

**San Juan County Commission
 Regular Meeting
 August 16, 2022**

Chairman Fortner called the San Juan County Commission meeting to order on August 16, 2022, at 4:00 p.m. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Commissioner Beckstead gave the invocation and Mike Stark led the Pledge of Allegiance. Those present were:

CHAIRMAN	Terri D. Fortner
CHAIRMAN PRO-TEM	Steve Lanier- @ 4:17 pm
MEMBER	John T. Beckstead
MEMBER	GloJean Todacheene- ABSENT
MEMBER	Michael Sullivan
CHIEF DEPUTY ASSESSOR	John Kuhn
CLERK	Tanya Shelby
CHIEF DEPUTY TREASURER	Bryan Myers
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
CHIEF HUMAN RESOURCES OFFICER	Roberta Padilla
DEPUTY HUMAN RESOURCES OFFICER	Tara Martinez
ALTERNATIVE SENTENCING DEPUTY ADMINISTRATOR	Timi Howell
JUVENILE SERVICES ADMINISTRATOR	Bowen Belt
FIRE CHIEF	John Mohler
DEPUTY FIRE CHIEF	David Vega
SUBDIVISION REVIEW OFFICER	David Barnett
HOUSING EXECUTIVE DIRECTOR	Charlotte Stanley
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley

VISITORS:

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Presentation

Shana Wells, Code Compliance Officer, commended Baxter and Brigitte Benedict for their attractively groomed property located at 35 Road 3500 in Aztec, NM. Mr. and Mrs. Benedict have inspired county residents to strive for a clean and beautiful community where natural resources are protected, enhancing the environment. Ms. Wells presented them with a certificate in recognition of the "Yard of the Month."

A motion was made by Commissioner Beckstead, 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 No. 22-23-08, Waiving the \$5.00 Minimum Penalty on Delinquent Property Taxes

Bryan Myers, Chief Deputy Treasurer, indicated that the New Mexico State Statutes allows a county to impose a penalty of 1% per month, but not exceed 5% of the delinquent tax amount except when the penalty is less than \$5.00. Each year, by resolution, San Juan County waives the \$5 minimum 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 Beckstead, seconded by Commissioner Sullivan to approve Resolution No. 22-23-08, Waiving the \$5.00 Minimum Penalty on Delinquent Property Taxes. Upon voice vote this motion passed unanimously.

A motion was made by Commissioner Beckstead, seconded by Commissioner Sullivan 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 are two changes to the agenda. Mr. Stark clarified that Item #8 on the Consent Agenda is a grant and on Item #4, Regular Business, will be presented by John Mohler, Fire Chief. A motion was made by Commissioner Beckstead, seconded by Commissioner Sullivan to approve the agenda as amended. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Regular Meeting Minutes from July 26, 2022
2. Approval of Treasurer Check Register for July 2022
3. Approval of Finance Check Registers for July 2022
4. Approval of Resolution No. 22-23-06, Disposition of County Surplus
5. Ratification of Contract with Roosevelt County for Non-Guaranteed Bed Space to House Juvenile Detainees
6. Approval of Section Eight Management Assessment Program (SEMAP) Certification
7. Approval of FY22 Annual Inventory
8. Approval of Resolution No. 22-23-11, Riverview Golf Course Water Line Improvement Project Grant

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

Old Business

1. Consideration of Request for Acceptance of Non-County Maintained Roads to County-Maintained Roads -Coyote Ridge Subdivision, Phase I

A motion was made by Commissioner Beckstead, seconded by Commissioner Sullivan to take from the table the Request for Acceptance of Non-County Maintained Roads to County-Maintained Roads -Coyote Ridge Subdivision, Phase I. Upon voice vote this motion passed unanimously.

Nick Porell, Public Works Director, stated that this agenda item was tabled at the July 26, 2022, Commission Meeting. At that meeting, BC Developers presented their request that the roads in Phase I of Coyote Ridge Subdivision be reclassified and accepted as County-Maintained Roads. Subsequently, BC Developers had agreed to submit a modified Appendix A and to follow the recommendations by the County Public Works Director and Geomat to comply with the County's Standard Specifications for Road Construction as described in the Road Policy. Resolution No. 22-23-07 memorializes the agreement between BC Developers and the County. The developers have until November 30, 2023 to bring the roads up to County standards, at which time the roads will be accepted for County maintenance. In the event that material or manpower shortages makes it impossible to finish the improvements to the roads and sidewalks by November 30, 2023, then the developer can seek an extension from the County Manager. A Phase I Environmental Assessment, (EA) is required prior to acceptance per Section 6.A.5 of the San Juan County Road Policy; whereas, the road right of way was dedicated to San Juan County as platted in Coyote Ridge Subdivision Phase I, Staff recommended that no EA be required to complete the request for reclassification. The Commission asked various questions. A motion was made by Commissioner Sullivan, seconded by Commissioner Beckstead to approve Request for Acceptance of Non-County Maintained Roads to County-Maintained Roads -Coyote Ridge Subdivision, Phase I. Upon voice vote this motion passed unanimously.

