

**San Juan County Commission  
Regular Meeting  
July 6, 2021**

Chairman Pro-Tem Fortner called the San Juan County Commission meeting to order on July 6, 2021 at 4:00 P.M. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Commissioner Lanier gave the invocation and 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
CHIEF DEPUTY ASSESSOR	John Kuhn
CLERK	Tanya Shelby
SHERIFF	Shane Ferrari
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
DEPUTY COUNTY MANAGER	Jim Cox
ATTORNEY	Joe Sawyer
EMERGENCY MANAGEMENT COORDINATOR	Ali Rye
CHIEF FINANCIAL OFFICER	Kim Martin
ADULT DETENTION ADMINISTRATOR	Daniel Webb
ALTERNATIVE SENTENCING DEPUTY ADMINISTRATOR	Timi Howell
JUVENILE SERVICES ADMINISTRATOR	Bowen Belt
FIRE CHIEF	John Mohler
SUBDIVISION REVIEW OFFICER	David Barnett
COMMUNICATIONS DIRECTOR	David Ripley
HOUSING EXECUTIVE DIRECTOR	Faye Anderson
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley
BEHAVIORAL HEALTH SERVICES DIRECTOR	Su Hodgman

VISITORS: 8

Chairman Pro-Tem Fortner recognized Karlie Shelby and Cheyenne Hill from the Summer Enrichment Internship Program.

**Regular Meeting**

**Approval of Agenda**

Mike Stark, County Manager, stated that there were no changes to the agenda. A motion was made by Commissioner Todacheene, seconded by Commissioner Lanier to approve the agenda as presented. Upon voice vote this motion passed unanimously.

### Consent Agenda

1. Approval for Regular Meeting Minutes of June 15, 2021
2. Approval of FY21 Budget Adjustment #15-Resolution No. 21-22-01
3. Approval of Treasurer Check Register for June 2021
4. Renewal of Bid 17-18-23, Cooperative Price Agreement for Fuel: Cardlock Facilities and Bulk Fuel Purchases to Western Refining Wholesale, LLC of Tempe, AZ
5. Approval of Contract between Santa Fe County and San Juan County for Guaranteed beds to House Juvenile Detainees
6. Approval of FY22 Client Fees for Alternative Sentencing Division Programs
7. Approval of Memorandum of Understanding with New Mexico Coalition to End Homelessness
  
8. Ratification of Retention and Referral Bonus Program for the Adult Detention Center
9. Approval of Quitclaim Deed to Transfer the Totah Theater to City of Farmington pursuant to the Agreement between San Juan County and City of Farmington

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

### New Business

#### 1. Discussion-Cannabis Regulation Act

Shane Ferrari, Sheriff, highlighted the following in a presentation:

- The Cannabis Regulation Act was passed during the 2021 Special Session and signed into law by Governor Michelle Lujan Grisham on April 12, 2021.
- Recreational marijuana use has been legalized but sale of marijuana will not be legalized April 2022
- Marijuana is the most abused or used substance in the United States
- Research suggest that roughly 9% of users become addicted to marijuana, with higher rates if the user starts at a young age (17%)
- In a 2018 National Survey on Drug Use and Health, marijuana use was highest amongst the age group 18 to 25 years of age at 34%
- Recreational marijuana is legal in 19 states
- Marijuana was banned by the United States government in 1937 and is not legal federally
- Area Law Enforcement will be affected: DWI training/testing, enforcement, hiring, increased crime, and black/grey market marijuana
- New Mexico will be affected in many ways: employment, increased medical costs, rehab, poverty, education, corruption, and environmental

Mike Stark, County Manager, stated the law established the Cannabis Control Division under the Regulation and Licensing Department to administer both the Medical Marijuana and Recreational Marijuana Cannabis programs under the Cannabis Regulation Act. The division will create the Cannabis Regulatory Advisory Committee no later than September 1, 2021 which will process applications for cannabis producers, producer microbusiness', and licensed medical cannabis producers. Although the basic framework for governance and enforcement of this new industry is established in the law, additional rules governing the industry will be promulgated by the Cannabis Control Division. Joe Sawyer, County Attorney, requested guidance in creating an ordinance relative to local control of the industry to be submitted to New Mexico Regulation and Licensing Department by September 1, 2021. Mr. Sawyer indicated that under the regulations, the County cannot require an existing licensee to relocate, however, the County can require that the establishments be up to 300 feet from schools or daycare centers. The other regulations that can be controlled locally is consumption areas (where cannabis substance is controlled or consumed) and prohibiting the smoking of cannabis in a public place. A Notice of Intent to Adopt the proposed ordinance will be published July 27th for two weeks and the ordinance will be presented for approval August 17th. The Commission asked various questions.

