

**San Juan County Commission
Regular Meeting
June 11, 2024**

Chairman Beckstead called the San Juan County Commission meeting to order on June 11, 2024, at 4:00 p.m. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Commissioner McDaniel gave the invocation and Chairman Beckstead led the Pledge of Allegiance. Those present were:

CHAIRMAN	John T. Beckstead
CHAIRMAN PRO-TEM	Terri D. Fortner
MEMBER	Steve Lanier
MEMBER	GloJean Todacheene
MEMBER	Gary McDaniel
CHIEF DEPUTY ASSESSOR	John Kuhn
CLERK	Tanya Shelby
SHERIFF	Shane Ferrari
COUNTY MANAGER	Mike Stark
DEPUTY COUNTY MANAGER	Steven Saavedra
ATTORNEY	Joe Sawyer
DEPUTY ATTORNEY	Ellen Wayne
EMERGENCY MANAGER	Mike Mestas
EMERGENCY MANAGEMENT COORDINATOR	Dawn Knuppel
CHIEF FINANCIAL OFFICER	Kim Martin
PARKS & FACILITIES DEPUTY ADMINISTRATOR	Michelle Murray
PUBLIC WORKS ADMINISTRATOR	Nick Porell
CHIEF HUMAN RESOURCES OFFICER	Roberta Padilla
JUVENILE SERVICES DIRECTOR	Bowen Belt
FIRE CHIEF	David Vega
DEPUTY FIRE CHIEF	Donovan Mack
SAFETY & COMPLIANCE MANAGER	Stewart Logan
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley
BEHAVIORAL HEALTH SERVICES DIRECTOR	Megan Cullip
PROJECT MANAGER	Porter Smith

VISITORS: 18

Presentation

1. Community Emergency Response Team (CERT) Graduation and Acknowledgement

Stewart Logan, Safety & Compliance Manager, presented a certificate to Jay Allen, Michelle Murray, Vickie Edwards, Tina Maudsley, Michael Trujillo, and Darlene Womble for the completion of the Community Emergency Response Team (CERT) training conducted in 2023.

The 6-month training course included First Aid/CPR, terrorism identification, incident command structure, and basic disaster response skills.

A motion was made by Chairman Pro-Tem Fortner, seconded by Commission Lanier to call to order the Canvass Board. Upon voice vote, the motion passed unanimously.

Canvass Board

Tanya Shelby, County Clerk, reported to the Commission the results of the 2024 Primary Election held Tuesday, June 4, 2024. There were 10,966 voters who cast ballots during the election including 3,962 early voters, 979 absentee voters, and 6,025 Election Day voters. There are 56,023 total eligible voters resulting in a 19.6% turn out. There were 241 same day voter registrations which included early voting and Election Day: 77 Democrats, 159 Republican, and 5 Libertarians. There were no provisional ballots for this election. Ms. Shelby stated the turnout was slow and picked up at the end of early voting but not enough to catch up to past elections. In 2020 during the pandemic there were 20,728 voters; in 2022, voters decreased to 13,298. Ms. Shelby thanked her staff, the poll workers and County departments for the assistance they provided. Ms. Shelby recognized Lacine, the Aztec postmaster, for coordinating with local post offices to ensure the ballots are in by 7:00 p.m. on Election Day. Commissioner Todacheene thanked Ms. Shelby for educating the community on the importance of voting and commended Ms. Shelby and her staff.

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Lanier to adjourn the Canvass Board and call to order the Regular Meeting. Upon voice vote this motion passed unanimously.

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 Fortner, seconded by Commissioner Todacheene to approve the agenda as presented. Upon voice vote the motion passed unanimously.

