

**San Juan County Commission
Regular Meeting
August 17, 2021**

Chairman Beckstead called the San Juan County Commission meeting to order on August 17, 2021 at 4:02 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
ASSESSOR	Jimmy Voita
CHIEF DEPUTY ASSESSOR	John Kuhn
CLERK	Tanya Shelby
CHIEF DEPUTY TREASURER	Bryan Myers
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
DEPUTY COUNTY MANAGER	Jim Cox
ATTORNEY	Joe Sawyer
DEPUTY ATTORNEY	Ellen Wayne
EMERGENCY MANAGER	Mike Mestas
CHIEF FINANCIAL OFFICER	Kim Martin
PUBLIC WORKS ADMINISTRATOR	Nick Porell
ALTERNATIVE SENTENCING DEPUTY ADMINISTRATOR	Timi Howell
FIRE CHIEF	John Mohler
COMMUNITY DEVELOPMENT DIRECTOR	Michele Truby-Tillen
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley

VISITORS:

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

Board of Finance

1. **Consideration of Resolution 21-22-13 Waiving the \$5.00 Minimum Penalty on Delinquent Property Taxes**

Bryan Myers, Chief Deputy Treasurer, 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 Commissioner Sullivan, seconded by Commissioner Todacheene to approve Resolution 21-22-13 Waiving the \$5.00 Minimum Penalty on Delinquent Property Taxes. Upon voice vote this motion passed unanimously. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene 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 were 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 July 27, 2021 Regular Meeting Minutes
2. Approval of Treasurer Check Register for July 2021.
3. Approval of Finance Check Registers for July 2021.
4. Resolution of Housing Choice Voucher Administrative Plan.
5. Approval of Sheriff's Office Implementing a Deputy Fitness Incentive.
6. Approval of Sheriff's Office Implementing a Lateral Deputy Vacation Incentive.
7. Ratification of Adult Detention Center Overtime Stipend Program.
8. Memorandum of Understanding with City of Farmington for Senior Center Funding.
9. Approval of Resolution No. 21-22-07, as required by Section 1-16-3 (2019), Proposing Form of Ballot Question to County Clerk for Voters to Decide Whether to Impose Countywide Emergency Communications and Emergency Medical and Behavioral Health Services Tax Increment of 1/16th of One Percent.

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 11th as Caregivers Celebration Day, 2021**

Chairman Pro-Tem Fortner requested that San Juan County issue a proclamation declaring September 11, 2021 as Caregivers Celebration day. Chairman Pro-Tem Fortner read following proclamation aloud:

PROCLAIMING SEPTEMBER 11, 2021, AS
"CAREGIVER CELEBRATION DAY" IN
SAN JUAN COUNTY

WHEREAS, the COVID-19 pandemic continues to impact the health and well-being of people across the world and specifically in San Juan County, New Mexico; and

WHEREAS, the healthcare professionals and caregivers at San Juan Regional Medical Center with bravery, commitment to purpose, and compassion stepped up to face the challenge of caring for patients with COVID-19 and continue to serve on the front line in the battle with COVID-19; and

WHEREAS, the caregivers at San Juan Regional Medical Center have demonstrated their calling as "Healing Heroes" throughout the COVID-19 pandemic; and

WHEREAS, as of this date San Juan Regional Medical Center has cared for over 2,000 COVID-19 patients; and

WHEREAS, the Incident Command at San Juan Regional Medical Center was activated on February 5, 2020, shortly after the first COVID-19 case in the United States was reported and a public health emergency was declared; and

WHEREAS, the pandemic response at San Juan Regional Medical Center has been strengthened by the outpouring of support from the entire San Juan County community, from coordinated preparedness and planning efforts by San Juan

County leaders to generous donations collected by the San Juan Medical Foundation for COVID-19-related expenses, to contributions of personal protective equipment, to endless messages and countless other acts of support; and

WHEREAS, the first external drive-through assessment site in the region was erected in a matter of days and was deployed at San Juan Regional Medical Center on March 13, 2020; and

WHEREAS, the first positive COVID-19 case was identified in San Juan County, New Mexico on March 21, 2020, with the individual being tested at the San Juan Regional Medical Center's external assessment area; and