**2. Consideration of Approval of Sheriff's Office Retention Payment Agreement and Referral Bonus Program**

Shane Ferrari, Sheriff, recommended adoption of a Retention Payment Agreement and a Referral Bonus Program to provide an incentive to current full-time San Juan County Sheriff's Office employees. Under the Retention Payment Agreement, full-time certified employees will receive \$500 for each year of service from the employee's date of hire to July 1, 2021, for a maximum of \$2,500 for five years of service. In return, the employee agrees to an additional 12 months of employment with the Sheriff's Office. Should the employee leave the Sheriff's Office before the year is up, he or she would be responsible to pay the retention payment back at a prorated rate based on the number of months remaining until the program end date of June 30, 2022. For example, if an employee who received \$2,500 leaves employment with one month remaining until June 30th then the employee will pay back \$208.33 ( $\$2,500/12=\$208.33$ ). Under the Referral Bonus Program, any Sheriff's Office employee who refers an individual who becomes employed by the Sheriff's Office and completes the Law Enforcement Training Academy, passes the State Law Enforcement Test, and successfully completes the field training program will receive \$500. The program would last from July 1, 2021 and end June 30, 2022,

and the applicant would need to begin the law enforcement officer training process during that time. Sheriff Ferrari stated that the Sheriff's Office is currently understaffed by 15 deputies and the recruiting numbers are down 50%. The Commission made various comments. A motion was made by Chairman Beckstead, seconded by Commissioner Todacheene to approve the Sheriff's Office Retention Payment Agreement and Referral Bonus Program. Upon voice vote this motion passed unanimously.

**3. Consideration of Adoption of San Juan County Ordinance No. 119, Adopting a Countywide 1/16 of 1% Emergency Communications and Emergency Medical and Behavioral Health Services Gross Receipts Tax**

Joe Sawyer, County Attorney, stated that Ordinance No. 119 would enact a Countywide one-sixteenth of one percent (.0625%) Emergency Communications and Emergency Medical and

Behavioral Health Services Gross Receipts Tax (GRT) on anyone engaging in business in San Juan County. Proceeds of the tax could be spent only on operation of the Communications Center, the ambulance service, and to provide behavioral health services to the citizens of San Juan County. Enactment of this GRT requires that the question be placed on the November 2, 2021 ballot for the Local Government Election. If approved by the voters, the tax would go into effect on July 1, 2022 and the County would begin receiving the proceeds in September of 2022. A Notice of Intent to Adopt was approved by the Commission at the May 25th meeting and was published in the Daily Times on Sunday, May 30th. The cities of Farmington, Aztec, and Bloomfield have each adopted a resolution in support of the one-sixteenth Emergency Communications and Emergency Medical and Behavioral Health Tax. George Duncan, Communications Authority Chairman, and Dave Ripley, Director, requested support of the ordinance. Communications supports all public safety entities except the New Mexico State Police Department. The Commission asked various questions. A motion was made by Chairman Beckstead, seconded by Commissioner Todacheene to approve the Adoption of San Juan County Ordinance No. 119, Adopting a Countywide 1/16 of 1% Emergency Communications and Emergency Medical and Behavioral Health Services Gross Receipts Tax. Upon voice vote this motion passed unanimously.

**4. Consideration of Preliminary Approval of the County's Top 20 Strategic Planning Initiatives for FY22 through FY26**

Jim Cox, Deputy County Manager, explained with the assistance of Jeff Kiely of the Kiely Consulting Group, on March 4, 2021 a virtual strategic planning session was held with the County's elected officials and department heads to identify the Vision of the County over the next five years (FY22 thru FY26). On March 25th the County held a second session where all department heads and elected officials provided their input and ideas culminating 115 unique initiatives in the pillars of people, place, economy, and governance. These pillars were broken down into the following themes:

- People
  - Safe & housed population
  - Healthy community
  - Education & training
- Place
  - Public infrastructure
  - Clean & green
- Economy
  - Energy economy
  - Local business
- Governance
  - Internal operations
  - External operations

Each department head and elected official involved in the implementation of the various initiatives were tasked with scoring each program for fit and feasibility to their current operations, resources necessary for successful implementation, the timeline of completion, and the overall impact to the citizens of the County. Mr. Cox requested the Commission review the list of top 20 initiatives and approve it as a preliminary list for inclusion in the County's 5-year strategic plan. Upon approval, three public hearings will be held in July for comment. The strategic plan preliminary public hearing dates are as follows:

