

**San Juan County Commission
Regular Meeting
October 18, 2022**

Chairman Fortner called the San Juan County Commission meeting to order on October 18, 2022, at 4:00 p.m. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Mike Stark gave the invocation and Commissioner Todacheene led the Pledge of Allegiance. Those present were:

CHAIRMAN	Terri D. Fortner
CHAIRMAN PRO-TEM	Steve Lanier- VIA PHONE
MEMBER	John T. Beckstead
MEMBER	GloJean Todacheene
MEMBER	Michael Sullivan- VIA PHONE
CLERK	Tanya Shelby
CHIEF DEPUTY TREASURER	Bryan Myers
SHERIFF	Shane Ferrari
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
FIRE CHIEF	John Mohler
DEPUTY FIRE CHIEF	Donovan Mack
COMMUNITY DEVELOPMENT DIRECTOR	Michele Truby-Tillen
HOUSING EXECUTIVE DIRECTOR	Charlotte Stanley
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley
VISITORS:	11

Presentation

1. Yard of the Month

Shana Wells, Code Compliance Officer, announced that the "Yard of the Month" program's mission is to recognize citizens of San Juan County for their voluntary efforts in "Building a Stronger Community" by taking pride in the appearance and maintenance of their yard and home. Ray and Connie Lowe's property located at 10A Road 5190, Bloomfield, NM inspires county residents to strive for a clean and beautiful community where natural resources are protected and the environment is enhanced. Ms. Wells presented Ms. Lowe with a certificate.

Regular Meeting

Approval of Agenda

Mike Stark, County Manager, stated that there is one change to the agenda. Due to a typo in the address on the agenda, the Closed Executive Session will be moved to the next regular meeting. A motion was made by Commissioner Beckstead, seconded by Commissioner Todacheene to approve the agenda as amended. Upon voice vote this motion passed unanimously.

Consent Agenda

1. Approval of Regular Meeting Minutes from October 4, 2022
2. Approval of Special Meeting Minutes from October 10, 2022
3. Approval of Resolution No. 22-23-22, FY23 Budget Adjustment #3
4. Approval of Treasurer Check Register for September 2022
5. Approval of Finance Check Registers for September 2022
6. Approval of Award of Bid No. 22-23-09, Purchase of One (1) New Public Safety Helicopter to CNC Technologies LLC of Oak Park, CA
7. Approval of Resolution No. 22-23-24, Disposition of County Surplus
8. Approval of Resolution No. 22-23-23, to Establish a Project Agreement with the New Mexico Environment Department for Volkswagen Mitigation Trust Funding
9. Approval of Amended New Mexico DOT 2022 Local Government Road Fund Cooperative Agreements

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

New Business

1. Presentation on San Juan College Local Bond Election Projects

Jon Betz, San Juan College Health & Human Performance Center Director and Chris Harrelson, San Juan College Physical Plant Director presented the following information regarding the bond question included on the 2022 General Election ballot:

- The funding will be used for relocation/renovation of the Physical Plant Building, extension of trails to create a Mountain Bike Park/Pump Track, Henderson Fine Arts Center Theatre rigging, fire retardant curtains for the Connie Gotsch Theatre, and retractable bleachers for the Heath and Human Performance Center (HHPC)
- The bond funding will not raise local property tax rates
- Bonds create on the average, one job in architecture, construction, and related fields for every \$100,000 in funding
- Statewide GO Bond 2 is a bond for libraries and the allocation for San Juan College would be utilized to purchase materials such as books, CDs, DVDs, E-books, music, educational resources, and databases, etc.

- Statewide GO Bond 3 would provide funding to update and modernize IT infrastructure. The allocation for San Juan College would be used for replacing cabling, equipment, modernizing the networking rooms, and installing a network fiber loop.

Commissioner Todacheene asked about security and trash receptacles at the Mountain Bike Park. Mr. Betz and Mr. Harrelson stated there will be signage systems however no security; trash receptacles will be provided throughout the park.

2. Consideration of Acceptance of the US Treasury Local Assistance and Tribal Consistency Fund (LATCF) Allocation, Expenditure Plan and Authorizing Chair Fortner to Sign the US Treasury Certification as Required by the US Treasury

