

**San Juan County Commission  
Regular Meeting  
July 26, 2022**

Chairman Fortner called the San Juan County Commission meeting to order on July 26, 2022, at 4:00 p.m. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Chairman Fortner gave the invocation and Commissioner Todacheene 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
CLERK	Tanya Shelby
SHERIFF	Shane Ferrari
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
DEPUTY COUNTY MANAGER	Jim Cox
ATTORNEY	Joe Sawyer
DEPUTY ATTORNEY	Ellen Wayne
CHIEF FINANCIAL OFFICER	Kim Martin
PARKS & FACILITIES ADMINISTRATOR	Daniel Hill
PUBLIC WORKS ADMINISTRATOR	Nick Porell
FIRE CHIEF	John Mohler
DEPUTY FIRE CHIEF	David Vega
COMMUNITY DEVELOPMENT DIRECTOR	Michele Truby-Tillen
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley
BEHAVIORAL HEALTH SERVICES DIRECTOR	
VISITORS:	15

**Recognition**

1. Recognition of San Juan County Sheriff's Department Lieutenants Justin Rieker and Dave McCall

Sheriff Shane Ferrari recognized and commended Lt. Justin Rieker and Lt. Dave McCall of the San Juan County Sheriff's Office. Lt. Rieker graduated June 16, 2022, from the FBI National Academy 282nd session at Quantico, Virginia. The session consisted of U.S. and international law enforcement executives representing local, state, federal and tribal organizations. Lt. Rieker completed the famous "Yellow Brick Road," a 6.1 mile run with an incorporated obstacle course. The opportunity to attend the FBI National Academy is a once in a lifetime leadership and

educational experience for less than 1% of all Law Enforcement Officers worldwide. Lt. McCall graduated on June 24, 2022, from the prestigious Northwestern School of Police Staff and Command in Golden, Colorado. The 10-week schooling focuses on critical command-level content including planning and policies, organizational behavior, budgeting, resource allocation, media relations, and contemporary policing. These courses are known for their rigorous, high volume course work. Lt. McCall was surrounded by commanders from around the country, exposing him to a wide variety of leadership styles and policy insight from different agencies. San Juan County will benefit from both lieutenants' gained knowledge and networking sources. Lt. McCall thanked the Commission and Sheriff's Department for their support.

George Duncan, Chairman, San Juan County Communications Authority, announced that Dave Ripley, Communications Director has retired. Mr. Duncan introduced Nicole Brown as Communications Director of the San Juan County Communications Authority.

## **Regular Meeting**

### **Approval of Agenda**

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

### **Consent Agenda**

1. Approval of Regular Meeting Minutes from July 5, 2022
2. Approval of Treasurer Check Register for June 2022
3. Approval of Finance Check Registers for June 2022
4. Approval of Resolution No. 22-23-04, FY2022 Final Quarter Financial Report Year Ending 6/30/2022
5. Approval of Benefits Document Plan

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

### **New Business**

1. **Consideration of Request for Acceptance of Non-County Maintained Road to a County Maintained -Coyote Ridge Subdivision Phase I**

Nick Porell, Public Works Director, indicated that an application was received requesting reclassification of existing roads Lobo Ridge Dr and Elk Ridge Ct from non-County Maintained to County maintained. The location of the roads is in Coyote Ridge Subdivision Phase I, which was completed in 2006. At that time, the road rights-of-way were dedicated to the County as part of that approval process though the roads were never proposed or accepted for County Maintenance as required by the San Juan County Road Policy. Mr. Porell presented an assessment report of the existing roads that provides a detailed description of the age,

condition, and recommended improvements of the existing roads within the subdivision. This report was prepared based upon the applicant's provided Existing Pavement Evaluation from Geomat and a physical inspection by Staff on July 12, 2022. In the request for Acceptance of Non-County Maintained Road to a County Maintained, the applicant requested that the roads be accepted in the "as-is" condition with no repairs or improvements. As outlined in the Assessment of Existing Roads, that if accepted "as-is," the estimated cost to the County for immediate preventative maintenance of roadways and sidewalk within Phase I of the subdivision is \$40,148 to prevent further pavement degradation/failure and for ADA compliance. It is at the Commission's discretion to approve, deny, or approve conditionally the proposed road reclassification application. Staff recommended conditional approval which includes repairs be made by the Applicant as outlined in the Assessment of Existing Roads prior to final acceptance of the roads per Section 6.A.6 -Final Decision of the San Juan County Road Policy:

Any such conditions shall be set forth in the Resolution of Approval and shall be accepted by the applicant in writing. Conditional approval shall become void six months from the date of the Resolution of Conditional Approval if all conditions are not met, and the road shall automatically revert to its previous classification without further action. Staff would request consideration in extending the Conditional Approval to a period of twelve (12) months to provide sufficient time for the repairs to be completed during warm weather conditions as required by material specifications for asphalt and crack seal.

