

**San Juan County Commission
Regular Meeting
June 27, 2023**

Chairman Lanier called the San Juan County Commission meeting to order on June 27, 2023, at 4:00 p.m. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Commissioner Todacheene gave the invocation and Commissioner Fortner led the Pledge of Allegiance. Those present were:

CHAIRMAN	Steve Lanier
CHAIRMAN PRO-TEM	John T. Beckstead – 4:15 pm
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 COUNTY MANAGER	Steven Saavedra
ATTORNEY	Joe Sawyer
DEPUTY ATTORNEY	Ellen Wayne
EMERGENCY MANAGER	Mike Mestas
CHIEF FINANCIAL OFFICER	Kim Martin
CHIEF HUMAN RESOURCES OFFICER	Roberta Padilla
ADULT DETENTION CENTER DEPUTY ADMINISTRATOR	Thomas Paul
FIRE CHIEF	David Vega
DEPUTY FIRE CHIEF	Donovan Mack
COMMUNITY HEALTH & SOCIAL SERVICES DIRECTOR	Liza Gomez
COMMUNITY DEVELOPMENT DIRECTOR	Michele Truby-Tillen
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley
PROJECT MANAGER	Porter Smith
VISITORS:	7

Regular Meeting

Approval of Agenda

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

Consent Agenda

1. Approval of Regular Meeting Minutes from June 6, 2023
2. Approval of FY23 Budget Adjustment #18-Resolution No. 22-23-69
3. Renewal of Bid No. 21-22-25, Price Agreement for the Purchase of Asphalt Emulsions and Associated Products from HollyFrontier Refining & Marketing, LLC of Albuquerque, NM
4. Renewal of Proposal No. 19-20-22, Major Medical Aggregate and Specific Stop Loss Insurance to Sun Life Financial of Scottsdale, AZ
5. Renewal of Proposal No. 19-20-21, Employee Health Benefits Program Administration - Major Medical to Tall Tree Administrators of Draper, UT
6. Approval of the Request to Serve as Fiscal Agent to Apply for the Community DWI (CDWI) Prevention Grant
7. Approve the Award of Proposal No. 22-23-31, Medical Direction for Fire & Rescue Services to EMSDOCS, LLC of Farmington, NM

A motion was made by Commissioner Todacheene, seconded by Commissioner Fortner 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 Regulation Ordinance No. 120 for Apokoloco Farms, #13 and #13A Road 2621, Aztec, NM

Joe Sawyer, County Attorney, announced that the Commission will only be relying on evidence gathered at the original variance hearing so as not to violate the due process rights of parties involved. Michele Truby-Tillen, Community Development Director, indicated that Apokoloco Farms submitted a Variance Petition Application to the Community Development Department on May 16, 2023, to request a variance from the minimum separation distance from a residence requirement in Section 3(A) of Ordinance No. 120. Apokoloco Farms seeks to establish an indoor cannabis grow operation at 13 and 13A Road 2621 in Aztec, NM, which is within 300 feet of two residences measuring 122 feet and 262 feet. The applicant requested a variance to last the life of the business at this location. On June 7, 2023 a public hearing was held before hearing officer F. Chester Miller III where no one appeared to speak against the variance nor were there any negative comments received by the Community Development Department. Hearing officer Miller submitted written findings and conclusions and recommended the request for variance be granted. The Commission made various comments. A motion was made by Commissioner Todacheene, seconded by Commissioner Fortner to approve Application for Variance from San Juan County Cannabis Regulation Ordinance No. 120 for Apokoloco Farms, #13 and #13A Road 2621, Aztec, NM. Upon voice vote the motion passed unanimously.

2. Consideration of 2nd Amendment to the Intergovernmental Agreement for Sobering Center and Joint Intervention Program Services

Mike Stark, County Manager, indicated that in 2016, San Juan County, the City of Farmington, and San Juan Regional Medical Center entered into an Intergovernmental Agreement (IGA) to provide Behavioral Health Services via the Sobering Center and Joint Intervention Program