New Business

1. Consideration of Proclamation Declaring August 17, 2022, as "Non-Profit Day" in San Juan County

Jim Cox, Deputy County Manager, announced that August 17th is National Nonprofit Day to recognize the immense efforts and positive impacts that nonprofit organizations have on all communities across the Nation. They served a vital role this past year and have adapted operations to provide those services in a safe and effective manner during the pandemic. Staff requested the Commission proclaim August 17, 2022 as Nonprofit Day in San Juan County. Mr. Cox read the proclamation aloud:

**SAN JUAN COUNTY, NEW MEXICO
PROCLAIMING AUGUST 17, 2022 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 assisting citizens thru hard economic times ensuring 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, 2022 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 Beckstead to approve the Proclamation Declaring August 17, 2022, as "Non-Profit Day" in San Juan County. Upon voice vote this motion passed unanimously.

2. Consideration of Resolution No. 22-23-10, Adopting the NM Infrastructure Capital Improvement Plan (ICIP) 2024-2028

Jim Cox, Deputy County Manager, explained 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 2023 legislative session. Input to the plan was garnered through three public hearings held on the following dates and locations:

- July 13, 2022- County Administrative Building
- July 19, 2022- Virtual by WebEx
- July 27, 2022- Lower Valley Senior Center

Additional feedback was received via email and social media comments. The following projects were removed from last year's list due to full funding by State legislative appropriations, grant funding, or County internal funding:

- Totah Subdivision water and wastewater system improvements
- Pinon Hills Extension phase 3 ROW acquisition, final design and construction
- Sheriff's Office helicopter replacement
- Bridge 3121 (CR 3000) and 8111 (CR 3500) improvements design
- McGee Park Coliseum roof and restroom upgrades
- Adult Detention Center HVAC
- Rail to Trail design: expansion of the bike path from Farmington to Aztec

The following projects were added as a result of the public input and additional feedback received:

- Flora Vista Wastewater Construction (Phase 1)
- Safety City improvements (full replacement of driving track, upgrades to shooting target systems, building of modern training course)
- McGee Park poultry/rabbit barn replacements & outdoor riding arena improvements
- EMS Station 6 relocation (land purchase and new build)
- Rail to Trail construction: expansion of the bike path from Farmington to Aztec

Mr. Cox requested the amount submitted for the McGee Park poultry/rabbit barn replacement and outdoor riding arena improvements to be amended from \$2,000,000 to \$1,660,900 to reflect the amount submitted to the State. Staff additionally made updates to estimated cost of certain remaining projects due to anticipated inflation as well as renamed the prior year "Community Homeless Shelter" to the "Men's Transitional Shelter." A motion was made by Commissioner Beckstead, seconded by Commissioner Sullivan to approve Resolution No. 22-23-10, Adopting the NM Infrastructure Capital Improvement Plan (ICIP) 2024-2028 with the amended amount to the McGee Park improvements. Upon voice vote this motion passed unanimously.

3. Consideration of Approval of B & L RV Park Expansion

David Barnett, Subdivision Review Officer, indicated that the B & L RV Park, located on Road 1788 about four miles north of Farmington, is over 9 acres, and there are 15 existing spaces that were installed prior to the Manufactured Home Parks and Recreational Vehicle Parks Ordinance No. 76. On October 21, 2014, the Commission approved an expansion of this park. The owner requested approval to add 10 more spaces, bringing the total to 36 spaces. As per Ordinance No. 76, expansions to nonconforming parks require Commission approval. The owner has received written approval for the expansion from the New Mexico Environment Department, the Fire Marshal, and the water provider. This RV Park is in substantial compliance with the requirements of Ordinance No. 76. A motion was made by Chairman Pro-Tem Lanier, seconded by Commissioner Sullivan to approve the B & L RV Park Expansion. Upon voice vote this motion passed unanimously.

4. Consideration of Approval of Projects for State Fire Marshal Grant Fund Application

John Mohler, Fire Chief, requested approval to apply for the New Mexico State Fire Marshal's Grant. There is a zero-match requirement. The grant awarded will be used to purchase the following:

• District 1 (Valley)	\$300,000 for new apparatus (tanker)
• District 4 (La Plata)	\$150,000 for firefighter bunker gear
• District 5 (Blanco)	\$400,000 new station
• District 9 (Sullivan Road)	\$150,000 for firefighter bunker gear
• District 11 (DZ)-	\$300,000 for new apparatus (engine)
• <u>Bloomfield District</u>	<u>\$150,000 for firefighter bunker gear</u>
Total amount requested	\$1,450,000

A motion was made by Commissioner Beckstead, seconded by Commissioner Sullivan to approve the Projects for State Fire Marshal Grant Fund Application. Upon voice vote this motion passed unanimously.

