

**San Juan County Commission
Regular Meeting
September 7, 2021**

Chairman Beckstead called the San Juan County Commission meeting to order on September 7, 2021 at 4:00 p.m. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Mike Stark gave the invocation and Chairman Beckstead led the Pledge of Allegiance. Those present were:

CHAIRMAN	John T. Beckstead
CHAIRMAN PRO-TEM	Terri D. Fortner- VIA WEBEX
MEMBER	Steve Lanier
MEMBER	GloJean Todacheene
MEMBER	Michael Sullivan- VIA WEBEX
ASSESSOR	Jimmy Voita
CHIEF DEPUTY ASSESSOR	John Kuhn
CLERK	Tanya Shelby
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
DEPUTY COUNTY MANAGER	Jim Cox
ATTORNEY	Joe Sawyer
DEPUTY ATTORNEY	Ellen Wayne
CHIEF FINANCIAL OFFICER	Kim Martin
PUBLIC WORKS ADMINISTRATOR	Nick Porell
ADULT DETENTION ADMINISTRATOR	Daniel Webb
ADULT DETENTION CENTER DEPUTY WARDEN	Brenna Cook
FIRE CHIEF	John Mohler
COMMUNITY DEVELOPMENT DIRECTOR	Michele Truby-Tillen
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley
BEHAVIORAL HEALTH SERVICES DIRECTOR	Su Hodgman

VISITORS:

14

Presentation

Bob Carman, Code Compliance Officer explained that the program "Yard of the Month" mission is to recognize citizens of San Juan County for their voluntary efforts in "Building a Stronger Community" by taking pride in the appearance and maintenance of their yard and home. The Helms have inspired county residents to strive for a clean and beautiful community where natural resources are protected and the environment is enhanced. Their attractively groomed property is located at 1 Road 3336 Aztec, NM. The judging criteria reviewed by the Code Compliance Officer and the Community Development Administrator were as follows:

- House numbers attractively displayed.
- The yard is free of litter, junk, and debris.
- The yard is free of junked or inoperable vehicles.
- Trash receptacles are hidden from view.
- The yard is free of appliances and indoor furniture on front porches or patios.
- The yard is attractively groomed and well maintained. In other words, pleasing to the eye or to the passerby.
- The residence, out buildings, fences, porches, decks, and patios on the premises are in good repair.

Chairman Beckstead presented Priscilla and Ron Helms with a certificate for the Yard of the Month for August.

Regular Meeting

Approval of Agenda

Mike Stark, County Manager, stated that there is one change to the agenda. Line item #10 is removed from New Business. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve the agenda as amended. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval for Regular Meeting Minutes of August 17, 2021
2. Approval of Treasurer Check Register for August 2021
3. Approval of Finance Check Registers for August 2021
4. Award of Bid No. 2122-02 ADA Improvements to 21 County Facilities
5. Approval of Resolution Nos. 21-22-15 and 21-22-16 for the Disposition of County Property
6. Approval of Resolution No. 21-22-17, Amending and Updating County Purchasing Policies and Procedures
7. Renewal of Request for Proposal No. 19-20-03, Volunteer Firefighters Insurance
8. Approval of FY22 Budget Adjustment #1, Resolution No. 21-22-18
9. Approval of FY22 DWI Council By-Laws
10. Approval of Projects for State Fire Marshal Grant Funding
11. Approval to Amend the Agreement with the Los Pinos Fire Protection District, Ignacio CO for Fire Services
12. Resolution No. 21-22-20, Support for a NM DOT Congestion Mitigation and Air Quality (CMAQ) Grant Application

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

New Business

1. Consideration of Proclamation Declaring September 17th-23rd as Constitution Week 2021

Mike Stark, County Manager stated that the Daughters of the American Revolution (DAR) requested that San Juan County issue a proclamation declaring the week of September 17th-23rd to be Constitution Week 2021. Mr. Stark read the proclamation aloud:

**SAN JUAN COUNTY, NEW MEXICO
PROCLAIMING SEPTEMBER 17-23 AS
CONSTITUTION WEEK 2021**

WHEREAS, September 17, 2021 marks the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a Proclamation each year by the President of the United States of America designating September 17 through September 23 as Constitution Week.