Mike Smith, on behalf of BC Land Developers Inc, explained that the Subdivision Regulations and Road Policy are very lengthy and expressed his concerns regarding the regulations and policy. Mr. Smith stated that Don Becker, Officer of BC Land Developers Inc, is willing to repair the roads according to the inspection by Nick Porell and requested Commission approval upon an agreement written up by the County Attorney. Don Becker, BC Land Developers Inc, stated that minor adjustments would need to make the sidewalk to make it in compliance with ADA requirements. Joe Sawyer, County Attorney explained the dedication and acceptance clause in the Subdivision Regulations. The Commission asked various questions. A motion was made by Commissioner Beckstead, to approve the Request for Acceptance of Non-County Maintained Road to a County Maintained -Coyote Ridge Subdivision Phase I with the condition that the roads are acceptable to Public Works Department. After further discussion, Commissioner Beckstead motioned to withdraw the conditional approval. A motion was made by Commissioner Beckstead, to renew the motion to approve the Request for Acceptance of Non-County Maintained Road to a County Maintained -Coyote Ridge Subdivision Phase I with the condition of a Subdivision Improvement Agreement that would include Phase II with Provisions. Due to lack of a second, the motion failed. A motion to table the Request for Acceptance of Non-County Maintained Road to a County Maintained -Coyote Ridge Subdivision Phase I for the next regular Commission Meeting was made by Commissioner Sullivan, seconded by Chairman Pro-Tem Lanier. Upon voice vote this motion passed unanimously.

## **2. Consideration of Approval of 2022 Edward Byrne Memorial Justice Assistance (JAG) Grant Agreement**

Cory Tanner, Undersheriff, communicated that The San Juan County Sheriff's Office was determined to be eligible to receive \$41,312 from the Department of Justice, 2022 Edward Byrne Memorial Justice Assistance Grant (JAG). The Sheriff's Office will be using the allocation to purchase a police cruiser for use on patrol. There are no matching funds required with this grant. Chairman Fortner opened the floor for public comment. No comments were made. A

motion was made by Commissioner Beckstead, seconded by Commissioner Todacheene to approve the 2022 Edward Byrne Memorial Justice Assistance (JAG) Grant Agreement. Upon voice vote this motion passed unanimously.

**3. Consideration of Approval to Apply for The New Mexico Regional Recreation Centers/Quality of Life Grant Application by Resolution 22-23-05**

Daniel Hill, Parks & Facility Administrator, announced that the legislature passed House Bill 2, General Appropriations Act of 2022 during the 2022 regular session. Within the Bill, the Department of Finance and Administration (DFA) was allocated a total of \$45 million to plan, design, construct, furnish/equip regional recreation centers, and quality of life projects statewide. Recently, DFA released notification of the funding opportunity to local governments (municipalities, counties, tribal governments, and special districts) and broadened to include that the funds may be used to create new or expand existing regional recreational facilities. Applications are due to DFA by August 12, 2022; award announcements will be August 31, 2022. Once awarded, the funds must be fully expended within 24 months of execution of the award and there is no match required. The grant monies will be used for the following:

- A building that can be utilized for the poultry and rabbit barns but could also be made available to all 4H, Future Farmers of America (FFA), youth group meetings, projects and other purposes which further expands the facility as a recreational facility available to the public. The current building is flood prone during the monsoon season and does not have heating or air conditioning. The preliminary estimate of the 10,000 square foot building is \$2 million.
- New lighting and a public announcement system for the outdoor riding arena as the current lighting in the arena is not adequate for equestrian events, including barrel races and team roping, and could be considered a hazard. Previously, the County recommended riders use the indoor arena for night events. By adding additional lighting, we can take full advantage of the outdoor arena hereby expanding the use as a recreational asset of the County.
- Additional lighting to the outside area of the arena to ensure safe travel for riders to their trucks/trailers.

