the unit. Communication with CYFD staff has resulted in unwillingness to commit or indicate whether they will be sending clients to us any longer. CYFD is currently working on a 9% decrease request to their budget for secure facilities. Upon approval, a 10-bed unit will be opened for pre-adjudicated juveniles who are from San Juan County as well as out-of-county juveniles. This will also enable the ability to assess staffing ratios and freeze an additional two positions within Juvenile Services. The Commission asked various questions. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve to Terminate Secure Housing for Juvenile Justice Service (JJS) Clients Agreement with Children, Youth and Families Department (CYFD). Upon voice vote this motion passed unanimously.

5. Consideration of Resolution 20-22-11, Adopting the NM Infrastructure Capital Improvement Plan (ICIP) 2022-2026

Mike Stark, County Manager, explained that the Infrastructure and Capital Improvement Plan is provided on an annual basis to the State of New Mexico Local Government Division. San Juan County is required to identify the top five capital projects we wish to earmark for the Governor's funding consideration during the 2021 legislative session. Input to the plan was garnered from two sources: citizen input over the past year and elected official/department head input. No public hearings were held this year due to COVID-19. The East Culpepper Flats Regional Water System Improvements project was deleted from last year's list due to full funding. The decommissioning project of 5-mile bridge was changed to reflect the need for an alternative study. The Totah Subdivision Water and Wastewater System Improvements was moved up to the number one ranked project for 2021 due to citizen input. The Adult and Juvenile Detention HVAC and roof projects replaced the previous ADC renewable energy project. Staff requested direction of the priorities and subsequent approval of Resolution No. 19-20-11 San Juan County's five-year list of potential capital projects and a prioritization of projects for this year's upcoming legislative session. The Commission asked various questions. A motion was made by Chairman Pro-Tem Crowley, seconded by Commissioner Beckstead to approve Resolution 20-22-11, Adopting the NM Infrastructure Capital Improvement Plan (ICIP) 2022-2026. Upon voice vote this motion passed unanimously.

6. FY21 Budget Update and FY22 Planning Presentation

Mike Stark, County Manager, indicated that due to the current challenges from the COVID-19 pandemic, anticipated decline in the Gross Receipt Tax (GRT), and oil & gas production/equipment property tax that a monthly budget review of the revenues is being provided. Mr. Stark also stated that at the July 28, 2020 Commission meeting, Chairman Fortner requested a presentation and the recommended solutions to proactively manage the anticipated FY22 budget shortfall. Jim Cox, Chief Financial and Strategy Officer, reported the following:

Revenues:

- FY16 generated a \$42 million in revenue compared to FY21 budgeted at \$31 million which is a 28% decline
- GRT equates to 31% of the total budget
 - Mining, quarrying, and oil/gas extraction declined 43%
 - Retail trade increased 5.7%
 - Arts, entertainment, and recreation declined 70.67% due to the current pandemic
 - Accommodation and food services declined 10.16%

General Funds:

- 19% reduction in the total budget
- 45% of total budget is allocation to Public Safety (services to the citizens)
- With the cancellation of the CYFD contract, 2 other positions will be eliminated
- Mandatory funds, public safety, support departments, special revenue funds, capital funds (optional) and Debt Service are dedicated/required funds
- Potential solutions to the revenue shortfalls
 - Implement 1/8th (0.125) GRT unrestricted w/o referendum which is long term recurring
 - Change ER 79% EE 21% allocation to Healthcare premiums by 1% (78% ER/22% EE)

Mr. Stark reported the following:

- The top ten principal property taxpayers represented 22.8% of total taxable assessed value in FY19 compared to 47% in FY10.
- 27 positions have been frozen through attrition since March 1, 2020 (77 positions total have been eliminated via attrition since 2010)
- 11 contracted positions have been added (Senior centers and Bloomfield Fire)
- Known Budgetary Challenges
 - Loss of GRT revenue from annexations
 - Environmental and Fire Excise Tax collections are down 58% from 2010
 - City of Farmington is anticipation to annex down from HWY 64 from Andrea Drive to McGee Park
 - San Juan Generating Station and Mine Property Tax loss
 - Hold Harmless reductions will continue through 2030
 - PERA contribution increases for employer and employee of 1/2% per year starting in FY23
- Unknown or uncertain budgetary challenges
 - Internet sales tax collections in FY22
 - Receiving \$95,000 per month due to HB6. Collections of local increments start July 2021 and the projected revenue is unknown
 - Decrease property tax valuations and collections
 - Projected loss of revenues in excess of estimates for FY21
 - GRT losses greater than 16% and Oil & Gas Production losses greater than 40%
 - Loss of PILT (Payment in Lieu of Taxes) funding
 - Budgeted at \$2,300,000 for FY21
 - Success of economic development projects
 - Enchant Energy
 - Renewable energy projects
 - Rail project
 - Petrochemical Plant
 - Film
 - Continued operation of APS until 2031
 - Additional unfunded State or Federal mandates
 - Senate Bill 8 (body cams)- \$302,880 Recurring cost
 - Behavioral Health Initiative
 - Funding for initiative beyond grants received to date