NOW, THEREFORE, the Board of County Commissioners of San Juan County, New Mexico, does hereby proclaim the week of September 17 through 23, 2021 to be

CONSTITUTION WEEK

in San Juan County and urges all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves. A motion was made by Commissioner Lanier, seconded by Chairman Pro-Tem Fortner to approve the Proclamation Declaring September 17th-23rd as Constitution Week 2021. Upon voice vote this motion passed unanimously.

2. Presentation on District Court Pre-Trial Services Program

Judge Curtis Gurley, Chief Judge of District Court, introduced Weldon Neff, Court Executive Officer, Krista Lawrence, Programs Division Director, and Jodie Shwebel, Deputy Court Executive Officer. Judge Gurley briefed the Commission on the following:

- The district consists of two counties- San Juan County and McKinley County
- There are 17 Judges, 6 facilities, 2 detention centers and 130 full-time employee equivalents

Mr. Neff thanked the Commission for their continued support. With the current pre-trial services that are provided by the courts, additional funding is needed to assist with new programming and services. Ms. Lawrence presented the following information:

- The mission of the San Juan County's Pretrial Services Program is to provide objective, accurate information to the court to assist with the release decision, provide supervision, as well as services that promote public safety and future court appearances.
- In FY2019 (7/1/2018-06/30/2019) of the 332 defendants that were screened for pretrial release there were 220 released on pretrial supervision. From February 1, 2020 to January 31, 2021 of the 2,402 defendants screened for release there were 943 released on pretrial supervision.
- 88% of those defendants released made all scheduled court hearings and 80% did not have a new offense during the pretrial stage
- 89 defendants were placed on electric monitoring in 2020, saving the County over \$1,050,000; estimated cost of electronic monitoring for FY2022 is \$107,205
- Estimated cost savings of electronic monitoring vs. incarceration days in FY2022- \$1,520,952

An increase in San Juan County's contribution was requested for FY2022 to assist in the cost of the equipment for electronic monitoring and an additional Pretrial Officer. The Commission asked various questions.

3. Consideration of Proclamation Declaring September 2021 as Recovery Awareness Month

Gretchen Potter, Chairperson of San Juan Safe Communities Mental Health Task Force, read the following proclamation aloud:

PROCLAMATION

**PROCLAIMING SEPTEMBER 2021 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. Seventy percent (70%) of drug overdose deaths involve an opioid and in 2019 there were 70,630 drug involved overdose deaths nationwide; 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 2021 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 there will be a recovery awareness event held at Brookside Park on September 18, 2021 from 10:00 a.m. to 2:00 p.m. to introduce the resources and services available to our community. Greg Allen, Executive Director of San Juan Safe Communities Initiative, stated that there have been 30 local agencies and some State agencies invited to participate in the event. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve the Proclamation Declaring September 2021 as Recovery Awareness Month. Upon voice vote this motion passed unanimously.

4. Presentation on County Commission Redistricting Plan

Rod Adair, New Mexico Demographic Research, updated the Commission regarding the County Commission boundaries in order to comply with the "one-person, one-vote" principle established by the U.S. Constitution. Mr. Adair stated that he will be in contact with Geographic Information Systems and Tanya Shelby, County Clerk to compare data and establish a redistricting plan. The redistricting deadline is December 31st.