A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Lanier to approve to Apply for The New Mexico Regional Recreation Centers/Quality of Life Grant Application by Resolution 22-23-05. Upon voice vote this motion passed unanimously.

**4. Consideration of Approving the FY23 Final Budget - Resolution #22-23-03**

Kim Martin, Chief Financial Officer, requested approval of the FY23 Final Budget which is due to the Department of Finance & Administration (DFA) by July 31, 2022, for approval. DFA will approve the final budget by September 6, 2022. Ms. Martin presented the following to the Commission:

- Balanced budget which meets the 3/12 reserve general fund and the 1/12 reserve road fund as mandated by the State.
- Revenues increased by \$4.7 million due to grants

- Decrease in property tax revenue
- \$13 million expenditure increase due to carryover of purchase orders and operating changes
- \$1 million LG Opioid Fund added

Ms. Martin requested the Commission to consider the approval of a new full-time employee (FTE) for the Clerk's office. The Clerks' Office is restructuring their office to allow current staff the ability to grow within their department. This new position is not currently in the FY23 final budget; a budget adjustment will be done after the Department of Finance and Administration (DFA) approves the final budget. Mike Stark, County Manager, commended the departments, elected officials in their assistance in financial management. The Commission asked various questions. A motion was made by Commissioner Todacheene, seconded by Commissioner Sullivan to approve the FY23 Final Budget - Resolution #22-23-03. Upon voice vote this motion passed unanimously.

**5. Amendment and Restatement of San Juan County's Employee Handbook, Ordinance No. 34**

Joe Sawyer, County Attorney, indicated that periodically the San Juan County Employee Handbook requires updates to clarify questions or issues that have arisen, changes in technology, and updates to the law. The previous update was completed in July 2020. Upon discussion and comment from department heads, elected officials, as well as employees, the handbook has been revised to add a provision to compensate on-call employees and the County's Remote Work Policy has been incorporated along with the other changes. The summary of changes and the redlined version of the Handbook are available on the County's webpage. Upon approval, the Legal Department will schedule the proper publication of the Notice of Intent to Adopt and will place this item on the August 16, 2022, meeting agenda requesting adoption of the Ordinance. If adopted on August 16, the new version of the Employee Handbook would go into effect September 15, 2022. A motion was made by Commissioner Beckstead, seconded by Commissioner Todacheene to approve the Amendment and Restatement of San Juan County's Employee Handbook, Ordinance No. 34. Upon voice vote this motion passed unanimously.

**6. Report on Inspection of Detention Center**

Joe Sawyer, County Attorney, communicated 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 5, 2021. Mr. Sawyer advised that Chairman Fortner requested the Commissioners to inspect the detention center in preparation of a report to be presented at an upcoming regular County Commission meeting. Chairman Fortner has conducted an inspection; Mr. Sawyer requested the other Commissioners inspect soon.

### **Report from County Manager**

Mike Stark reported the following:

- The Mental Wellness Resource Center received a 2022 Achievement Award from the National Association of Counties (NACo)
- The County will be hosting the NM Mission of Mercy Dental Clinic at McGee on September 23rd and 24th. A total of 800 volunteers are needed and are encouraged to apply on-line.
- The next regular Commission Meeting will be August 16, 2022

### **Reports From Elected Officials And Department Heads**

Nick Porell, Public Works Director updated the Commission on the Cedar Hill Bridge and Boat Launch Project located in Cedar Hill.

Daniel Hill, Parks & Facility Administrator, highlighted the events and concerts that will be happening at the upcoming San Juan County Fair beginning on August 5th.

### **Comments / Input From The General Public**

None

### **Adjourn**

Being no further business, Chairman Fortner adjourned the meeting at 5:29 p.m.

APPROVED THIS 16TH DAY OF AUGUST 2022

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



Chairman Terri D. Fortner



Chairman Pro-Tem Steve Lanier

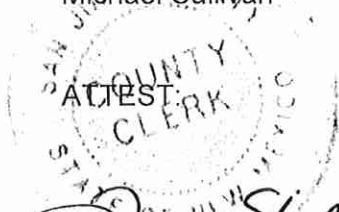


John T. Beckstead

GloJean Todacheene



Michael Sullivan



Tanya Shelby, County Clerk