WHEREAS, in order to care for COVID-19 patients, the Caregivers at San Juan Regional Medical Center demonstrated the Core Values of San Juan Regional Medical Center by rapidly implementing significant operational changes and adaptations including, but not limited to: creating a dedicated respiratory Intensive Care Unit, designating respiratory and non-respiratory workflow processes in the emergency department, creating additional negative pressure rooms, initiating a COVID-19 screening phone line, setting up PPE reprocessing in the Cardiac Rehabilitation Gym, expanding the in-house laundry service to wash an average of 3,000 reusable gowns per day, providing in-home visits by EMS to COVID-to-Home patients, providing COVID-19 testing for employees and pre-op patients at San Juan Health Partners Urgent Care, offering a Monoclonal Antibody infusion clinic, erecting

a dedicated respiratory clinic for San Juan Health Partners patients, and many, many more innovative adaptations; and

WHEREAS, the Caregivers at San Juan Regional Medical Center led the State in efforts to provide continuity of care for COVID-19 patients outside the hospital setting with its innovative COVID-to-Home clinic, implemented in April 2020; and

WHEREAS, the Caregivers at San Juan Regional Medical Center began safe and effective deployment of vaccine distribution upon arrival of the vaccine on December 15, 2020, protecting our Caregivers and area first responders; and

WHEREAS, the Caregivers at San Juan Regional Medical Center's frontline have been involved in research studies to improve COVID care and development of evidence-based inpatient and outpatient COVID therapeutics protocols/guidelines; and

WHEREAS, the courageous actions of the Caregivers at San Juan Regional Medical Center during the COVID-19 worldwide pandemic saved countless precious lives.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of San Juan County, New Mexico, that September 11, 2021 is hereby declared "Caregiver Celebration Day" for the Caregivers at San Juan Regional Medical Center who are true Healing Heroes in our community; and

BE IT FURTHER RESOLVED that the citizens of San Juan County remain grateful to our Healing Heroes at San Juan Regional Medical Center for their courage and commitment to making life better here in San Juan County.

Various comments were made by the Commission. A motion was made by Commissioner Sullivan, seconded by Commissioner Todacheene to approve Proclamation Declaring September 11th as Caregivers Celebration Day, 2021. Upon voice vote this motion passed unanimously.

2. Consideration of Proclamation declaring August 17, 2021 as "Nonprofit Day" in San Juan County

Jim Cox, Deputy County Manager, stated that August 17, 2021 is National nonprofit day to recognize the immense efforts and positive impacts that nonprofit organizations have on all communities across the Nation. Mr. Cox read the following proclamation aloud:

SAN JUAN COUNTY, NEW MEXICO
PROCLAIMING AUGUST 17, 2021 AS
"NONPROFIT DAY"

WHEREAS, San Juan County is fortunate to have a number of nonprofit organizations which provide health care, assistance to impoverished, economic development, educational support, and youth programing, and

WHEREAS, San Juan County recognizes that nonprofit organizations have positive impacts on our community and serve a vital role in facilitating charitable giving and social action, and

WHEREAS, the nonprofit organizations in San Juan County provide direct care and support to our community by providing resources such as access to food and emergency service such as rent and utility assistance, and

WHEREAS, San Juan County recognizes that nonprofit organizations have been and continue to be essential during the COVID-19 pandemic to ensure citizens of San Juan County have access to necessary resources in order to remain safe and healthy, and

NOW, THEREFORE, the Board of County Commissioners of San Juan County, New Mexico, does hereby declare and proclaim August 17, 2021 as "Nonprofit Day" and urges the citizens of San Juan County to support the nonprofit organizations in our community by volunteering or providing in-kind or monetary donations.

A motion was made by Commissioner Sullivan, seconded by Commissioner Todacheene to approve Proclamation declaring August 17, 2021 as "Nonprofit Day" in San Juan County. Upon voice vote this motion passed unanimously.

3. Update on the Four Corners Economic Development (4CED)

Arvin Trujillo CEO of Four Corners Economic Development (4CED) introduced himself and Chris Hunter a 4CED Consultant. Mr. Hunter explained the new venues that 4CED is exploring including a new website which features a commercial property search, as well as LinkedIn and Facebook pages that create interest in economic development in the Four Corners, and The Golden Shovel which markets and pairs businesses with the benefits that San Juan County has to offer.

