

**San Juan County Commission
Regular Meeting
January 4, 2022**

Chairman Beckstead called the San Juan County Commission meeting to order on January 4, 2022 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 Mike Stark led the Pledge of Allegiance. Those present were:

CHAIRMAN	Terri D. Fortner
CHAIRMAN PRO-TEM	Steve Lanier
MEMBER	John T. Beckstead
MEMBER	GloJean Todacheene
MEMBER	Michael Sullivan
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
EMERGENCY MANAGEMENT COORDINATOR	Ali Rye
CHIEF FINANCIAL OFFICER	Kim Martin
FIRE CHIEF	John Mohler
COMMUNITY DEVELOPMENT DIRECTOR	Michele Truby-Tillen
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley

The following attended via WebEx:

CLERK	Tanya Shelby
CHIEF DEPUTY CLERK	Alyssa Kuhn

VISITORS:

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Election of Chairman and Chairman Pro-Tem

Chairman Beckstead conducted the election for Chairman of the San Juan County Board of Commissioners for the 2022 Calendar Year. Commissioner Lanier nominated Chairman Pro-Tem Fortner to the position of San Juan County Chairman for the 2022 Calendar Year. Commissioner Todacheene seconded. Chairman Pro-Tem Fortner accepted the nomination. There were no other nominations. Chairman Fortner nominated Commission Lanier and

Commissioner Sullivan nominated Commissioner Todacheene to the position of Chairman Pro-Tem. A roll-call vote was conducted for Commissioner Lanier as Chairman Pro-Tem; Chairman Fortner, Commissioner Lanier, and Commissioner Beckstead voted in favor of Commissioner Lanier. Commissioner Todacheene and Commissioner Sullivan voted against. Upon roll-call vote three to two, Commissioner Lanier was chosen as the Chairman Pro-Tem for the 2022 Calendar year. Chairman Fortner presented the gavel to Commissioner Beckstead thanking him for his service as Chairman in 2021.

A motion was made by Commissioner Todacheene, seconded by Commissioner Beckstead to call to order the Board of Finance Meeting. Upon voice vote, the motion passed unanimously.

Board of Finance Meeting

1. **Consideration of Resolution 21-22-41, Authorizing Investment of Monies in the Local Short-Term Investment Fund**

Bryan Myers, Deputy Treasurer, stated that at the beginning of each year, the San Juan County Commission must authorize the County Treasurer and the Chief Deputy Treasurer to invest County monies in the local short-term investment fund, pursuant to Section 6-10-10.1, N.M.S.A., 1978. The fund is managed by the New Mexico State Treasurer. Resolution 21-22-41 authorizes Carol Taulbee, County Treasurer and Bryan Myers, Chief Deputy Treasurer to deposit or withdraw monies in the local short-term investment fund. A motion was made by Commissioner Beckstead, seconded by Commissioner Sullivan to approve Resolution 21-22-41, Authorizing Investment of Monies in the Local Short-Term Investment Fund. Upon voice vote this motion passed unanimously.

A motion was made by Chairman Pro-Tem Lanier, seconded by Commissioner Beckstead to adjourn the Board of Finance Meeting and to 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 are no changes to the agenda. A motion was made by Commissioner Beckstead, seconded by Chairman Pro-Tem Lanier to approve the agenda as presented. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval for Regular Meeting Minutes from December 21, 2021
2. Approval of Resolution No. 21-22-40, Appointing Director to the New Mexico County Insurance Authority Board of Directors and Designating a Voting Member Representative and Alternate for General Membership Meetings of the Authority
3. Approval of Resolution No. 21-22-37, FY22 Budget Adjustment #5

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

New Business

1. **Consideration of Approval of Resolution No. 21-22-43, Acceptance of the FY21 Annual Comprehensive Financial Report (ACFR)-completed by Pattillo, Brown and Hill, LLP**

Kim Martin, Chief Financial Officer, explained that Section 2.2.2.10M(4) NMAC (2021 New Mexico State Audit Rule) requires that the FY21 ACFR be presented by the IPA (Pattillo, Brown and Hill, LLP) to a quorum of the County Commission at a meeting held in accordance with the Open Meetings Act. Furthermore, the New Mexico Department of Finance and Administration requires the Commission sign a resolution accepting the audit. Ms. Martin introduced Chris Garner, Partner with Pattillo, Brown and Hill, LLP. Mr. Garner reported a successful compliance audit with an unmodified-clean opinion. There were no difficulties encountered during the audit and no corrected misstatements. The County has received the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for 15 consecutive years. Staff requested the approval of the FY21 audit through Resolution 21-22-43. The Commission asked various questions. A motion was made by Commissioner Beckstead, seconded by Commissioner Sullivan to approve Resolution No. 21-22-43, Acceptance of the FY21 Annual Comprehensive Financial Report (ACFR)-completed by Pattillo, Brown and Hill, LLP. Upon voice vote this motion passed unanimously.

2. **NMSU Farmington Agricultural Science Center**

Dr. Kevin Lombard, Superintendent of the Farmington Agricultural Science Center presented an update to the Commission regarding their projects and services that are provided to the community. Dr. Lombard highlighted the following:

- The Agricultural Experiment Station (AES) system, created by the federal Hatch Act of 1887 and constitutionally mandated in New Mexico in 1915, supports fundamental and applied science and technology research.
- The AES Main Campus is in Las Cruces and there are 12 Agricultural Science Center (ASC) sites. In 2020, there were 365 faculty and staff associated with AES.
- The mission of the New Mexico State University-ASC-Farmington is to conduct research, demonstration, and educational programs that will best fill the needs of the agricultural community of San Juan County, the Navajo Nation, Four Corners Region, the State, and the Nation.
- The New Mexico State University Agricultural Science Center at Farmington (ASC-Farmington) is located on land leased from the Navajo Nation and has provided technical support, as well as training to Navajo farmers. The Navajo Agricultural Products Industry (NAPI) location, which is near traditional Navajo and non-Navajo irrigated farmlands, gives the ASC-Farmington a unique opportunity to positively influence operations on one of the largest farms in the country, as well as serve smaller irrigated farmers in the valley. The location near Farmington gives access to a large urban horticulture clientele.

