

San Juan County Commission
Regular Meeting
May 2, 2023

Chairman Lanier called the San Juan County Commission meeting to order on May 2, 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 gave the invocation and Chairman Pro-Tem Beckstead led the Pledge of Allegiance. Those present were:

CHAIRMAN	Steve Lanier
CHAIRMAN PRO-TEM	John T. Beckstead
MEMBER	Terri D. Fortner
MEMBER	GloJean Todacheene
MEMBER	Gary McDaniel
CHIEF DEPUTY ASSESSOR	John Kuhn
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
CLAIMS MANAGER	Cynthia Singleton
EMERGENCY MANAGEMENT COORDINATOR	Dawn Knuppel
CHIEF FINANCIAL OFFICER	Kim Martin
PUBLIC WORKS ADMINISTRATOR	Nick Porell
ADULT DETENTION ADMINISTRATOR	Daniel Webb
ADULT DETENTION CENTER DEPUTY ADMINISTRATOR	Thomas Paul
FIRE CHIEF	David Vega
DEPUTY FIRE CHIEF	Donovan Mack
COMMUNITY DEVELOPMENT DIRECTOR	Michele Truby-Tillen
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley
PROJECT MANAGER	Porter Smith

VISITORS:

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Regular Meeting

Approval of Agenda

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

Consent Agenda

1. Approval of FY23 Budget Adjustment #15-Resolution No. 22-23-60
2. Approval of Regular Meeting Minutes from April 4, 2023
3. Approval of Regular Meeting Minutes from April 18, 2023
4. Approval of Renewal of Proposal 19-20-28, Health Screenings to Life Scan Wellness Centers of Tampa, FL
5. Approval of Renewal of Proposal 20-21-12, Comprehensive Inmate Medical, Mental Health and Pharmaceutical Care to Well Path of Nashville, TN and Contract Pharmacy Services of Warrington, PA
6. Approval for Submission of the Annual 2023 State Homeland Security Grant Program (SHSGP)
7. Approval for Submission of the Annual 2023 Emergency Management Performance Grant (EMPG)

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 Application for Variance from San Juan County Cannabis Ordinance No. 120 for J & J Flowers, LLC, 17 Road 50183, Bloomfield, NM**

Michele Truby-Tillen, Community Development Director, indicated that J & J Flowers LLC submitted a Variance Petition to the Community Development Department on February 15, 2023, seeking a variance from the minimum separation distance from a residence requirement of Section 3(A) of Ordinance No. 120. J & J desires to operate an outdoor production/grow area that may transition to an indoor grow and plans to conduct cannabis manufacturing on the property in two separate buildings. The proposed grow and manufacturing will be on the property located at 17 Road 50183, Bloomfield, NM which is within 300 feet of three (3) residences. A public hearing was held before Hearing Officer F. Chester Miller III on March 22, 2023. The Community Development Department recommended to the hearing officer the variance be granted initially based on receiving no negative comments prior to the hearing and all variance criteria having been met. After receiving negative comments at the hearing, staff reserves judgment as to whether the business would or would not be injurious to the neighborhood (criteria d). The applicant was represented at the hearing by Jared O'Toole and Justin Bryant. Several residents of the nearby neighborhood appeared at the hearing and spoke against the variance. Only one resident, who spoke in opposition, lives within 300 feet of the proposed business (148 feet). The hearing officer's findings of fact recount statements made at the hearing. The applicant is seeking a variance to last the life of the business; however, Hearing Officer Miller submitted written findings and conclusions and recommended the request for variance be granted but limited to 1 or 2 years with conditions that the fencing, security protections, and odor control measures applicants indicated at the hearing all be instituted. Joe Sawyer, County Attorney, stated that the Commission will only be relying on evidence gathered at the original hearing so as not to violate the due process rights of the parties involved. The Commission asked various questions. A motion was made by Commissioner McDaniel to deny the Application for Variance from San Juan County Cannabis Ordinance No. 120 for J & J Flowers, LLC, 17 Road 50183, Bloomfield, NM. Due to lack of second, the motion died. A motion was made by Commissioner Fortner, seconded by Chairman Pro-Tem Beckstead to

table the Application for Variance from San Juan County Cannabis Ordinance No. 120 for J & J Flowers, LLC, 17 Road 50183, Bloomfield, NM. Upon voice vote the motion passed unanimously.