Consent Agenda

1. Approval of Regular Meeting Minutes for May 21, 2024
2. Approval of Treasurer Check Register for May 2024
3. Approval of Finance Check Registers for May 2024
4. Approval of FY2024 Budget Adjustment #15-Resolution No. 23-24-68
5. Approval of Resolution No. 23-24-59, for the Write-Off of Certain Accounts Receivables
6. Renewal of Bid No. 21-22-16, Price Agreement for the Purchase of Warehouse Supplies
7. Renewal of Bid No. 21-22-20, Cooperative Price Agreement for Fuel: Cardlock Facilities and Bulk Fuel Purchases to Flyers Energy of Auburn, CA and Senergy Petroleum of Phoenix, AZ
8. Approval of DWI Grant Agreement No. 25-D-G-24 with DFA/LGD for Operation of the Local DWI Program

9. Approval of Second Amendment to the HCAP contract with Presbyterian Medical Services (PMS)
10. Approval of Resolution No. 23-24-66, Granting Authority to the County Manager to Contract with other New Mexico Counties for Housing of Juvenile Detainees
11. Renewal of Bid 20-21-14, Price Agreement for the Production of Type II Base Course with C&J Gravel Products, Inc. of Durango, CO

A motion was made by Commissioner Lanier, seconded by Chairman Pro-Tem Fortner to approve the Consent Agenda. Upon voice vote the motion passed unanimously.

New Business

1. **Consideration of Notice of Intent to Adopt San Juan County Ordinance No. 125, an Ordinance Repealing Ordinance No. 101 Which Authorized the Execution of an Intergovernmental Agreement and a Project Participation Agreement to Accept as Fiscal Agent, a Grant of up to \$2,350,000 from the New Mexico Economic Development Department for Procurement of Expansion to the PESCO Facility Located in San Juan County**

Joe Sawyer, County Attorney, stated that in 2019 the Commission adopted Ordinance No. 101 which made the County the fiscal agent for a \$2,350,000 grant from the State Economic Development Department for an expansion to the PESCO facility. The project has successfully achieved its objectives and is ready to be closed out. State regulation NMAC 2.93.1.9E requires the County to repeal a Local Economic Development Act (LEDA) ordinance once the project is completed. Mike Stark, County Manager, stated that Linda Rodgers, the Chief Finance Officer of PESCO, was unable to attend today's meeting, however, she reported that the return-on-investment funding was successful, providing 418 employment positions within the County. Chairman Beckstead asked if the accounting was complete; Mr. Sawyer confirmed that the accounting was complete, and Mr. Stark indicated that a close out letter was received from the New Mexico Economic Development Department. A motion was made by Commissioner Lanier, seconded by Chairman Pro-Tem Fortner to approve the Notice of Intent to Adopt San Juan County Ordinance No. 125, an Ordinance Repealing Ordinance No. 101 Which Authorized the Execution of an Intergovernmental Agreement and a Project Participation Agreement to Accept as Fiscal Agent, a Grant of up to \$2,350,000 from the New Mexico Economic Development Department for Procurement of Expansion to the PESCO Facility Located in San Juan County. Upon voice vote the motion passed unanimously.

2. **Consideration of Notice of Intent to Adopt San Juan County Ordinance No. 126, an Ordinance Repealing Ordinance No. 86 Which Authorized the Execution of an Intergovernmental Agreement and a Project Participation Agreement to Accept as Fiscal Agent, a Grant of \$200,000 from the New Mexico Economic Development Department for Procurement of Architectural Design Services for a Warehouse Expansion to the Raytheon Diné Facility Located at the Navajo Nation's Industrial Park in San Juan County, New Mexico**

Joe Sawyer, County Attorney, stated that the ordinance number is Ordinance No. 126 not Ordinance No. 16 as reflected in the agenda. In 2014, the Commission adopted Ordinance No.

