

San Juan County Commission
Regular Meeting
July 2, 2024

Chairman Beckstead called the San Juan County Commission meeting to order on July 2, 2024, at 4:00 p.m. in the Commission Chambers located in the County Administration Building, 100 S. Oliver Drive, Aztec, New Mexico. Commissioner Lanier 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
CHIEF DEPUTY TREASURER	Bryan Myers
SHERIFF	Shane Ferrari
UNDERSHERIFF	Cory Tanner
COUNTY MANAGER	Mike Stark
DEPUTY COUNTY MANAGER	Steven Saavedra
ATTORNEY	Joe Sawyer
EMERGENCY MANAGER	Mike Mestas
CHIEF FINANCIAL OFFICER	Kim Martin
PARKS & FACILITIES ADMINISTRATOR	Steven Dansie
ALTERNATIVE SENTENCING ADMINISTRATOR	Jennifer Mitchell
FIRE CHIEF	David Vega
DEPUTY FIRE CHIEF	Donovan Mack
COMMUNITY DEVELOPMENT DIRECTOR	Michele Truby-Tillen
PUBLIC RELATIONS & FILM MANAGER	Devin Neeley
BEHAVIORAL HEALTH SERVICES DIRECTOR	Megan Cullip
PROJECT MANAGER	Porter Smith
PRESS: Tri-City Record	David Albright
VISITORS: 15	

Presentation

1. Recognition of Lieutenant Jarrod Slindee's graduation from the FBI National Academy

Shane Ferrari, Sheriff, recognized Lieutenant Slindee, who graduated from the 290th session of the FBI National Academy in Quantico, Virginia on June 7th. The FBI National Academy is a leadership educational experience for less than 1% of all law enforcement officers worldwide. The session consisted of United States and international law enforcement executives representing various organizations. Sheriff Ferrari presented a diploma from the Department of

Justice Federal Bureau of Investigation to Lieutenant Slindee and thanked him for his personal sacrifice, hard work, and successful completion of the academy.

A motion was made by Commissioner Lanier, seconded by Commissioner Todacheene to call to order the Board of Finance Meeting. Upon voice vote, the motion passed unanimously.

Board of Finance Meeting

1. Approval of Resolution No. 24-25-05, Authorizing Fees Charged by the San Juan County Treasurer's Office

Bryan Myers, Chief Deputy Treasurer, reported that San Juan County Treasurer's Office accrues costs associated with returned payments due to non-sufficient funds and the filing of motor vehicle liens on delinquent mobile homes. Resolution No. 24-25-05 authorizes a charge of \$30.00 for all checks returned due to non-sufficient funds and \$25.00 for the filing of a mobile home lien. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene to approve Resolution No. 24-25-05, Authorizing Fees Charged by the San Juan County Treasurer's Office. Upon voice vote this motion passed unanimously.

A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Lanier to adjourn the Board of Finance Meeting and call to order the Regular Meeting. Upon voice vote, the 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 Commissioner Todacheene, seconded by Commissioner Lanier to approve the agenda as presented. Upon voice vote the motion passed unanimously.

Consent Agenda

1. Approval of Regular Meeting Minutes for June 11, 2024
2. Approval of Resolution No. 24-25-01, Disposition of County Surplus
3. Approval of FY25 Client Fees for Alternative Sentencing Division Programs
4. Approval of Resolution Nos. 24-25-02, 24-25-03, and 24-25-04, Supporting New Mexico DOT FY25 Local Government Road Fund Awards and Associated Cooperative Agreements
5. Approval of FY24 Budget Adjustment #16-Resolution No. 24-25-07

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

New Business

1. Ratification of Emergency Declaration, Declaring San Juan County, NM to be an Emergency Area as a Result of Severe Storms and Flooding

Mike Mestas, Emergency Manager, reported that there were severe storms and flooding recently within the County which caused extensive damage to public and private property. On June 24th, Commission Chairman John Beckstead and County Manager Mike Stark signed an Emergency Declaration to allow the County to render assistance and request State funds. Mr. Mestas indicated that ratification of the Emergency Declaration is required from the Board of County Commissioners. Chairman Beckstead asked what assistance is provided from the Federal Emergency Management Agency (FEMA). Mr. Mestas stated that the Emergency Declaration will allow public/government entities to utilize various resources and staffing for repairs of public infrastructures. Michele Truby-Tillen, Community Development Director, explained that homeowners affected by the recent storms will need to contact their insurance carrier regarding coverage. The Commission asked various questions. A motion was made by Commissioner Lanier, seconded Chairman Pro-Tem Fortner to approve the Ratification of Emergency Declaration, Declaring San Juan County, NM to be an Emergency Area as a Result of Severe Storms and Flooding. Upon voice vote the motion passed unanimously.

