

**San Juan County Commission
Regular Meeting
February 2, 2021**

Chairman Beckstead called the San Juan County Commission meeting to order on January 19, 2021 at 4:06 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 Todacheene led the Pledge of Allegiance. Those present were:

CHAIRMAN	John T. Beckstead
CHAIRMAN PRO-TEM	Terri D. Fortner
MEMBER	Steve Lanier
MEMBER	GloJean Todacheene
MEMBER	Michael Sullivan -VIA PHONE
COUNTY MANAGER	Mike Stark
DEPUTY COUNTY MANAGER	Jim Cox
ATTORNEY	Doug Echols
EMERGENCY MANAGER	Mike Mestas
CHIEF FINANCIAL OFFICER	Kim Martin
PUBLIC WORKS ADMINISTRATOR	Nick Porell
FIRE CHIEF	John Mohler
COMMUNITY DEVELOPMENT DIRECTOR	Michele Truby-Tillen
SUBDIVISION REVIEW OFFICER	David Barnett
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley

The following attended via phone or via WebEx:

CLERK	Tanya Shelby
CHIEF DEPUTY CLERK	Alyssa Kuhn
TREASURER	Carol Taulbee
DEPUTY ATTORNEY	Joe Sawyer
CHIEF HUMAN RESOURCES OFFICER	Roberta Padilla
JUVENILE SERVICES ADMINISTRATOR	Bowen Belt
COMMUNITY HEALTH & SOCIAL SERVICES DIRECTOR	Liza Gomez
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
BEHAVIORAL HEALTH SERVICES DIRECTOR	Su Hodgman

VISITORS:

6

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 Chairman Pro-Tem Fortner to approve the agenda as presented. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of January 19, 2021 Regular Meeting Minutes
2. Consideration of Resolution No. 20-21-41, Authorizing the City of Farmington Submittal of the FY2022 LDWI Detox Grant Application.

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

New Business

1. **Consideration of 1.77-acre conveyance of land to the City Of Farmington for public street success to the Mesa Vista Subdivision**

Paul F. Martin, CFO Sakura Engineering and Surveying, stated that Mesa View Development is developing an 80-lot residential subdivision directly to the West of the Adult and Juvenile Detention Center. The City of Farmington is requiring secondary access to the development. The developer is proposing to extend Wildflower Mesa Drive eastward connecting to Andrea Drive. The proposed street is very close to the Juvenile facility creating a security concern. The developer would be willing to provide privacy fencing along the entire north side of the County property. The County would install a fence along the western property line. The proposal would require a conveyance to the City of Farmington for the land encompassing the street right-of-way. Conveyance would not take place until the developer builds the fence. Various comments and questions were made by the Commission. A motion was made by Commissioner Sullivan, seconded by Chairman Pro-Tem Fortner to approve the 1.77-acre conveyance of land to the City of Farmington for public street access to the Mesa Vista Subdivision. Upon voice vote this motion passed unanimously.

2. **Consideration of Approval of Resolution 20-21-43 Supporting New Mexico DOT 2021/2022 Local Government Road Fund Application**

Nick Porell, Public Works Director, requested the approval of Resolution 20-21-43 to participate in the 2021/2022 New Mexico Department of Transportation (NM DOT) Local Government Road Program. Public Works is seeking funding for materials for rubberized crack seal, asphalt patching and chip seal resurfacing. The Local Government Road Program is an annual program with submissions due to NM DOT by March 15, 2021 for participation in the 2021/2022 FY funding program. Various questions and comments were made by the Commission. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve Resolution 20-21-43 Supporting New Mexico DOT 2021/2022 Local Government Road Fund Application. Upon voice vote this motion passed unanimously.

3. Consideration of Approval of Regional and Local FEMA AFG Grants

John Mohler, County Fire Chief, stated that they are applying for two FEMA (Federal Emergency Management Agency) AFG (Assistance to Firefighters Grant) Grants. The first grant will be a regional grant with Farmington Fire Department. Each agency is requesting approximately 150 handheld radios. Estimated total cost of \$756,000 with a cost of 10% match of \$37,800, which would be divided among the 10 fire districts and paid out of the State Fire Fund. The second grant would be for San Juan County Fire Department. Requested would be approximately 80 sets of structural firefighting gear for firefighter personnel. Estimated cost of the grant would be \$256,000 with a 10% match of \$25,600, which would be divided among the 10 districts and paid out of the State Fire fund. No general fund dollars are required to match these AFG grant applications. Various comments and questions were made by the Commission. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve Regional and Local FEMA AFG Grants. Upon voice vote this motion passed unanimously.