4. Consideration of Approval of Resolutions 21-22-11 and 21-22-12 in Support of Grant Applications to the River Access at Cedar Hill Project

Nick Porell, Public Works Director, stated that the County has completed the design of a new river access ramp and parking area on County owned property in Cedar Hill located off County Road 2380 which will provide recreation opportunities on the Animas River. The design of the project was approved by the Commission in concept at the December 2020 meeting. The current construction estimate for the project is \$175,000. Staff has identified two grant opportunities to potentially fund the construction of the project. The New Mexico Economic Development Department Outdoor Recreation Division (ORD) is now accepting applications for the 2021 Outdoor Recreation Trails+ Grant. River access is an eligible project within the program guide for the grant. The County requested \$25,000 maximum award value with a required \$25,000 local match commitment. Resolution 21-22-11 is in support of that application. In August 2015, a blowout at the Gold King Mine in Colorado released millions of gallons of water laden with toxic metals and acidic waste into the Animas and San Juan Rivers. The plume of contaminated water adversely affected New

Mexico residents, our natural resources, and agricultural and recreational tourism industries along those rivers. In January 2021, the State of New Mexico, the Sunnyside Corporation and its parent companies, Mining Defendants, reached a settlement that includes a payment of \$1,000,000 by the Mining Defendants to the Office of the New Mexico Natural Resource Trustee (ONRT) to implement natural resource restoration projects. The New Mexico Office of Natural Resources Trustee (ONRT) has been identified as the managing agency. ONRT has subsequently issued a project solicitation seeking eligible projects from impacted communities of the Gold King Mine spill. As indicated in the solicitation and confirmed in a program information session attended on July 28, 2021, recreation projects along the Animas and San Juan Rivers in San Juan County are eligible for participation in the program. A grant request to ONRT for \$160,000 with an associated \$40,000 local match commitment for the construction of the new River Access. Resolution 21-22-12 is in support of that application. Grant applications for both programs are due August 31, 2021. If awarded, it is expected that construction of the project will begin in Summer 2022. Various comments and questions were made by the Commission. A motion was made by Commissioner Lanier, seconded by Chairman Pro-Tem Fortner to approve Resolutions 21-22-11 and 21-22-12 in Support of Grant Applications to the River Access at Cedar Hill Project. Upon voice vote this motion passed unanimously.

5. Consideration of Resolution 21-22-14, Adopting the NM Infrastructure Capital Improvement Plan (ICIP) 2023-2027

Jim Cox, Deputy County Manager, communicated that the Infrastructure and Capital Improvement Plan is provided on an annual basis to the state of New Mexico Local Government Division and provides the following information: entity's planning process, goals, trends, inventory, five-year project summary including project priority, description, budget, possible funding sources, operating expenditures, and implementation schedule. In addition, San Juan County is required to identify the top five capital projects to earmark for the Governor's funding consideration during the 2022 legislative session. Input to the plan was garnered thru three public hearings held on the following dates and locations: July 14, 2021 County Administrative Building, July 21, 2021 virtually, and July 28, 2021 at the Lower Valley Senior Center. The following projects were deleted from last year's list due to full funding by State legislative appropriations, grant funding or County internal funding: Radio infrastructure upgrades and replacements, 5 Mile Bridge (Bridge #8118) decommissioning alternatives study, Cedar Hill pedestrian bridge improvements, Riverview golf course irrigation system waterline replacement, remodel of Flora Vista fire station #4, and McGee Park lift station improvements. The new prioritized projects on the updated plan are the: Totah Subdivision water and wastewater system improvements, Pinon Hills Extension Phase 3, and County Road improvements. Estimated costs were updated of certain remaining projects due to anticipated inflation on equipment and construction costs as well as made various title changes to the current projects. The North Kirtland Heights wastewater study and the resurfacing of Road 6480 and 390 were also added because of public input received. Various questions and comments were made by the Commission. A motion was made by Commissioner Sullivan, seconded by Commissioner Lanier to approve the Resolution 21-22-14, Adopting the NM Infrastructure Capital Improvement Plan (ICIP) 2023-2027. Upon voice vote this motion passed unanimously.

6. Consideration of Resolution 21-22-10 to Approve Sale of a Tract of Real Property in the Old Denver and Rio Grande Western Railroad Right-Of-Way that Adjoins 10 Road 3490 in Flora Vista, New Mexico

Joe Sawyer, County Attorney stated that the Commission approved the sale of a small, 1,296 square feet, tract of land from the old railroad right-of-way to Christopher and Brittany Allison on September 15, 2020. This Resolution memorializes the authorization to sell the land and extinguishes the easement on that tract. Various questions and comments were made by the Commission. A motion was made by Commissioner Todacheene, seconded by Commissioner Sullivan to approve Resolution 21-22-10 to Approve Sale of a Tract of Real Property in the Old Denver and Rio Grande Western Railroad Right-Of-Way that Adjoins 10 Road 3490 in Flora Vista, New Mexico. Upon voice vote this motion passed unanimously.

