

**San Juan County Commission  
Regular Meeting  
May 23, 2023**

Chairman Lanier called the San Juan County Commission meeting to order on May 23, 2023, at 4:00 p.m. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Chairman Lanier recognized the various emergency response units, Communications, San Juan Regional Medical Center, and the community for standing together in response to the shooting that occurred in Farmington on May 15, 2023. Keith Corley, Hills Church Pastor, gave the invocation and Commissioner Todacheene led the Pledge of Allegiance. Those present were:

CHAIRMAN	Steve Lanier
CHAIRMAN PRO-TEM	John T. Beckstead- ABSENT
MEMBER	Terri D. Fortner
MEMBER	GloJean Todacheene
MEMBER	Gary McDaniel
CHIEF DEPUTY ASSESSOR	John Kuhn
CLERK	Tanya Shelby
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
DEPUTY ATTORNEY	Ellen Wayne
EMERGENCY MANAGER	Mike Mestas
EMERGENCY MANAGEMENT COORDINATOR	Dawn Knuppel
DEPUTY FINANCE OFFICER	Travis Sisco
PUBLIC WORKS ADMINISTRATOR	Nick Porell
CHIEF HUMAN RESOURCES OFFICER	Roberta Padilla
JUVENILE SERVICES ADMINISTRATOR	Bowen Belt
FIRE CHIEF	David Vega
DEPUTY FIRE CHIEF	John Gilbert
DEPUTY FIRE CHIEF	Donovan Mack
COMMUNICATIONS DIRECTOR	Nicole Brown
CHIEF IS OFFICER	Keith Lund
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley
PROJECT MANAGER	Porter Smith

VISITORS: 7

**Presentation**

1. Special Recognition

Tony E. Herrera, San Juan County Fire Department Division Chief, presented David Vega, San Juan County Fire Chief, with a Medal of Valor for his lifesaving actions on December 14, 2021.

San Juan County Fire and Rescue Districts 2, 3, 7, 8, County Staff, and Aztec Fire Department were dispatched to the report of a structure fire on Road 2620. It was reported by the homeowner that his wife did not make it out. Fire Chief Vega was able to make visual contact with the homeowner's wife who was lying motionless on the floor approximately 15 to 20 feet from the front door. After performing a risk/benefit analysis he found that the benefit of making a rescue attempt outweighed the risk, successfully removing her from the structure. Due to the quick thinking and heroic actions of Fire Chief Vega, the outcome was a positive one. Mr. Herrera stated that Mr. Vega's actions showed true bravery, he is the embodiment of what a firefighter should be, and that he is proud to serve under such a strong leader. Fire Chief Vega thanked everyone for the award.

## **Regular Meeting**

### **Approval of Agenda**

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

### **Consent Agenda**

1. Approval of Finance Check Registers for April 2023
2. Approval of Treasurer Check Register for April 2023
3. Approval of FY23 Budget Adjustment #16-Resolution No. 22-23-63
4. Approval of Regular Meeting Minutes from May 2, 2023
5. Renewal of Request for Proposal No. 19-20-26, Residential Treatment Services for Adolescents to Amikids, Inc. of Cuba, NM
6. Renewal of Bid No. 21-22-20, Cooperative Price Agreement for Fuel: Cardlock Facilities and Bulk Fuel Purchases from Flyers Energy of Auburn, CA and Senergy Petroleum of Phoenix, AZ
7. Renewal of Bid No. 20-21-14, Price Agreement to produce Type II Base Course from C & J Gravel Products, Inc. of Durango, CO
8. Renewal of Bid No. 21-22-22, Price Agreement for Automotive and Heavy Equipment Repairs and Repair Parts to 6 Vendors: Inland Group, Largo Tank & Equipment, O'Reilly Auto Parts, Sun Glass, Webb Auto Group and Ziems Ford Corners
9. Award of Bid No. 22-23-30, Purchase of One (1) Single Radius Arch Culvert from Intermountain Processing & Fabrication Inc. of Farmington, NM
10. Approval of Second NMDOT Cooperative Agreement for Kirtland Schools Multi-Use Path

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

**New Business**

1. **Consideration of Proclamation declaring May as National Historic Preservation Month**

GloJean Todacheene, County Commissioner District 1, read the following proclamation aloud:

PROCLAMATION  
NATIONAL HISTORIC PRESERVATION MONTH  
MAY 2023

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of heritage that has shaped us as a people and a community; and

WHEREAS, established in 1973 by the National Trust for Historic Preservation, events are planned to promote historic places for the purpose of instilling national and community pride, promoting heritage tourism and showing the social and economic benefits of historic preservation.

