

**San Juan County Commission
Regular Meeting
December 21, 2021**

Chairman Beckstead called the San Juan County Commission meeting to order on December 21, 2021 at 4:00 p.m. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Chairman Beckstead gave the invocation and Commissioner Lanier 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
ASSESSOR	Jimmy Voita
CLERK	Tanya Shelby
CHIEF DEPUTY CLERK	Alyssa Kuhn
SHERIFF	Shane Ferrari
COUNTY MANAGER	Mike Stark
ATTORNEY	Joe Sawyer
DEPUTY ATTORNEY	Ellen Wayne
FIRE CHIEF	John Mohler
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley
VISITORS:	7

A motion was made by Commissioner Lanier, seconded by Commissioner Sullivan to discuss the tabled item, Consideration of County Commission Redistricting Plan. Upon voice vote this motion passed unanimously.

Old Business

1. Consideration of County Commission Redistricting Plan

Mike Stark, County Manager, explained that this item was tabled by the Commission at the December 7th meeting. San Juan County is required to redraw the County Commission boundaries to comply with the "one-person, one-vote" principle established by the U.S. Constitution. San Juan County contracted with Rod Adair of NM Demographic Research, to assist in the process. The guidelines used to redraw the boundaries include the following:

1. Districts shall be equal in population as practicable, with a population that deviates plus or minus five percent from the ideal. San Juan County's population was 121,661 therefore the ideal population would be 24,332;

2. Districts shall not be comprised of split precincts
3. Districts shall be contiguous precincts and reasonably compact, with an attempt to preserve communities of interest.
4. Not dilute a protected minority's voting strength.

A Public Hearing was conducted on November 30, 2021 for public comment. At the December 7th Commission Meeting various plans were reviewed by the Commission; one of the plans considered and discussed was the A-4 plan. As a result of feedback from the County Commission, Mr. Adair prepared an A-5 plan which was made available to the public in the County Administration Building and on the County website since the last meeting. Mr. Adair explained the changes made to Plan A-4 to create Plan A-5 and stated that Plan A-5 meets all statutory requirements. Commissioner Sullivan moved to approve Plan A, with no second, the motion died. Mr. Stark read aloud comments that were submitted by email after the December 7th meeting:

Leonard Gorman, Navajo Nation Human Rights Commission Executive Director, expressed his support for the plan submitted by the Navajo Nation Human Rights Commission and submitted two resolutions for record in support of the plan presented to the Commission prior to the December 7th Regular Meeting. The resolutions have been reviewed by the County Commission and presented to the County Clerk for the record.

Terry Eagle and Shauna Abney wrote in opposition to any redistricting plan.

Michael Freestone wrote in support of Plan A-4.

Darcy Moss wrote in support of Plan A-5.

Mary Ray requested in writing that the Commission table the redistricting for further input.

ACLU New Mexico submitted comment which was reviewed by the Commission and presented to the County Clerk for the record.

The Commission asked questions and made various comments. A motion was made by Commissioner Lanier, seconded by Commissioner Todacheene to approve the County Commission Redistricting Plan. Chairman Beckstead, Chairman Pro-Tem Fortner, Commissioner Todacheene, and Commissioner Lanier voted in favor. Commissioner Sullivan voted against. Upon voice vote the motion passed four to one.

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 Regular Meeting Minutes of December 7, 2021
2. Approval for Stipend for Crisis Negotiation Deputies-Sheriff's Office

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

New Business

1. **Consideration of Resolution No. 21-22-38, Authorizing San Juan County to Enter into Settlement Agreements with Opioid Distributors to Resolve Opioid Litigation and Authorizing County Manager to Execute Documents Necessary to Effectuate County's Participation in Settlement Agreements**

Joe Sawyer, County Attorney, indicated that in 2018, the Board of County Commissioners authorized the County to hire Crueger Dickinson LLC ("law firm") to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals holding them financially responsible for the impact of the opioid epidemic and the resources the County had used to combat the epidemic. The settlement required approval by Attorney General Hector Balderas who recently indicated that New Mexico will join the litigation. As a result, San Juan County can now participate in the settlement. The Resolution indicates that the County joins the settlement and gives authority to the County Manager to execute the participation agreements once an allocation agreement has been reached between the New Mexico Attorney General and New Mexico counties and cities. Monies awarded must be used for opioid recovery programs. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene to approve Resolution No. 21-22-38, Authorizing San Juan County to Enter into Settlement Agreements with Opioid Distributors to Resolve Opioid Litigation and Authorizing County Manager to Execute Documents Necessary to Effectuate County's Participation in Settlement Agreements. Upon voice vote this motion passed unanimously.