86 which made the County the fiscal agent for a \$200,000 grant from the State Economic Development Department for architectural design services for a warehouse expansion to the Raytheon Dine facility. The project was completed in 2018 and the County's duties as fiscal agent have ended. State regulation NMAC 2.93.1.9E requires the County to repeal a Local Economic Development Act (LEDA) ordinance once the project is completed. A motion was made by Commissioner Todacheene, seconded by Commissioner Lanier to approve the Notice of Intent to Adopt San Juan County Ordinance No. 126, an Ordinance Repealing Ordinance No. 86 Which Authorized the Execution of an Intergovernmental Agreement and a Project Participation Agreement to Accept as Fiscal Agent, a Grant of \$200,000 from the New Mexico Economic Development Department for Procurement of Architectural Design Services for a Warehouse Expansion to the Raytheon Diné Facility Located at the Navajo Nation's Industrial Park in San Juan County, New Mexico. Upon voice vote the motion passed unanimously.

3. Consideration of Resolution No. 23-24-65, Approving a Rate Increase for Guaranteed and Non-Guaranteed Bed Space at the Juvenile Services Center

Bowen Belt, Juvenile Services Director, explained that the San Juan County Juvenile Services Center is one of four juvenile detention centers operating in New Mexico creating the need for housing of juvenile detainees throughout the state. The County is currently contracted with 22 counties at rates of \$225.00 for guaranteed bed space and \$275.00 for non-guaranteed bed space. Counties with guaranteed bed space pay monthly to ensure availability whether they have any detainees in the facility or not. Mr. Belt recommended a daily rate of \$350.00 for each guaranteed bed and \$475.00 for each non-guaranteed bed with the daily rate increasing 5% each year, to standardize the rates and offset the operation costs of the facility. The calculation of the rates is based on the FY24 budget divided by the total occupancy days. The past four years, contracted bed space has accounted for approximately 50% of the juveniles detained and the budget has increased by 46% due to rising costs/inflation. The Commission asked various questions. A motion was made by Commissioner Lanier, seconded by Chairman Pro-Tem Fortner to approve Resolution No. 23-24-65, Approving a Rate Increase for Guaranteed and Non-Guaranteed Bed Space at the Juvenile Services Center. Upon voice vote the motion passed unanimously.

4. Consideration of Resolution No. 23-24-67, for a Grant Application to the New Mexico Finance Authority (NMFA) for an Update to San Juan County's Comprehensive Plan

Steven Saavedra, Deputy County Manager, requested approval to submit a grant application to the New Mexico Finance Authority (NMFA) for funding to update the County Comprehensive Plan, which was last updated in 2018. A comprehensive plan should be updated every 5 years and is based on the community's values, goals, and priorities. The said document typically contains the following elements: land use, economic development, housing, infrastructure, transportation, facilities, water/wastewater, and environment/hazard mitigation. The NMFA grant allocates funds based on the Census medium household income, however, under the Local Economic Development Act, the County is eligible for up to \$50,000.00, and no matching funds are required. A motion was made by Commissioner Todacheene, seconded by Commissioner Lanier to approve Resolution No. 23-24-67, for a Grant Application to the New Mexico Finance Authority (NMFA) for an Update to San Juan County's Comprehensive Plan. Upon voice vote the motion passed unanimously.

5. Consideration of the Updated Indigent Burial / Cremation Policy

Ellen Wayne, Deputy County Attorney, indicated that the Burial/Cremation Fund policy was recently updated, in accordance with NMSA 1978, Chapter 24, Article 13 titled Burial of Indigents, which is for qualifying deceased residents or, if residence is not known, decedents found in San Juan County. The Commission awarded a contract with Farmington Funeral Home to provide services beginning July 1, 2024, however, in preparation for the contract, updates to the policy were necessary to provide an efficient process. The function of the current program will remain the same and the eligibility criteria/reimbursement policy will not change. The County currently has the authority to authorize cremations for unclaimed decedents only; the update adds the requirement that if the next of kin is applying for indigent assistance, they must release custody of the decedent's body allowing San Juan County to legally authorize the cremation. A motion was made by Commissioner Lanier, seconded by Chairman Pro-Tem Fortner to approve the Updated Indigent Burial / Cremation Policy. Upon voice vote the motion passed unanimously.