5. Consideration of Approval of Resolution No. 21-22-19, Support for Glade Run Recreation Area (GRR) Recreational Trails Program (RTP) Grant Application

Nick Porell, Public Works Director, stated that San Juan County (SJC) and the BLM Farmington Field Office (FFO) have identified Federal Recreational Trail Program (RTP) monies available for trail creation and enhancement projects within the Glade Run Recreation Area. It represents a third "phase" of trail projects completed in partnership between New Mexico Department of Transportation (NMDOT), SJC, and FFO. There was \$700,000 trail project that was completed in Summer 2020 and a \$500,000 trail project is currently under construction. This proposed

project would be identical in structure to the prior projects where SJC would serve as the applicant for said funds and serve as fiscal agent if awarded. Final grant applications are due to NMDOT by October 29, 2021. The grant application to be prepared will be for an amount of \$330,000 and if awarded the County and FFO will be responsible for 14.56% in matching project funds (\$48,048). The prior cost share of the required match was split between SJC and FFO at 5%/9.56%; the County share is estimated to be \$16,500 which will be split between two fiscal years. A resolution of support for the project from the County Commission is required to support the application with NMDOT. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve Resolution No. 21-22-19, Support for Glade Run Recreation Area (GRRRA) Recreational Trails Program (RTP) Grant Application. Upon voice vote this motion passed unanimously.

6. Consideration of Adopting the County's 2022-2026 Strategic Plan

Jim Cox, Deputy County Manager, updated the Commission on the public input sessions regarding the preliminary top 20 strategic planning initiatives approved by the Commission on July 6, 2021. The public input sessions were held on the following dates:

- July 14, 2021: County Administration Building
- July 21, 2021: Virtual meeting
- July 28, 2021: Lower Valley Senior Center

Throughout the discussions, the consensus was that the citizens were content with the initiatives. There was discussion as to the rankings of each initiative and staff expressed the rankings would no longer apply to the strategic plan, but rather shift to the year of when each initiative could be implemented. A citizen requested the County be as inclusive as possible for the Energy Hub initiative to include all energy generating sources. We additionally received one comment regarding the Countywide expansion of recreational opportunities initiative where the citizen was concerned about adding additional off-highway vehicle (OHV) trails which have the potential to disturb or disrupt the topography. Otherwise, they were very supportive of the Countywide Recreation initiative. Staff received written input that was supportive of the initiatives except for the Gallup-San Juan Rail which the citizen did not see this as feasible financially and the Housing Programs initiative where the citizen was concerned about an increase of low rent housing in our area. A written comment suggested adding an initiative surrounding water security and/or development of a strong water plan if current climate conditions continue. Staff discussed this concern with the San Juan Water Commission who is tasked, through the nature and setup of the joint powers' agreement with the County and surrounding municipalities, with securing the County's future industrial and municipal water. At the conclusion of the public input, and in conjunction with meetings regarding strategic initiatives with the Four Corners Economic Development, staff recommended removal of the Vocational High Schools initiative to avoid complexities in how the initiative would be accomplished with the College and surrounding school districts who already have established programs. Staff recommended changing the strategic planning initiatives from a fiscal year plan to a calendar year plan. A motion was made by Commissioner Lanier, seconded by Commissioner Todacheene to approve Adopting the County's 2022-2026 Strategic Plan. Upon voice vote this motion passed unanimously.

7. Consideration of Approval of Final Settlement Documents to Resolve Gross Receipts Tax Distribution Lawsuit Against New Mexico Taxation and Revenue Department

Joe Sawyer, County Attorney, indicated that in 2018 the Board of County Commissioners authorized San Juan County to participate in a lawsuit against New Mexico Taxation and Revenue Department (NM TRD). The County joined 43 other New Mexico counties and municipalities in New Mexico in the lawsuit which alleged that NM TRD improperly reduced and improperly distributed gross receipt tax (GRT) revenue to the municipalities and the counties. The parties in this case have reached a resolution in this matter which requires the NM TRD to distribute \$50 million to the counties and municipalities. San Juan County is estimated to receive \$990,427.15 after taxes and attorneys' fees are deducted. The Board is required to formally approve and execute the Mediation Settlement Agreement, Settlement Amount and Contingent Fee and the Release of Claims before September 24, 2021 to ensure that settlement funds are distributed on the October distribution date. The Commission asked various questions. A motion was made by Commissioner Todacheene, seconded by Commissioner Lanier to approve the Approval of Final Settlement Documents to Resolve Gross Receipts Tax Distribution Lawsuit Against New Mexico Taxation and Revenue Department. Upon voice vote this motion passed unanimously.