7. Consideration of Adoption of San Juan County Ordinance No. 120, Cannabis Regulation Ordinance

Joe Sawyer, County Attorney, explained that at the July 6 meeting, the Commission expressed interest in enacting cannabis regulation. The Legal Department drafted a Cannabis Regulation Ordinance for consideration that limits the location of cannabis establishments to 1,000 feet separation from any residence, church, library, cultural center, community center, public park, or government facility. Distance would be limited to 300 feet from any school or daycare center. Hours of operation would be limited to 7:00 a.m. to midnight and mobile sales of cannabis would not be allowed. Cannabis establishments would have to register under the County's Business Registration Ordinance and obtain a permit from the Community Development Department. A Notice of Intent to Adopt Ordinance No. 120 was approved by the Commission at the July 27, 2021 meeting and was published in the Farmington Daily Times on Sunday, August 1, 2021. Chairman Beckstead declared a public hearing. The following members of the public shared concerns regarding Section 3 of Ordinance No.120 as previously written: Joe Rockos resident of San Juan County, Peter Carris resident of San Juan County, Jason Little with New Mexico Alternative Care, Dave Questa with Maggie's Farm, and Jeremy Bonin resident of Southern Colorado. Emails were also received from Christy Stanley and Chris (unknown last name). Leah Ray, resident of San Juan County, questioned if the County would be conducting fire inspections in addition to the City of Bloomfield fire inspections regarding cannabis establishments. Mr. Sawyer clarified that County Ordinances would not affect the residents of municipalities. Chairman Beckstead closed the public hearing. Various comments and questions were made by the Commission. Commissioner Lanier suggested an amendment to Section 3 of Ordinance No. 120 reducing the minimum separation distance to 300ft from any residence, religious assembly, church, library, cultural center, community center, public park, or government facility and redefining the measurement from which the distance is calculated. A motion was made by Commissioner Lanier, seconded by Commissioner Sullivan to approve the Adoption of the Amended San Juan County Ordinance No. 120, Cannabis Regulation Ordinance. Upon voice vote this motion passed unanimously.

8. Report on Inspection of Detention Center

Joe Sawyer, County Attorney, stated 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. The last report was submitted on October 20, 2020. Once the Commission visits the jail, an inspection report will be presented at a regular County Commission meeting.

Report from County Manager

Mr. Stark informed the Commission that Governor Lujan-Grisham issued a new Health Order requiring all residents over the age of two to wear a mask regardless of vaccine status starting Friday, August 20, 2021 in all public indoor spaces. The Governor's new mandatory vaccine order does not yet apply to San Juan County Employees.

Reports From Elected Officials And Department Heads

Joe Sawyer, County Attorney, introduced Ellen Wayne as the new Deputy Attorney.

Tanya Shelby, County Clerk, stated that a meeting was held with the Navajo Nation, Commissioner Todacheene, Commissioner Sullivan, and County staff regarding the redistricting of precincts in alignment with Navajo Nation Chapter boundary lines. Mrs. Shelby communicated she would keep the Commission updated on future developments.

Nick Porell, Public Works Administrator, updated the Commission on the status of the construction on the bridge on Road 5500. There will be a scheduled closure August 31-September 1, 2021 which will be announced to the public.

Commissioner Todacheene explained that former Navajo Nation President, Kelsey Begaye passed away. Commissioner Todacheene also expressed concern regarding the recent school shooting in Albuquerque and emphasized the need of focusing on mental health.

Comments / Input From The General Public

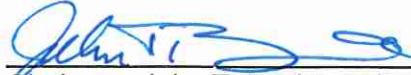
None

Adjourn

Being no further business, Chairman Beckstead adjourned the meeting at 6:53 p.m.

APPROVED THIS 7th DAY OF SEPTEMBER 2021

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



Chairman John T. Beckstead



Chairman Pro-Tem Terri Fortner



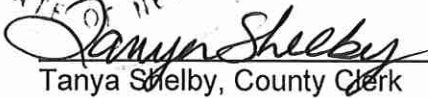
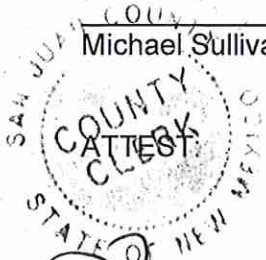
Steve Lanjer



GloJean Todacheene



Michael Sullivan



Tanya Shelby, County Clerk