6. Ratification of Four Corners Freight Rail Project CRISI Grant Application

Mike Stark, County Manager, reported that at the May 21st Commission meeting, the Commission was advised of a joint Consolidated Rail Infrastructure and Safety Improvement (CRISI) grant application submitted by San Juan County, Navajo Nation and the New Mexico Department of Transportation (NMDOT) prior to the May 28th grant deadline. The grant application requested funding for completion of preliminary engineering to a 30% design level, detailed cost estimate, and develop documentation to support a National Environmental Policy Act (NEPA) decision on the proposed project. The application requested \$4,000,000 from the Federal Railroad Administration leaving a 20% grant match requirement (\$1,000,000). NMDOT provided a letter of support detailing their commitment to ensure that the County will obtain all local match requirements for this grant. Mr. Stark requested that the Commission ratify the submitted application. The Commission asked various questions. A motion was made by Commissioner Todacheene, seconded by Commissioner McDaniel to approve the Ratification of Four Corners Freight Rail Project CRISI Grant Application. Upon voice vote the motion passed unanimously.

7. Consideration of Proclamation Recognizing the 100th Anniversary of the Indian Citizenship Act

Commissioner Todacheene and Commissioner McDaniel requested staff to prepare a Proclamation recognizing the 100th anniversary of the passage of the Indian Citizenship Act, which declared that all Native Americans born in the United States who were not already citizens, were designated citizens of the United States. Commissioner McDaniel and Commissioner Todacheene read the proclamation aloud:

**SAN JUAN COUNTY, NEW MEXICO
PROCLAMATION RECOGNIZING THE ONE-HUNDREDTH
ANNIVERSARY OF THE INDIAN CITIZENSHIP ACT**

WHEREAS, San Juan County and the surrounding areas are the ancestral and

contemporary home of the Navajo, Southern Ute, Ute Mountain Ute, and Jicarilla Apache people; and

WHEREAS, Native Americans constitute approximately 43% of San Juan County's population; and

WHEREAS, San Juan County's Native American citizens possess a strong historical and cultural legacy that contributes to San Juan County's special heritage; and

WHEREAS, although Native Americans were the original inhabitants of the lands that now make up the United States of America, in 1924 approximately 125,000 of the estimated population of 300,000 Native Americans were not United States citizens able to vote or exercise other rights to citizenship; and

WHEREAS, on June 2, 1924, President Calvin Coolidge signed the Indian Citizenship Act, also known as the Snyder Act, which admitted Native Americans born in the United States to full United States Citizenship; and

WHEREAS, the right to vote is essential to providing citizens the ability to fully participate in democracy.

WHEREAS, the occasion of the 100-year anniversary of the Indian Citizenship Act is an opportunity to reflect on the importance of voting for all Americans; and

NOW THEREFORE, the Board of County Commissioners of San Juan County, New Mexico does hereby recognize and celebrate the **100th ANNIVERSARY OF THE INDIAN CITIZENSHIP ACT OF 1924**.

Chairman Beckstead thanked the Commissioners for the proclamation. A motion was made by Commissioner McDaniel, seconded by Commissioner Todacheene to approve the Proclamation Recognizing the 100th Anniversary of the Indian Citizenship Act. Upon voice vote the motion passed unanimously.

Report from County Manager

Mike Stark indicated that Staff received a quote for the Worker's Compensation Policy which will renew July 1, 2024, and requested that a Special Meeting be held on June 17, 2024, to review the policy for Commission approval. Upon discussion the Commission agreed to hold the meeting at 12:00 p.m.

Reports From Elected Officials And Department Heads

Commissioner Todacheene announced that the San Juan County Museum Executive Director, Larry Baker retired.

Tanya Shelby, County Clerk, reported that the State Canvassing Board will meet on June 25th to determine a date for a recount for the Commission District 3 race, which was separated by 12 votes. Ms. Shelby also stated Bloomfield School District will be having a Special Election for a General Obligation Bond on August 20th.