4. Consideration of San Juan County Resolution No. 20-21-40 -Establishing Subdivision Review Administrative Fees

David Barnett, Subdivision Review Officer, communicated that on December 15, 2020, the San Juan County Board of County Commissioners adopted the amended San Juan County Subdivision Regulations to go into effect on February 15, 2021. Article 9 of the Amended and Restated San Juan County Subdivision Regulations provides that administrative fees will be set by Resolution by the Board of County Commissioners. Subdivision review administrative fees have not been updated since 1997. Various comments and questions were made by the Commission. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Lanier to approve San Juan County Resolution No. 20-21-40 Establishing Subdivision Review Administrative Fees. Upon voice vote this motion passed unanimously.

5. Consideration of changes to San Juan County Clean Up Program income qualification process and fees

Michele Truby-Tillen, Community Development Director, communicated the proposed changes to the San Juan County Clean Up Program. The current San Juan County Clean Up Program charges only for the cost of landfill fees. The changes would mirror existing standards used by the San Juan County Health Care Assistance Program (HCAP). HCAP uses the Federal Poverty Level (FPL) guidelines, 200% of Federal Poverty Level. The applicant would submit proof of income documentation to determine program eligibility. The proposed changes provide guidance for pre-payment of estimated fees by the participant. These changes would also prevent commercial use of the program and prevent the County from competing with private companies. Bob Carmon, Code Compliance Officer, stood for questioning. The Commission made various questions and comments. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve San Juan County Clean Up Program Income Qualification Process and Fees. Upon voice vote this motion passed unanimously.

6. Consideration of Resolution No. 20-21-44, Opposing House Bill 4

Doug Echols, County Attorney, explained House Bill 4 creates a new cause of action for violation of civil rights. The action may be filed in State court and does not have the damage caps established by the New Mexico Tort Claims Act. It also provides for attorneys' fees and litigation costs as part of any award. Such action may make it difficult or impossible for local governments to obtain liability insurance coverage. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve Resolution No. 20-21-44, Opposing House Bill 4. Upon voice vote this motion passed unanimously.

Report from County Manager

Mike Stark briefed the following:

- 623 Bills currently introduced in the State Legislature. February 18th is the last day bills can be introduced.
- State Capital Outlay funds increased to approximately \$1.25 Million per Senator and approximately \$800,000 per member of the House.
- Public Works was recognized for helping San Juan College with dirt work for the new Student housing saving the College \$51,000. Virtual groundbreaking is on February 19th.
- Lisa Gomez was promoted to Community Health and Social Services Director.
- Devin Neeley added Film Manager to his title gaining credentials as liaison to the film industry.

Mike Stark asked Mike Mestas, Emergency Manager, to communicate updates concerning COVID-19 numbers and vaccine distribution. Mike Mestas stated the COVID positivity rates continue to trend down, but the County remains in the Red status. Mr. Mestas also communicated that the various vaccination clinics including the one at McGee Park have been a success placing San Juan County third in the State in the number of COVID-19 vaccines distributed.

Reports From Elected Officials And Department Heads

Nick Porell, Public Works Administrator, informed the Commission on the status of Road 5500 bridge bids.

Kim Martin, Chief Financial Officer, updated the Commission on Gross Receipts Taxes and the Oil & Gas budget.

Comments / Input From The General Public

Jonanthan Dobbs, San Juan County resident, explained through email that he lives on Road 2575 and would like the first 1.5 miles to be designated as a County maintained road due to the 75 households that reside on the road. Nick Porell, Public Works Administrator, investigated the file on Road 2575. The easement is held by El Paso Natural Gas and private landowners which were unwilling to give easement in early 2000's. The County will reach out to Bureau of Land Management Roads Committee for further input into this situation.

Closed Executive Session

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene to go into closed executive session to discuss threatened or pending litigation and the acquisition or disposal of real estate. Upon voice vote this motion passed unanimously. Upon return a motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to go back into open meeting. Upon voice vote this motion passed unanimously. Chairman Beckstead stated that nothing other than what was stated in the motion to go into closed executive session was discussed.

Adjourn

Being no further business, Chairman Beckstead adjourned the meeting at 6:16 p.m.

APPROVED THIS 2nd DAY OF MARCH, 2021

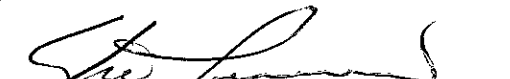
BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



Chairman John T. Beckstead



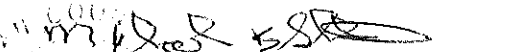
Chairman Pro-Tem Terri Fortner



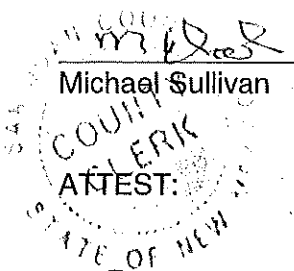
Steve Lanier



Glo Jean Todacheene



Michael Sullivan





Tanya Shelby, County Clerk