- July 14, 2021: County Administration Building 6:05pm to 6:35pm
- July 21, 2021: Virtual WebEx meeting 9:00am to 9:30am
- July 28, 2021: Lower Valley Senior Center 12:25pm to 12:45pm

Staff will work with the departments and elected offices who are involved with implementation of each initiative to determine a feasible implementation year. A final draft of the strategic plan will be presented to the Commission for adoption in August. The Commission requested to amend/clarify #15 as County Clean-up. The Commission made various comments. A motion was made by Chairman Beckstead, seconded by Commissioner Lanier to approve the amended Preliminary Approval of the County's Top 20 Strategic Planning Initiatives for FY22 through FY26 . Upon voice vote this motion passed unanimously.

**5. Consideration for Approval of Resolution No. 21-22-02, Designating the San Juan County Official Polling Places for Statewide Elections Conducted in 2022 and 2023**

Tanya Shelby, County Clerk, indicated that pursuant to NMSA 1978, Section 1-3-2 (2019) requires the Board of County Commissioners to designate by resolution the polling places in either June or July of 2021 for all statewide elections conducted in 2022 and 2023. This resolution provides for the designation of the polling places. Ms. Shelby proposed that the 33 voting convenience sites remain the same from the previous election. A motion was made by Chairman Beckstead, seconded by Commissioner Todacheene to approve Resolution No. 21-22-02, Designating the San Juan County Official Polling Places for Statewide elections conducted in 2022 and 2023. Upon voice vote this motion passed unanimously.

**6. Consideration of Location of Film Backlot Property**

Devin Neeley, Public Relations and Film Manager stated that staff is ready to identify a location for a film backlot set that can be certified as a qualifying facility. Don Gray, former Locations Coordinator for the State Film Office, and Executive Director of Film Las Cruces has assisted in identifying a location and design for the backlot. Three properties were suggested for consideration in order of recommendation by Mr. Gray:

1. San Juan Industrial Park Complex on Road 1130 (owned by San Juan County)
2. Property South of Jackson Lake (owned by the City of Farmington)
3. Lions Park in Kirtland (owned by San Juan County)

The Commission asked various questions. Chairman Pro-Tem Fortner requested that this item be tabled until the next meeting to allow time for the Commission to tour the locations. A motion was made by Chairman Beckstead, seconded by Commissioner Lanier to table the Location of Film Backlot Property for the next meeting. Upon voice vote this motion passed unanimously.

**7. Consideration of Commission Meeting Schedule for July and August 2021**

Mike Stark, County Manager, explained that the final budget is due to Department of Finance and Administration on July 31, 2021. With the close of the fiscal year ending on June 30, 2021, the Finance Department has requested time to allow for the end of year reconciliation and inclusion into the final budget. As a result, staff requested moving the July 20th meeting to July 27th and cancelling the August 3rd meeting. A motion was made by Chairman Beckstead,

seconded by Commissioner Todacheene to approve the Commission Meeting Schedule for July and August 2021. Upon voice vote this motion passed unanimously.

**Report from County Manager**

Mike Stark recognized the public safety departments and the staff at McGee Park for their service during the July 4th festivities.

**Reports From Elected Officials And Department Heads**

Chairman Beckstead requested that staff contact Waste Management to perform a market analysis regarding the recycling of plastics.

**Comments / Input From The General Public**

None

**Adjourn**

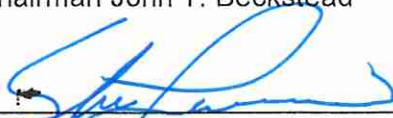
Being no further business, Chairman Pro-Tem Fortner adjourned the meeting at 6:03 p.m.

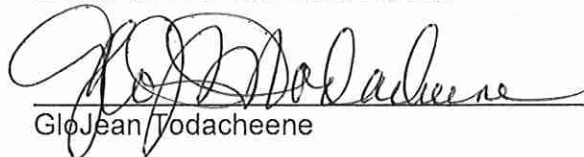
APPROVED THIS 27TH DAY OF JULY 2021


BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:

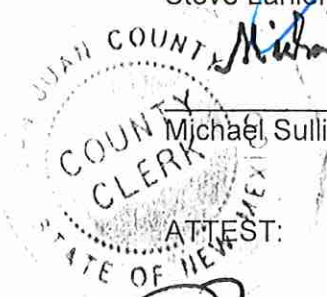
  
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Chairman John T. Beckstead

  
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Chairman Pro-Tem Terri Fortner

  
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Steve Lanier

  
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GloJean Todacheene

  
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Michael Sullivan



ATTEST:  
  
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Tanya Shelby, County Clerk