2. Consideration of Notice of Intent to Amend and Restate San Juan County Ordinance No. 95, Business Registration Ordinance

Joe Sawyer, County Attorney, indicated that Staff recommended the following updates and changes to the Business Registration Ordinance, adopted by the Commission in 2016:

1. Cannabis-related businesses are exempt from business registration because they are already licensed by the State.
2. Reference to agricultural businesses is removed to reflect State statute.
3. An inspection by San Juan County Fire & Rescue is not required if the business is not open to the public or has no employees on the premises.
4. Reference to Combined Reporting System (CRS) number is changed to Business Tax Identification Number (BTIN).

The Legal Department will schedule publication of the Notice of Intent and the Ordinance will be placed on the July 23rd agenda for consideration. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene to approve the Notice of Intent to Amend and Restate San Juan County Ordinance No. 95, Business Registration Ordinance. Upon voice vote the motion passed unanimously.

3. Consideration of Adoption of 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 for the County to serve as the fiscal agent for a \$2,350,000 grant from the State Economic Development Department for an expansion to the PESCO facility which has successfully been completed. State regulation NMAC 2.93.1.9E requires LEDA ordinances to be repealed once projects are complete. A Notice of Intent to Adopt was approved by the Commission at the June 11th meeting and was published in the Tri-City Record on June 14th. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene to approve the Adoption of 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.

4. **Consideration of Adoption of 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 in 2014, the Commission adopted Ordinance No. 86 for the County to serve as 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 which was completed in 2018; the County's duty as fiscal agent has ended. State regulation NMAC 2.93.1.9E requires LEDA ordinances to be repealed once projects are complete. A Notice of Intent to Adopt was approved by the Commission at the June 11th meeting and was published in the Tri-City Record on June 14th. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Lanier to approve the Consideration of Adoption of 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.

5. **Consideration of Notice of Intent to Adopt San Juan County Ordinance No. 127, the Nuisance Abatement Ordinance**

Joe Sawyer, County Attorney, explained that Ordinance No. 127, the Nuisance Abatement Ordinance codifies State statute 3-18-5 with voluntary compliance provisions. It establishes a procedure to investigate a suspected nuisance, adopt a resolution when a nuisance has been determined, and serve the owner of the property. An owner has the right to object, request a hearing and appeal before the Board of County Commissioners. If the landowner contests the determination, they then could appeal to the District Court. The Legal Department will schedule publication of the Notice of Intent and the Ordinance will be placed on the July 23rd meeting agenda for consideration. Commission Lanier requested clarification regarding the purpose of the ordinance. Michele Truby-Tillen, Community Development Director, explained that

complaints regarding dilapidated buildings/structures, premises with ruins, rubbish, wreckage and debris will be investigated by Code Compliance and Community Development. The landowner will be given the opportunity to comply voluntarily and correct the conditions causing the nuisance within a reasonable period of time as determined by the County; the enforcement procedures are a last resort. A motion was made by Commissioner Lanier, seconded by Commissioner McDaniel to approve the Notice of Intent to Adopt San Juan County Ordinance No. 127, the Nuisance Abatement Ordinance. Upon voice vote the motion passed unanimously.

6. Request for Approval of Memorandum of Agreement with State of NM, Administrative Office of the Courts (AOC), Department for Therapeutic Justice (DTJ)

Jennifer Mitchell, Alternative Sentencing Division Administrator, announced that San Juan County Adult Misdemeanor Compliance Program (AMCP) has been engaged in an ongoing pilot project with the Administrative Office of the Courts and the Department for Therapeutic Justice (AOC/DTJ) since July 2023. The project aims to screen all individuals sentenced to the AMCP to identify their levels of risk and provide appropriate services. Due to a change in circumstances, Ms. Mitchell and Krystal Lawrence, Program Division Director of Problem-Solving from the Eleventh Judicial District Court have withdrawn from the pilot program and are currently seeking another provider for screening services. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner McDaniel to approve the Memorandum of Agreement with State of NM, Administrative Office of the Courts (AOC), Department for Therapeutic Justice (DTJ). Upon voice vote the motion passed unanimously.