Devin Neeley, Public Relations Manager, announced that the San Juan County Fire and Rescue is the 2024 National Association of Counties Achievement Award recipient for the Septic Safe San Juan Campaign. Mr. Neeley congratulated Chief David Vega & Division Chief Shay Aurnhammer and their department for their hard work.

David Vega, Fire Chief, stated the fire danger is high and fire restrictions prohibit open burning past noon. Chief Vega also announced that firework sales begin June 20th and McGee Park will be allowing the community to discharge fireworks in the designated area.

Shay Aurnhammer, Division Chief, communicated that this is the first year for Camp Fuego, an all-girls camp, providing the opportunity to showcase women in leadership. The camp participated in bunker drills, First Aid/CPR certification, and live fire evolution. Chairman Pro-Tem Fortner asked what age the participants are and how the program was advertised. Chief Aurnhammer, stated that the age group is 16-18 years old and was advertised through social media and flyers.

Nick Porrell, Public Works Administrator, reported that a recycle and illegal dumping grant in the amount of \$35,000 was awarded through the New Mexico Environment Department. The funding was used to purchase a tire slicing machine, which allows the transfer stations to keep the tire disposal fee low.

Bonnie Hopkins, County Extension Program Director, introduced the 4-H Agriculture Agent, Cheyenne Radojits, who will oversee agricultural programs for youth.

Roberta Padilla, Chief Human Resources Officer, introduced Ashley Pulte, Senior Human Resource Generalist. Ms. Pulte reported on the Summer Internship Program. This program is grant funded through the NM Education Department. The program includes 56 participating work sites and is a 6-week program beginning on June 17th; there were 169 intern applicants and 22 adult coordinators that applied, however, only 80 intern applicants and 4 adult coordinators were selected.

Porter Smith, Project Manager, updated the Commission on the following:

- The public will be able to attend the stack demolition at the San Juan Generating Station in Waterflow on Saturday, August 17th at 9 a.m. in the designated area.
- Mr. Porter announced the Infrastructure Capital Improvement Planning 2026-2030 public input hearing will be held June 12th, at 5:30 p.m. in the County Administration Building and June 13th, at 12:00 p.m. at the Lower Valley Senior Center.
- Mr. Porter stated funding was approved for the following projects: CR 4990 improvements, replacement of fire apparatus, ADA improvements, Senior Center Facilities at Lower Valley and Blanco, North Kirtland Heights Wastewater Study, and Bridge 3500 construction.

Comments / Input From The General Public

Ben Hatch expressed safety concerns about allowing equine on the proposed Lower Animas Valley Recreation Trail.

Ken Stradling expressed concerns about private property and potential increased crime related to the proposed Lower Animas Valley Recreation Trail.

Sarah Baird and Radene Coleson expressed opposition to the Lower Animas Valley Recreation Trail.

Casey Blancett expressed opposition to the Lower Animas Valley Recreation Trail and voiced concerns regarding trespassing through her property and the safety of her livestock.

Closed Executive Session

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

1. The purchase, acquisition or disposal of real property or water rights, pursuant to Section 10-15-1(H)(8), an easement in Cedar Hill.
2. Matters pertaining to threatened or pending litigation, pursuant to Section 10-15-1(H)(7), concerning the Energy Transition Act.
3. Limited personnel matters, pursuant to Section 10-15-1(H)(2), performance evaluation of the County Manager.

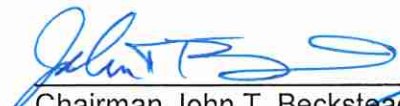
Upon voice vote the motion passed unanimously. Upon return a motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Lanier to go back into open meeting. Upon voice vote the motion passed unanimously. Chairman Beckstead stated that nothing other than what was stated in the motion to go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


Adjourn

Being no further business, Chairman Beckstead adjourned the meeting at 6:10 p.m.

APPROVED THIS 2ND DAY OF JULY 2024

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:


Chairman John T. Beckstead


Chairman Pro-Tem Terri D. Fortner


Steve Lanier


Glo Jean Todacheene


Gary McDaniel




Tanya Shelby, County Clerk