(JIP). San Juan Regional Medical Center is the fiscal agent for the contract and is partnered with Presbyterian Medical Services (PMS) for services. The programs, which are operated by PMS, consist of two 40-bed facilities to provide recovery services. Staff recently met with the City of Farmington, and San Juan Regional Medical Center to review the total program operating costs and funding percentages of the entities. The fixed fee contract has been in place for three years with previous costs totaling \$1.594 million, however PMS is requesting a 2.5% increase bringing costs to \$1.634 million. To maintain San Juan Regional Medical Center's (SJRMC) continued participation in the programs, each entity will contribute 1/3 of the costs. The County will utilize opioid settlement dollars to assist with funding for these services, rather than solely relying upon the Health Care Assistance Program (HCAP). Chairman Lanier asked how a low-cost increase was achieved. Kristine Carlson-Werito, with PMS, explained that PMS was able to obtain funding from various sources and positions were combined to keep cost increases at a minimum. Commissioner Todacheene asked what the average monthly use of the facilities was. Ms. Carlson-Werito stated that she did not have an exact number but did indicate that Paul's Place is consistently at capacity and the sobering center combined with the 44-bed expansion has come close to reaching capacity. The Commission asked various questions. A motion was made by Commissioner Todacheene, seconded by Commissioner Fortner to approve the 2nd Amendment to the Intergovernmental Agreement for Sobering Center and Joint Intervention Program Services. Upon voice vote the motion passed unanimously.

3. Report of Inspection of Detention Center

Joe Sawyer, County Attorney, stated 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 August 16, 2022. Mr. Sawyer requested the Commissioners to inspect the detention center in preparation of a report to be presented at an upcoming regular County Commission meeting.

4. Consideration of Electing Membership into the State Employee Medical Fund Plan

Melissa Wood, Benefits and Compensation Manager, communicated that at the May 23rd Regular Commission Meeting, the Commission approved the FY24 Interim budget to include termination of the County's self-funded medical plan and elect membership to the State Employee Medical Plan. Staff recently learned that the language included in House Bill 2, from the 2023 legislative session, requires an assessment be conducted by the NM General Services Department of all current medical and life plan participants in an attempt to reduce the plan's current fund shortfall of \$119 million. Ms. Wood stated that there is some uncertainty regarding the State medical plan, both outstanding liabilities and future necessary plan premium increases. The State guaranteed that San Juan County would be exempt from the assessment and notice to join the State plan must be given by July 1st. If the current insurance plan were to remain in place, an additional \$3 million in subsidies would be required. Mike Stark, County Manager, indicated that 57,000 people across 140 entities are covered by the State plan, so there is promise that a favorable resolution to the shortfall will be implemented. The Commission asked various questions. A motion was made by Commissioner Todacheene, seconded by Chairman Pro-Tem Beckstead to approve Electing Membership into the State Employee Medical Fund Plan. Upon voice vote the motion passed unanimously.

Report from County Manager

Mike Stark, County Manager, reported the following:

- Thanked the New Mexico Counties Conference Committee and volunteers for their hard work during the Conference.
- 30 citizens from Newcomb and 18 from Crownpoint attended the Freight Rail Line meetings to provide feedback concerning prospective routes and import/export opportunities. The feasibility study is anticipated to be completed in January/February of 2024.
- Porter Smith will be organizing the annual Infrastructure Capital Improvement Plan. A meeting was held at the Lower Valley Senior Center June 26th and another meeting will be held in the Commission Chambers June 28th at 5:30 p.m. to gather public input.
- A meeting concerning the 5-mile bridge will be held Thursday June 29th at the Sullivan Road Fire Station from 6:00 p.m. to 8:00 p.m.

Reports From Elected Officials And Department Heads

Mike Mestas, Emergency Manager, reported on behalf of Fire Chief David Vega that a small forest fire is currently burning in the Navajo Dam area. Since the energy release compact has hit 90% the San Juan County Fire Department will be implementing a temporary ban on open burn permits. Mike Stark, County Manager, stated there were 13 fires over the past weekend and over 100 calls for service were received.

Commissioner Todacheene indicated that she is on the Metropolitan Planning Organization (MPO) Policy Committee and presented some maps depicting future changes for the county.

Comments / Input From The General Public

None

Closed Executive Session

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

1. Limited Personnel Matters (County Manager's Evaluation) Pursuant to Section 10-15-1(H) (2)
2. 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 Todacheene 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 6:51 p.m.

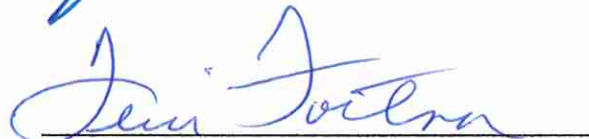
APPROVED THIS 25TH DAY OF JULY 2023

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:


Chairman Steve Lanier

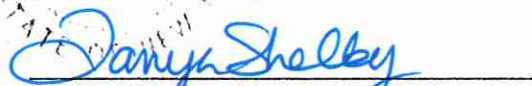

Chairman Pro-Tem John T. Beckstead


GloJean Todacheene


Terri D. Fortner


Gary McDaniel




Tanya Shelby, County Clerk