- AES Research Priorities/Initiatives include Carbon sequestration and natural climate solutions in New Mexico, ZiaMet Mesonet, and alternative energy expansion
- Variety trials assist in researching what products grow in each region and allows solid recommendations to farms.
- Projects and outreach include the following: cropping systems, irrigation technology, water conservation, Engaging School and Family in Navajo Gardening for Health: Yeego III, GKM (Gold King Mine) Farm Monitoring, Potato Field Day, and the Gold King Mine Spill Dine Exposure Project

The Commission asked various questions.

3. **Consideration of Resolution No. 21-22-46, Approving San Juan County's Vaccination, Testing, and Face Covering Policy Pursuant to OSHA Emergency Temporary Standard**

Mike Stark, County Manager, indicated that on November 5, 2021 the Federal Occupational Safety and Health Administration (OSHA) issued its Emergency Temporary Standard (ETS) on Vaccination and Testing relating to Covid 19. Upon challenge filed with the U.S. Fifth Circuit Court of Appeals, the Court issued a Stay of the ETS. Subsequently, the U.S. Court of Appeals for the Sixth Circuit dissolved the Fifth Circuit's Stay. Currently, the status of the ETS is that the Stay has been dissolved and in effect until the Supreme Court makes a ruling or further order of the court. The United States Supreme Court has accepted the case and will hear oral arguments on January 7, 2022. The ETS applies to San Juan County as an employer of more than 100 people; New Mexico has an OSHA approved State Plan. Until the ETS is overturned by a court of competent jurisdiction or another stay is issued, San Juan County is required to comply with the ETS which requires employers with more than 100 employees to develop and implement one of two written policies: 1. Mandatory vaccination policy, or 2. Vaccination, testing, and face covering policy. The resolution supports the second policy; Vaccination, testing, and face covering in which employees would be required to provide their vaccination status to the County and employees who are not fully vaccinated would be required to wear a face covering while at work and to be tested weekly for Covid-19. OSHA will begin enforcement of the ETS on January 10, 2022, except for the testing requirements which will be enforced beginning February 9, 2022. Should the Supreme Court issue another Stay or find the ETS to be invalid or unenforceable, the County Manager would have the authority to suspend implementation and enforcement of the policy. The Commission made various comments. A motion was made by Commissioner Sullivan, seconded by Commissioner Todacheene to approve Resolution No. 21-22-46, Approving San Juan County's Vaccination, Testing, and Face Covering Policy Pursuant to OSHA Emergency Temporary Standard. Upon voice vote this motion passed unanimously.

4. **Consideration of Approval of Resolution No. 21-22-42, Open Meetings Act**

Joe Sawyer, County Attorney, stated that the Open Meetings Act requires that a public body determine annually what notice for a public meeting is reasonable when applied to that body. Commission Meetings will be held the 1st and 3rd Tuesday at 4:00 p.m. unless otherwise rescheduled or a Special Meeting is in order. A motion was made by Chairman Pro-Tem Lanier,

seconded by Commissioner Todacheene to approve Resolution No. 21-22-42, Open Meetings Act. Upon voice vote this motion passed unanimously.

5. Consideration of Commission Meeting Schedule for February

Mike Stark, County Manager, explained that the National Association of Counties Conference is scheduled for February 12th-16th in Washington, DC. With at least two Commissioners expected to attend, Staff recommended cancellation of the February 15th meeting. A motion was made by Commissioner Sullivan, seconded by Commissioner Beckstead to approve the Commission Meeting Schedule for February. Chairman Fortner, Chairman Pro-Tem Lanier, Commissioner Beckstead, and Commissioner Sullivan voted in favor. Commissioner Todacheene voted against. Upon voice vote this motion passed four to one.

Report from County Manager

Mike Stark reported the following:

- State Legislative Session is January 18, 2022 through February 17, 2022
- New Mexico Counties offers a subscription to the New Mexico Legislative Report to County staff to track legislation
- A draft of Boards and Committees was given to the Commission to review, which will be on the next regular meeting agenda.

Reports From Elected Officials And Department Heads

Michele Truby-Tillen, Community Development Director, announced there is a new program on the Community Development website for contractors and public use.

Comments / Input From The General Public

None

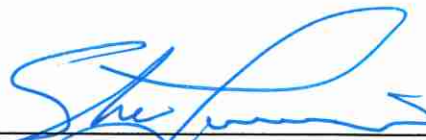
Adjourn

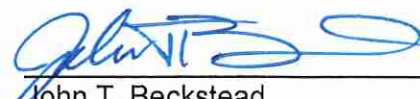
Being no further business Chairman Fortner adjourned the meeting at 5:37 p.m.

APPROVED THIS 18TH DAY OF JANUARY 2022

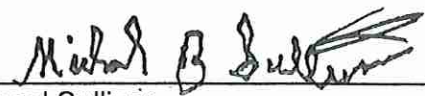
BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:


Chairman Terri D. Fortner


Chairman Pro-Tem Steve Lanier


John T. Beckstead


Glojean Todacheene


Michael Sullivan

ATTEST:


Tanya Shelby, County Clerk