Jim Cox, Deputy County Manager, stated that upon the signing of the American Rescue Plan Act (ARPA) into law on March 22, 2021, \$2 billion was appropriated to the US Treasury across federal fiscal years 2022 and 2023 to provide payments to eligible revenue sharing counties and Tribal governments. By statute, the Treasury was required to develop an allocation formula which considered the economic conditions of each eligible revenue sharing county, using measurements of poverty rates, household income, land values, and unemployment rates, as well as other economic indicators, over the 20-year period ending September 30, 2021. Additionally, each federal fiscal year the Treasury set a minimum allocation of \$50,000, a maximum allocation of \$6 million and a per capita maximum of \$300 for each eligible revenue sharing county. On September 29, 2022, the Treasury announced the release of these allocations in which San Juan County was allocated \$5,507,186; \$2,753,593 would be deposited within 4-5 business days of the signing of the Treasury Certification and Agreement with the second \$2,753,593 tranche deposited in calendar year 2023. There is no matching requirement of this award. The County has broad discretion on the use of these funds for any governmental purpose other than a lobbying activity. The County is required to report to the Treasury annually the total amount obligated and expended until all funds are exhausted. Given payroll is the largest cost of the County to provide constituent services, staff recommended allocating 100% of the award to salaries and benefits. All local governments who are allocated the LATCF funding are required to provide the US Treasury with a certification signed by an authorized officer additionally, the authorized officer is required to sign the grant agreement. Staff requested the Commission accept the US Treasury's allocation of LATCF funding, spending plan, and authorize Chair Fortner to sign the certification and agreement. Commissioner Todacheene asked if this funding allocation is also available to the Navajo Nation. Mr. Cox stated that the Tribal governments are eligible to receive the funds. A motion was made by Commissioner Todacheene, seconded by Commissioner Sullivan to approve the Acceptance of the US Treasury Local Assistance and Tribal Consistency Fund (LATCF) Allocation, Expenditure Plan and Authorizing Chair Fortner to Sign the US Treasury Certification as Required by the US Treasury. Upon voice vote this motion passed unanimously.

3. Consideration of Application for Variance from San Juan County Cannabis Ordinance No. 120 for Medina Cannabis, 18 Rd. 5198, Bloomfield, NM

Michele Truby-Tillen, Community Development Director, indicated that Aviance Medina, of Medina Cannabis, submitted a Variance Petition Application to the Community Development Department on August 29, 2022. Medina Cannabis requested a variance from the minimum

separation distance from a residence requirement in Section 3(A) of Ordinance No. 120 to implement a cannabis cultivation production facility with indoor and outdoor grow areas on the property located at 18 Road 5198, Bloomfield, NM. The proposed security fence of the cultivation area is within 300 feet of fifteen (15) residences and the applicant is seeking a variance to last the life of the business. A public hearing was held before hearing officer William C. Birdsell on October 3, 2022. Notice of the hearing was provided to all property owners within 300 feet and none of those owners appeared at the hearing nor submitted an objection to Staff. One individual who lives outside of the 300-foot area did appear at the hearing but had no objections once she learned the proposed establishment is planning to be a production facility rather than a retail operation. Hearing officer Birdsell submitted written findings and conclusions and recommends the request for variance be granted. Joe Sawyer, County Attorney, requested that based on the proximity of the business to residences, that the variance be limited to 2 to 3 years rather than the lifetime of the business. Commissioner Beckstead requested information regarding the filtration system to control odor and if a 3-year variance would be feasible to Mr. Medina. Mr. Medina explained that they have a 3-stage charcoal filtration system in the grow tents and that he is in agreement with the variance limitation. A motion was made by Commissioner Sullivan, seconded by Commissioner Todacheene to approve the Application for Variance from San Juan County Cannabis Ordinance No. 120 for Medina Cannabis, 18 Rd. 5198, Bloomfield, NM. Chairman Fortner, Chairman Pro-Tem Lanier, Commissioner Sullivan, Commissioner Todacheene, and Commissioner Beckstead voted in favor. Upon roll call vote this motion passed unanimously.

4. Consideration of Approval of Digital Billboard Use Policy

Devin Neeley, Public Relations & Film Manager, reported that the Commission approved the purchase of three digital display billboards using ARPA funding to provide another manner of communication with the citizens of San Juan County. Staff is recommending a policy to set guidelines for the source and types of messages as well as the priority of messages. The policy has been reviewed by the Legal department and the executive leadership team. The billboards are located at District 1 Station 1 in Kirtland, San Juan County Multi-Agency Building in Farmington, and District 2 Station 1 in Flora Vista. Commissioner Todacheene asked questions regarding password security, operating costs, distraction for drivers, content. Commissioner Beckstead asked if the messages could be edited remotely. Mr. Neeley stated that a secure password has been created, the operating costs will be monitored, the brightness of the billboards adjusts with the weather conditions, and that messages can be edited remotely. A motion was made by Commissioner Beckstead, seconded by Commissioner Todacheene to approve the Digital Billboard Use Policy. Upon voice vote this motion passed unanimously.

5. Consideration to Implement a 3-Tier Bundled Benefit and Premium Increase to the San Juan County Employee Medical Plan

Melissa Wood, Benefits Compensation Manager, communicated that each year, the benefit plan fund is reviewed to implement incremental changes in order to correct any design or plan shortfalls. Recent rate adjustments to the plan did not have the expected outcome due to an increase in plan usage through the pandemic and an increase in economical inflation across all industries. The plan was subsidized by general funds authorized by the Commission with the current total of \$1,344,641, covering the two prior fiscal years, and a budgeted transfer of \$1,668,043 this fiscal year. The County was refunded \$734,577 in ARPA funding from COVID