2. **Consideration for Award of Bid No. 21-22-07, Kirtland Schools Walk Path Phase II, to TRC Construction Inc. of Flora Vista, NM**

Diana Chapman, Chief Procurement Officer, stated that on October 31, 2021 Central Purchasing issued a request for sealed bids for the Kirtland Schools Walk Path Phase II. On December 7, 2021, one (1) bid was received. Thirty-four (34) invitations were mailed. The bid response was reviewed by staff and the project engineer. A subsequent bid review and negotiation between San Juan County and TRC Construction, Inc. was held on December 14, 2021 resulting in a reduction of \$26,296.17 in base bid price. Staff recommended award of Bid No. 21-22- 07, Kirtland Schools Walk Path Phase II to TRC Construction Inc. of Flora Vista, NM as the overall low bidder. The award will be for the base bid amount of \$709,285.60, plus NMGRT of \$47,876.78, for a total award of \$757,162.38. The construction contract will be funded in part by \$640,000 in Transportation Alternatives Program grant funding from the New Mexico Department of Transportation. The remaining \$117,162.38 will be funded by County capital reserves. The Commission asked various questions. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Fortner to approve the Award of Bid No. 21-22-07, Kirtland Schools Walk Path Phase II, to TRC Construction Inc. of Flora Vista, NM. Upon voice vote this motion passed unanimously.

3. **Consideration of Resolution No.21-22-39, A Resolution Authorizing the Use of Coronavirus State and Local Recovery Funds**

Mike Stark, County Manager, explained that on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by President Biden. Under the act, the County can expend ARPA funds to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers. "Premium pay" is additional income paid for by State and Local Recovery Funds that can be provided to essential workers who have been and continue to be relied on to maintain continuity of operations of essential critical infrastructure sectors, including those who are critical to protecting the health and well-being of their communities. Under the Interim Final Rule issued from the US Department of Treasury, all local government employees are deemed eligible workers. Premium pay is authorized for eligible workers who perform essential work as defined in 31 CFR Part 35. Staff recommended that all county employees, volunteer firefighters, early voting/day workers, and employees of the Criminal Justice Training Authority, San Juan Water Commission, San Juan County Communications Authority, First Tee, and Reserve Deputies who have been performing essential work would be eligible for a one-time "gross" payment of \$1,300 once one hundred (100) hours is reached (\$700 maximum for early voting/election workers). Hours worked must be on-premises; remote work and any paid time-off are excluded. For volunteer firefighters and reserve deputies one nominal fee equals one hour of work. Workers who have not yet worked one-hundred total hours, will receive a one-time payment proportionate to the number of actual hours worked from March 3, 2021-January 22, 2022 at rate of \$13 per hour, except for election and day workers. Election and day workers will receive a payment of \$7 per hour, up to 100 hours. Any proportionate payments, election worker or volunteer firefighter premium payments will be made after the pay period ending January 22, 2022. Any applicable taxes and deductions will be taken from the gross amount. Elected officials would not qualify to receive premium pay due to their statutory wage caps set by New Mexico. The Commission made various comments. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Lanier to approve Resolution No.21-22-39, A Resolution Authorizing the Use of Coronavirus State and Local Recovery Funds. Upon voice vote this motion passed unanimously.

Report from County Manager

Mike Stark updated the Commission on the following:

- Infrastructure bill is being reviewed by Staff
- New Covid curative testing site at Old Tibbetts Library Monday-Friday 12 pm-7 pm and Saturday-Sunday 9 am-4 pm
- Staff is monitoring the OSHA Emergency Temporary Standard and the timelines

Reports From Elected Officials And Department Heads

Terri Fortner thanked County staff for their support of the Commission.

Commissioner Todacheene thanked Tanya Shelby, County Clerk and Arlenta Horse-Dickie for their assistance in the redistricting process. Ms. Todacheene also thanked the Fire Chief and the entire department for their support during a recent fire.

Sheriff Shane Ferrari thanked the County Manager and Commissioners for their support of the Sheriff's Department.

Commissioner Sullivan thanked County Staff.

Tanya Shelby, County Clerk, recognized Sherice Snell, GIS for her dedication and assistance during redistricting.

Stewart Logan thanked the Commission and presented a Covid update.

Comments / Input From The General Public

None

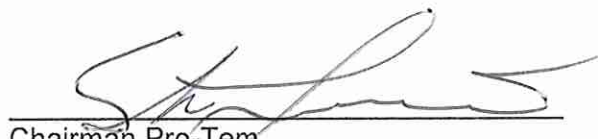
Adjourn

Being no further business Chairman Beckstead adjourned the meeting 5:03 p.m.

APPROVED THIS 4TH DAY OF JANUARY 2022

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:


Chairman


Chairman Pro-Tem


Member


Member


Member




Tanya Shelby, County Clerk