8. Consideration to Order County Assessor to Impose 2021 Property Tax Rates

Kim Martin, Chief Financial Officer, communicated that the Board of County Commissioners is required to issue a written order imposing the property tax at the rates set on the taxable value of property allocated in the appropriate governmental units. The order must be issued within five days of receipt of the Department of Finance & Administration's Property Tax Rate Setting Order. The written order must be delivered to the County Assessor immediately. The finance officers of the municipalities, school districts, and San Juan College have been notified and have confirmed in writing the new tax rates for their governmental units. Ms. Martin presented the following information:

- New Mexico Department of Finance and Administration (DFA) sets the rates and the County Commission issues/delivers its own written order to the County Assessor who prepares the property tax schedule to the County Treasurer by October 1st of each tax year. The County Treasurer shall mail all tax bills no later than November 1st.
- There is a combination of different taxing authorities who can issue tax rates and the tax set by the taxing authority is subject to change due to the "Yield Control Statute"
- The Yield Control Statute considers growth control factors such as inflation and new construction
- In San Juan County 8.5 mills imposed remains the second lowest mill in the state for 2021 tax year (second to Eddy County at 7.5 mills)
 - Residential mill rate increased 0.62% (.043 mills) from 6.990 to 7.033
 - Non-Residential mill rate remains at 8.5 mills
- San Juan County New Taxable Values for 2021 tax year are: Residential 44%, Non-Residential 46%, Oil & Gas Production 8%, and Oil & Gas Equipment 2%
- The County has issued no General Obligation Bond debt in 30 years
- The last property tax increase was in FY2005 in which the mill rate increased from 8 to 8.5 mills to fund the Water Reserve Fund for the San Juan Water Commission

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Lanier to approve to Order County Assessor to Impose 2021 Property Tax Rates. Upon voice vote this motion passed unanimously.

9. Report on Inspection of Detention Center

Joe Sawyer, County Attorney, indicated that NMSA 1978, 33-3-4, Inspection of Jails and Detention Centers, provides that the governing body shall conduct an annual site visit to inspect the overall conditions at the detention facility and present an inspection report at a regular meeting of the governing body. Mr. Sawyer requested the Commissioners visit the detention center so that a report can be presented at a regular Commission meeting. The last report was submitted on October 20, 2020.

10. Consideration of Commission Meeting Schedule for September 2021- Removed

Report from County Manager

Mike Stark reported the following upcoming community events:

- September 8, 2021- Ribbon Cutting Ceremony at 4:00 p.m. at Valley Fire Station #3 in Waterflow
- September 25, 2021- National Public Lands Day from 8 a.m. to 12 p.m. This year's projects include trash clean-up in Glade Run East Recreation Area and Glade Run West Recreation Area, Aztec/BLM, and Bloomfield/BLM
- October 14, 2021- Growing Forward Farm Open House will be from 4 p.m. to 7 p.m.

Reports From Elected Officials And Department Heads

Commissioner Todacheene announced that Grandparents Day is September 12th and that the Cancer Walk-A-Thon is on September 18th.

Comments / Input From The General Public

Chris Kitchens expressed his concerns regarding the current COVID mandates.


Judy Bryson submitted comment by email regarding the noise coming from Tico Time Resort.

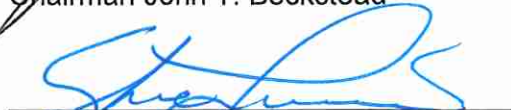
Adjourn


Being no further business Chairman Beckstead adjourned the meeting at 5:53 p.m.

APPROVED THIS 21ST DAY OF SEPTEMBER 2021

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:

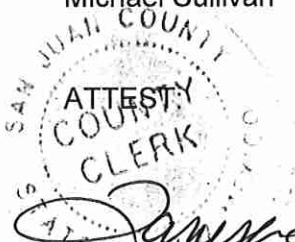

Chairman John T. Beckstead


Steve Lanier


Michael Sullivan


Chairman Pro-Tem Terri Fortner


Glojean Todacheene




Tanya Shelby, County Clerk