NOW, THEREFORE, the Board of County Commissioners of San Juan County, New Mexico does hereby proclaim May 2023 as:

NATIONAL HISTORIC PRESERVATION MONTH

in San Juan County, and do hereby call upon all citizens, to join their fellow citizens across the United States in recognizing and participating in this special observance.

A motion was made by Commissioner Todacheene, seconded by Commissioner Fortner to approve the Proclamation declaring May as National Historic Preservation Month. Upon voice vote the motion passed unanimously.

2. **Consideration of Approval of a Beer & Wine Liquor License with On-Premises Consumption Only and Patio Service for The Patio, LLC, 42 Road 4110, Navajo Dam, NM**

Ellen Wayne, Deputy County Attorney, announced that the County received notice from the Alcoholic Beverage Control Division that action must be taken on a Beer & Wine Liquor License with On-Premises Consumption Only and Patio Service for The Patio, LLC, 42 Road 4110, Navajo Dam, NM 87419. A Notice of Public Hearing was published in the Daily Times on April 9, 2023, and April 30, 2023. A public hearing was held on May 15, 2023, to take evidence for approval or disapproval of the Beer & Wine Liquor License. Besides the applicant Crystal

Mcbride, there was no one present and no comments in favor of or in opposition to the liquor license were received. The County is required to consider three criteria:

1. Is the proposed sale location in an area prohibited by the State of New Mexico;
2. Would the transfer violate a zoning or other ordinance of the County; and
3. Would the transfer be detrimental to the public health, safety, or morals of the local option district.

The answer to all three questions was no, therefore; the Hearing Officer's recommendation is that the issuance of the license be approved. The Alcoholic Beverage Control Division must be notified by June 15, 2023, of approval or disapproval. A motion was made by Commissioner Fortner, seconded by Commissioner Todacheene to approve the Beer & Wine Liquor License with On-Premises Consumption Only and Patio Service for The Patio, LLC, 42 Road 4110, Navajo Dam, NM. Upon voice vote the motion passed unanimously.

3. **Notice of Receipt of Freeholders Committee Report regarding Request to Abandon the Cul-de-Sac at the Terminus of Road 3784.**

Ellen Wayne, Deputy County Attorney, indicated that the County received a petition to abandon the cul-de-sac at the terminus of Road 3784. The petitioner, Daniel Wilde, owns the property adjoining the cul-de-sac on all sides and requested to purchase the cul-de-sac if the Commission decides to abandon it. Pursuant to Section 67-5-9 NMSA 1978, the Commission appointed a board of three freeholders (Aaron Chavez, John Mohler, and Dave Rogers) to view the cul-de-sac to be vacated and to file a written report with the County Clerk on the proposed abandonment. The Freeholders Committee has filed the report recommending that the cul-de-sac be abandoned upon the following conditions at the applicant's expense: new cul-de-sac or hammerhead turnaround be constructed to San Juan County Fire Code specifications, fire hydrant is moved or that clear access to fire department vehicles be guaranteed, and that the land be surveyed and appraised with the fair market value paid by applicant as detailed in the Subdivision Improvement Agreement. Upon approval by the Commission an Application for Partial Vacation of Plat will be submitted by the Community Development Department which includes a survey of the land the applicant seeks the County to abandon, an appraisal, execution of a purchase agreement, and an improvement agreement that details how the applicant will replace/move the cul-de-sac and hydrant. At that point, the Commission can vacate the subdivision and sell the property to the applicant, subject to approval by the State Department of Finance and Administration. A motion was made by Commissioner Fortner, seconded by Commissioner Todacheene to approve the Notice of Receipt of Freeholders Committee Report regarding Request to Abandon the Cul-de-Sac at the Terminus of Road 3784. Upon voice vote the motion passed unanimously.

4. **Consideration of Proposed FY2024 Interim Budget**

Travis Sisco, Deputy Chief Financial Officer, communicated that upon approval by the Commission, the FY2024 interim budget will be submitted to the Department of Finance and Administration (DFA) by June 1, 2023, for approval. The interim budget will be approved by July 1, 2023, and will become a legal binding document until the final budget is approved which is due to the DFA by July 31, 2023. After approval of the interim budget, additional County Commission changes can be addressed in the final budget which will be presented for approval

in July. The final approval from DFA will be received by September 6, 2023. Budget adjustments can subsequently be made as operations demand change throughout the fiscal year. Mr. Sisco highlighted the following:

- A reduction on operating costs in the amount of \$108,167 due to the medical contract for the detention centers coming in less than expected and \$16,137 in other minor adjustments.
- A change request to the interim budget from the Commission to provide funding in the amount of \$15,000 to the Nageezi Chapter to help with building improvements.
- After receiving feedback from Departments and working with Valliant Consulting Group, adjustments were made to the market compensation survey that increased the budget by \$38,917.
- One Recording Assistant and One Elections Assistant was added to the Clerk's and Bureau of Elections respectively which increased the budget by \$118,561.