5. Consideration of 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. The Notice of Intent to Adopt was published in the Daily Times on Friday, July 29, 2022. The revised Employee Handbook will go into effect September 15, 2022. Mr. Sawyer stated that a public hearing is required. A motion was made by Commissioner Beckstead, seconded by Chairman Pro-Tem Lanier to open a public hearing for public comment. Upon voice vote this motion passed. There was no public comment. A motion was made by Commissioner Beckstead, seconded by Chairman Pro-Tem Lanier to close the public hearing. Upon voice vote this motion passed. A motion was made by Commissioner Beckstead, seconded by Chairman Pro-Tem Lanier to approve the Amendment and Restatement of San Juan County's Employee Handbook, Ordinance No. 34. Upon voice vote this motion passed unanimously. Tanya Shelby, County Clerk, conducted a roll call vote. Chairman Fortner, Chairman Pro-Tem Lanier, Commissioner Beckstead, and Commissioner Sullivan voted in favor. Upon roll call vote this motion passed.

6. Consideration of Approval of Resolution No. 22-23-09, Report on Inspection of Detention Center

Joe Sawyer, County Attorney, explained 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 requested approval of Resolution No. 22-23-09 reporting the findings of the inspection and the conditions at the Detention Center. A motion was made by Commissioner Sullivan, seconded by Commissioner Beckstead to approve Resolution No. 22-23-09, Report on Inspection of Detention Center. Upon voice vote this motion passed unanimously.

Report from County Manager

Mike Stark reported the following:

- New Mexico State Transportation Commission Meeting will be held August 18th at 8:30 a.m. Mr. Stark, Arvin Trujillo of Four Corners Economic Development (4CED), and Kevin Keller of HDR Engineering will conduct a brief presentation of the County's efforts related to the Four Corners Freight Rail Project.
- New Mexico Workforce Development Board will be at 4CED at the Quality Center for Business on August 17th at 5:00 p.m.
- On August 19th at 1:00 p.m. at Gateway Museum, Governor Michelle Lujan Grisham will announce the grant awarded for the Pinon Hills Extension Project in Farmington.

- The San Juan County Fair was a success. Attendance decreased by 8% from last year; however, the livestock sales numbers increased.

Reports From Elected Officials And Department Heads

Chairman Fortner presented an update of items discussed at the New Mexico Counties meeting that was held on August 5th-6th in Los Lunas.

Mike Mestas, Emergency Manager, reported that on August 10th there were 46 attendees at the Emergency Operations Center Training with 38 completing the training. Mr. Mestas thanked Chairman Fortner, Chairman Pro-Tem Lanier, Mike Stark, and Jim Cox for attending and their support. There will be a County wide drill on October 5th with two hazardous material sites in Bloomfield and a Bomb Team site/SWAT site in Farmington which is sponsored by Enterprise Products.

Roberta Padilla, Chief Human Resources Officer and Tara Martinez, Deputy Human Resources Officer, updated the Commission on the recent Summer Internship Program. Ms. Padilla recognized Ms. Martinez for coordination of the program and her dedication.

Comments / Input From The General Public

None

Closed Executive Session

A motion was made by Chairman Pro-Tem Lanier, seconded by Commissioner Beckstead to go into closed executive session to discuss the following:

1. Discussion of the Purchase, Acquisition, or Disposal of Water Rights, Pursuant to Section 10-15-1 (H) (8), Calber Farms Subdivision
2. Discuss Threatened or Pending Litigation in which the County is a participant-Navajo Nation Redistricting Lawsuit, Pursuant to Section 10-15-1 (H) (7)

Upon voice vote this motion passed unanimously. Upon return a motion was made by Commissioner Beckstead, seconded by Chairman Pro-Tem Lanier to go back into open meeting. Upon voice vote this motion passed unanimously. Chairman Fortner stated that nothing other than what was stated in the motion to go into closed executive session was discussed.

Adjourn


Being no further business Chairman Fortner adjourned the meeting at 5:33 p.m.

APPROVED THIS 6TH DAY OF SEPTEMBER 2022

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



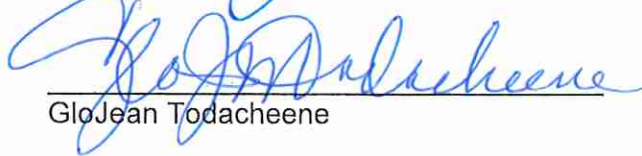
Chairman Terri D. Fortner



Chairman Pro-Tem Steve Lanier



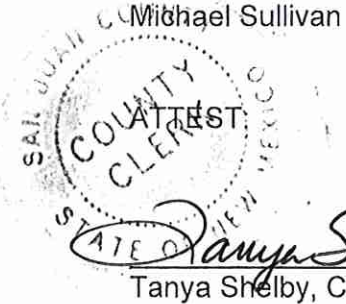
John T. Beckstead



GloJean Todacheene



Michael B. Sullivan


SAN JUAN COUNTY
NEW MEXICO
COUNTY CLERK
ATTEST

Tanya Shelby, County Clerk