Mr. Stark commended the Commission for proactively planning for next fiscal year's budgetary shortfalls. The Commission asked various questions.

7. Consideration of Notice of Intent to Adopt San Juan County Ordinance No. 113, Adopting a County 1/8 of 1% Gross Receipts Tax

Staff discussed, Ordinance No. 113 which would enact a County one-eighth of one percent (.125% gross receipts tax) on anyone engaging in business in San Juan County. Jim Cox, Chief Financial and Strategy Officer estimates this tax would provide additional revenue between \$233,000 to \$276,000 per month or \$2.8 million to \$3.3 million annually. If a Notice of Intent to Adopt is approved by the Commission, the Legal Department will schedule the proper publication and the adoption of the Ordinance will be placed

on the agenda for the September 15 Commission meeting for consideration. All documentation will have to be delivered to the Taxation & Revenue Department by September 30 in order to go into effect on January 1, 2021. If adopted, the County would start receiving payments in March 2021 which would help relieve budget shortfalls. While it would be legally possible to submit this Ordinance to the voters, the timing prohibits placing the question on the November 2020 General Election ballot. A motion was made by Commissioner Sullivan, seconded by Commissioner Todacheene to approve the Notice of Intent to Adopt San Juan County Ordinance No. 113, Adopting a County 1/8 of 1% Gross Receipts Tax. Upon voice vote this motion passed unanimously.

8. Report on Inspection of Detention Center

Doug Echols, County Attorney, indicated that the 2011 session of the legislature repealed NMSA 1978, §33-3-4, Inspection of Jails and Detention Centers, which required the governing body to inspect jails at least twice a year and report to the District Court and enacted a new §33-3-4 which provides that the governing body shall conduct an annual site visit to inspect the overall conditions at the facility and present an inspection report at a regular meeting of the governing body. The last report was submitted on August 27, 2019. Mr. Echols requested that the Commission inspect the detention center within the next 60 to 90 days and an inspection report will be prepared to present at a regular County Commission meeting upon completion.

Report from County Manager

Mike Stark reported the following to the Commission:

- Update on the CARES Act application process and approval
- The Public Works expansion project has been completed and an Open House will be held on September 1, 2020 at 3:00 p.m.
- Beginning September 6, 2020 Jim Cox will be promoted to the Deputy County Manager and Kim Martin will be promoted to Chief Financial Officer

Reports From Elected Officials And Department Heads

Devin Neeley, Public Relations Manager, presented an update on the 2020 Census efforts.

Mike Mestas, Emergency Manager, updated the Commission regarding the current status of COVID-19.

Daniel Webb, Adult Detention Administrator, invited the Commission to visit the Adult Detention Center.

Comments / Input From The General Public

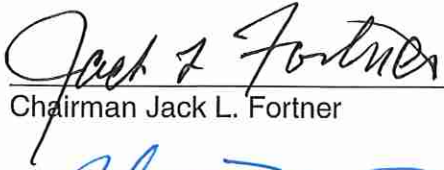
None

Adjourn

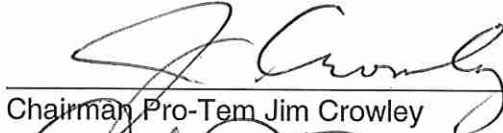
Being no further business, a motion was made by Commissioner Todacheene, seconded by Chairman Fortner to adjourn the meeting. Upon voice vote this motion passed unanimously and the meeting adjourned at 5:45 p.m.

APPROVED THIS 1ST DAY OF SEPTEMBER 2020

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



Chairman Jack L. Fortner



Chairman Pro-Tem Jim Crowley



John T. Beckstead

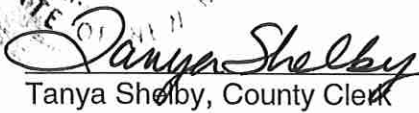


GloJean Todacheene



Michael Sullivan





Tanya Shelby, County Clerk