specific expenses. Current projections indicate \$9,300,000 will be expended by end of this fiscal year. After reviewing options, industry standards, and projections from other industry resources, Staff recommended that the best solution is to implement a new three-tier bundled benefit plan premium design which will match other entities in their design. Open enrollment is during the month of November and the plans chosen will be implemented on January 1st. Budgeted expected revenues for FY 2023 were \$7,122,095; these premiums would be in effect for half of FY 2023 with the expectation that the change would generate \$1 million in new premium revenue this fiscal year and allow for stability in the plan and building back of cash reserve. For employees that continue to carry the bundled option, they will see a \$17.18 per paycheck increase for employee only, a \$27.16 increase per paycheck for employee plus one dependent, and a \$28.31 increase per paycheck for family coverage. The County will continue to offer the option to enroll in group life, short-term disability, dental, and vision on an individual enrollment option. Group life and short term would be split 50/50 and dental and vision would continue to be a 100% employee premium funded option. Commissioner Sullivan asked if the employees provided input. Ms. Wood stated that previous surveys to employees reflected their choice for an increase in premiums versus a change in benefits. A motion was made by Commissioner Sullivan, seconded by Commissioner Beckstead to approve to Implement a 3-Tier Bundled Benefit and Premium Increase to the San Juan County Employee Medical Plan. Upon voice vote this motion passed unanimously.

6. **Consideration of Approval of Resolution No. 22-23-20, Supporting Operation Green Light for Veterans**

Chairman Fortner announced that Operation Green Light for Veterans is an initiative promoted by the National Association of Counties and endorsed by New Mexico Counties. The mission is to spread awareness of the plight of veterans in counties across the country who have difficulty connecting with benefits after serving their country. During this time prior to Veterans Day, supporters of the military can show their support for veterans by displaying a green light in a window of their place of business or residence. Chairman Fortner read the resolution aloud:

**SAN JUAN COUNTY
RESOLUTION NO. 22-23-20
SUPPORTING OPERATION GREEN LIGHT FOR VETERANS**

WHEREAS, the residents of San Juan County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, San Juan County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran

Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, San Juan County appreciates the sacrifices of our United States Military Personnel and believes specific recognition should be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of San Juan County, New Mexico, that San Juan County is hereby designated as a Green Light for Veterans County and declares October 18 through Veterans Day, November 11, 2022, a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service.

BE IT FURTHER RESOLVED that in observance of Operation Green Light, San Juan County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

A motion was made by Commissioner Beckstead, seconded by Commissioner Todacheene to approve Resolution No. 22-23-20, Supporting Operation Green Light for Veterans. Upon voice vote this motion passed unanimously.

Report from County Manager

Mike Stark reported the following information:

- The County will be displaying green lights in honor of the Veterans from October 18th through November 11th
- On October 20th at 6:00 p.m. there will be a Candidate Meet and Greet held by Leadership San Juan Alumni Association in the Commission Chambers
- Update regarding the Law Enforcement Retention Grant

Reports From Elected Officials And Department Heads

John Mohler, Fire Chief, introduced Donovan Mack the new Deputy Fire Chief. Mr. Mack gave a brief history of his experience.

Mike Mestas, Emergency Manager, announced the following:

- Emergency Management received high marks from the Department of Homeland Security following the recent emergency response drill.
- There were 108 community participants in the Household Hazardous Waste Disposal event.
- Jimmie Meeks will be speaking on Crime/Violence in the Churches on November 10th at Hills Community Church .

Melissa Wood, Benefits Compensation Manager, announced that the County Health and Wellness Fair will be October 20th from 9 a.m. to 3 p.m.

Sherice Snell, GIS Manager, reported that since May 2019, the Clean-Up San Juan program has cleaned 1,497 public land sites and 575,000 lbs of trash have been removed.

Nick Porell, Public Works Administrator, updated the Commission regarding the 5-mile Bridge study.

Commissioner Beckstead asked for a report on Early Voting. Tanya Shelby, County Clerk, stated that there have been approximately 1,500 voters, averaging 250 per day.

Comments / Input From The General Public

Tristan Hawkins, Contractor, expressed his concerns regarding the application process for a building permit.

Russell Allen, Contractor, commended the public land clean-up efforts. Mr. Allen stated that the Community Development portal is helpful in applying for a building permit however, when contacting the office, it is difficult to reach someone immediately.

Closed Executive Session-Removed from the agenda

Adjourn

Being no further business, Chairman Fortner adjourned the meeting at 5:11 p.m.

APPROVED THIS 1ST DAY OF NOVEMBER 2022

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



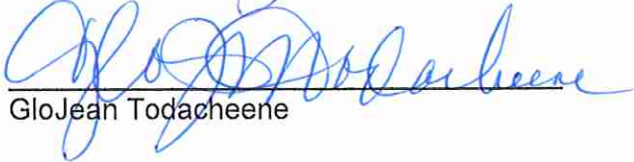
Chairman Terri D. Fortner



Chairman Pro-Tem Steve Lanier



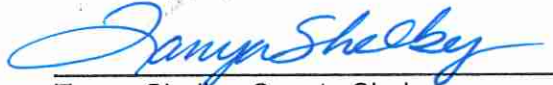
John T. Beckstead



GloJean Todacheene



Michael Sullivan



Tanya Shelby, County Clerk