2. Consideration of Approval of Resolution No. 22-23-61. To Decommission San Juan County Bridge 8118 (5-Mile Bridge)

Nick Porell, Public Works Director, stated that a report prepared by AECOM concerning Bridge 8118 (5-Mile Bridge) was presented to the Commission at the April 18, 2023, San Juan County Commission Meeting. The report addressed the current condition of the structure, critical drainage issues within Largo Canyon, and transportation alternatives within the Largo Wash area pending retirement of the existing structure. The alternatives presented included a recommendation for immediate closure of bridge prior to further degradation of the structure in consideration of pending summer 2023 rain events. The County's insurance carrier is in agreeance with the recommendation for closure of the structure based on the information provided by the County's contracted professional engineer. Staff has contacted San Juan County Fire, Sheriff's Office, and EMS regarding any implications to emergency response resulting from permanent closure in which it was confirmed that the bridge is not utilized for emergency response given its reduced load rating and vehicle height restrictions. In anticipation of the increase in traffic, a public information meeting will be held to receive public comments for improvements to Road 4990. A decommissioning and removal plan options will be prepared for future consideration. Staff requested approval of Resolution No. 22-23-61 to proceed with public notifications of a planned permanent closure effective June 5, 2023. Commissioner Todacheene asked about the daily traffic volume. Mr. Porell stated that the traffic study in November 2022 indicated that it is a very low volume road; 174 vehicles per day/combined directions. Commissioner McDaniel expressed his concerns regarding the increase in traffic on Road 4990 after the bridge is decommissioned. Mr. Porell indicated that the road would still be below operational capacity. Mike Stark, County Manager, contacted Hilcorp to confirm that the closure would not cause issues and possible funding to rebuild the bridge. Hilcorp indicated that there will not be an issue. Mr. Stark is waiting for a response regarding funding. A motion was made by Chairman Pro-Tem Beckstead, seconded by Commissioner Fortner to approve Resolution No. 22-23-61. To Decommission San Juan County Bridge 8118 (5-Mile Bridge). Upon voice vote the motion passed unanimously.

3. Bryon's House of Hope

Brian Myers, Executive Director/Cofounder of Convicted by Christ, Inc and Director of Byron's House of Hope, a male transitional home located at 309 W. Pinon St in Farmington, presented the following to the Commission:

- Convicted by Christ Inc was established in 2011 and is a local non-profit providing support for men who are being release from jail/prison with an emphasis in addiction recovery and spiritual growth.
- Byron's House of Hope founded in 2018, is a mandatory 6-month transition home and program for men on parole being released from New Mexico prisons.
- The program is recognized by the local and state Adult Probation and Parole Department.

- The program currently provides housing for 7 clients; with space for additional clients however, additional funding and staff would be required to provide those services.
- They are a 501(c3) program; the City of Farmington, Four Corners Foundation, churches, local organizations/businesses, and individual donors provide funding.
- Client services include counseling, life-skill classes, parenting classes, housing, job placement, assistance in obtaining proper documentation need for driver license/employment, GED training, Bible classes and church services.
- Additional monies are needed for the following: additional staff, transportation costs, and client needs (food, hygiene, clothing, bedding, toiletry).

The Commission asked various questions.

Report from County Manager

Mike Stark reported the following:

- The County is hosting the Workforce Solutions annual employment fair on Thursday, May 4, 2023, from 9 a.m. to 4 p.m. at McGee Park.
- Human Resources has submitted the application to participate in the New Mexico Public Education Department intern program. The application includes a request of 100 student interns and 5 adult coordinators. The County facilitates the program on behalf of the City of Farmington and other agencies throughout the County.

Reports From Elected Officials And Department Heads

Commissioner Todacheene announced that the Just Move It event will be held at Berg Park on Sunday, May 7, 2023, at 4:00 p.m.

Comments / Input From The General Public

Theo Brown and Delores Abeyta expressed concerns regarding the cannabis variance that was discussed as New Business earlier in the meeting. Joe Sawyer, County Attorney, addressed the comments by stating that the time to submit concerns was at the variance hearing and explained that accepting comment would violate the due process rights of all parties involved.

Closed Executive Session

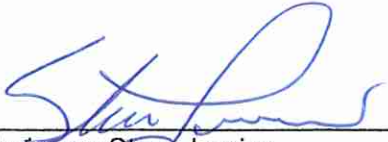
A motion was made by Chairman Pro-Tem Beckstead, seconded by Commissioner Fortner to go into closed executive session to discuss threatened or pending litigation in which the county is a participant – Navajo Nation Redistricting Lawsuit Pursuant to Section 10-15-1 (H) (7). Upon voice vote the motion passed unanimously. Upon return a motion was made by Chairman Pro-Tem Beckstead, seconded by Commissioner Fortner to go back into open meeting. Upon voice vote the motion passed unanimously. Chairman Pro-Tem Beckstead 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 6:08 p.m.

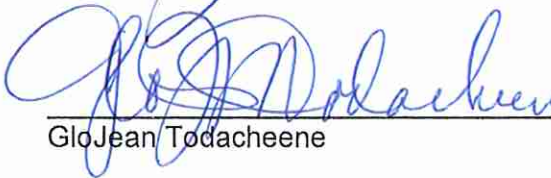
APPROVED THIS 23RD DAY OF MAY 2023

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