7. Consideration of Resolution No. 24-25-06, Adopting the NM Infrastructure Capital Improvement Plan (ICIP) for 2026-2030

Porter Smith, Project Manager, reported that the Infrastructure and Capital Improvement Plan is provided on an annual basis to the State of New Mexico Local Government Division and provides the following information: entity's planning process, goals, trends, inventory, five-year project summary including project priority, description, budget, possible funding sources, operating expenditures, and implementation schedule. San Juan County is required to identify the top five capital projects to reserve for the Governor's funding consideration during the 2025 Legislative Session. The following projects were deleted from last year's list due to full funding by State legislative appropriations, grant funding or County internal funding:

- County Road 4990 Improvements
- North Kirtland Heights Wastewater Study
- Cold Mill and Chip Seal Resurfacing County Road 7900
- Bridge Improvements County Road 3500 - Bridge #8111 -Construction

The following projects were added as the result of the two public input hearings that were held on June 12th and June 13th and the feedback received via email and social media:

- SJC Clerk's Expansion and Election Security Upgrades
- County Road 6675 Bridge #8113 Bridge Rehabilitation
- Indigent Columbarium of Remembrance

Staff made updates to the estimated cost of certain remaining projects due to anticipated inflation as well as renamed the prior year Rail to Trails Construction to the Lower Animas Valley Trail Construction. Staff requested direction of the priorities and subsequent approval of Resolution No. 24-25-06 for San Juan County's five-year list of potential capital project and prioritization of projects for this year's upcoming legislative session. The Commission made various comments. A motion was made by Commissioner Todacheene, seconded by Commissioner Lanier to approve Resolution No. 24-25-06, Adopting the NM Infrastructure Capital Improvement Plan (ICIP) for 2026-2030. Upon voice vote the motion passed unanimously.

8. Consideration of August and September Meeting Schedule

Mike Stark, County Manager, stated that the Bloomfield School District is conducting a Special General Obligation Bond Election which requires canvassing of the election by the week of August 26th. Staff recommended moving the regularly scheduled meeting from September 3rd to August 27th, resulting in two meetings in August and one on September 17th. Upon discussion, the September 3rd meeting will be moved to August 27th. A motion was made by Chairman Pro-Tem Fortner, seconded by Commissioner Todacheene to approve the August and September Meeting Schedule. Upon voice vote the motion passed unanimously.

Report from County Manager

Mike Stark, reported the following:

- The Green Waste Program was extended to July 3rd at 5 p.m.; it was reported that as of July 1st there were 413 residents who utilized the service, and 209 tons of green waste was delivered to the landfill.
- Four Corners Freight Rail Project feasibility study grant is coming to conclusion by the end of the year. Input meetings and final report presentations will be done at the Farmington Civic Center, Newcomb High School and in Crownpoint; dates and times will be provided at a later date.

Reports From Elected Officials And Department Heads

Commissioner Todacheene announced the following:

- A funeral for Ben Montano, a local Hispanic Shiprock businessman who learned the Navajo language to better assist his customers, will be July 3rd.
- Recognized Chairman Pro-Tem Fortner as President Elect for New Mexico Association of Counties.

Tanya Shelby, County Clerk, reported the following:

- An order was received from the New Mexico State Canvassing Board for a recount for the County Commission District 3 race on July 9th at 9 a.m. in the Early Voting Room.

- A Voting System Check Audit will be conducted on July 10th at 8 a.m. in the Early Voting Room for precinct 50, County Commission District 5.

Comments / Input From The General Public

Carol Cloer, Cloer Hay Farm, expressed gratitude for the assistance she received after the flooding of her property.

Steve Womble, citizen of West Hammond, commended the County leaders for their assistance in the recent flooding of his property.


Keegan Mackenzie-Chavez, Northwest Regional Representative with New Mexico Economic Development Department thanked San Juan County for being the fiscal agent on Local Economic Development Act (LEDA) projects.

Adjourn

Being no further business, Chairman Beckstead adjourned the meeting at 5:09 p.m.

APPROVED THIS 23RD DAY OF JULY 2024

BY THE SAN JUAN COUNTY BOARD OF COMMISSIONERS:



Chairman John T. Beckstead



Chairman Pro-Tem Terri D. Fortner



Steve Lanier



Glojean Todacheene



Gary McDaniel





Tahya Shelby, County Clerk