A motion was made by Commissioner Todacheene, seconded by Commissioner Fortner to approve the Proposed FY2024 Interim Budget. Upon voice vote the motion passed unanimously.

#### **5. Consideration of Commission Meeting Schedule for June 2023**

Mike Stark, County Manager, explained that the County is hosting the 2023 New Mexico Counties Summer Conference from June 12th through June 16th. The 2nd regular Commission meeting is currently scheduled for June 20th. Due to the conference being the week prior, it would interfere with the required prep work for the meeting. In addition, moving the meeting from June 20th to the 27th would allow for a better distribution of meetings from June to July as there is only one meeting currently scheduled for July 25th for consideration of the final budget. A motion was made by Commissioner Todacheene, seconded by Commissioner Todacheene to approve the Commission Meeting Schedule for June 2023. Upon voice vote the motion passed unanimously.

#### **Report from County Manager**

Mike Stark announced the following information:

- At the May 2nd, Regular Commission Meeting, a cannabis variance for J & J Flowers was presented to the Commission which was tabled. J & J has withdrawn the variance request, as they moved to a different location where the variance is no longer needed.
- Cedar Hill Boat Launch ribbon cutting ceremony is rescheduled for June 6th at 2 p.m.
- Four Corners Freight Rail Feasibility Study is 40% complete. There will be a public information meeting on June 21st at Newcomb High School and June 22nd at Navajo Technical University in Crownpoint from 4 p.m. to 7 p.m.
- A Public Meeting will be held on September 30th from 8 a.m. to 12 p.m. at the Sullivan Road Fire Station on June 29th from 6 p.m. to 8 p.m. to discuss the impact of the 5-Mile Bridge closure.
- National Public Lands Clean-up Day will be held on September 30th from 8 a.m. to 12 p.m.

- The County received the NACO Achievement Award for the 30-year Capital Budgeting Tool.

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

Commissioner Todacheene requested information regarding the following:

- Hydrogen meeting in Nenahnezad on May 30th- Mr. Stark confirmed that the meeting on May 30th, hosted by 4CED is specific to the utilization of hydrogen in various farm equipment, fertilizer, and solar generation at the Navajo Agricultural Products Industry (NAPI) for farming.
- Update on broadband- Keith Lund, Chief IS Officer, stated that he attended an information meeting on Monday, May 22nd. Comcast and several other entities were in attendance.

Mike Mestas, Emergency Manager, reported the following:

- Commended Dawn Knuppel, Emergency Management Coordinator, for completing the FEMA Basic Academy Certification. She attended the EMI (Emergency Management Institute) Academy in Maryland.
- Updated the Commission regarding the spring runoff and the preparations that are being made in the anticipation of flooding.

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

None

### **Closed Executive Session**

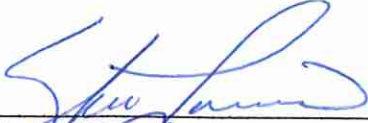
A motion was made by Commissioner Fortner, seconded by Commissioner Todacheene to go into closed executive session to discuss Threatened or Pending Litigation in which the county is a participant – Navajo Nation Redistricting Lawsuit Pursuant to Section 10-15-1 (H) (7). Upon voice vote the motion passed unanimously. Upon return a motion was made by Commissioner Fortner, seconded by Commissioner Todacheene to go back into open meeting. Upon voice vote the motion passed unanimously. Commissioner 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 Lanier adjourned the meeting at 5:43 p.m.

APPROVED THIS 6TH DAY OF JUNE 2023

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



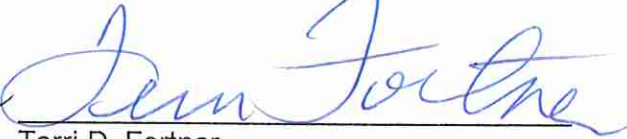
Chairman Steve Lanier



Chairman Pro-Tem John T. Beckstead



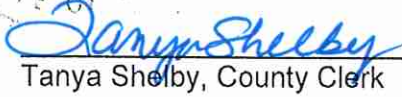
GloJean Todacheene



Terri D. Fortner



Gary McDaniel



Tanya Shelby, County Clerk