

MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Thursday, April 11, 2013

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 9:00 a.m. on Thursday, April 11, 2013 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following staff and elected officials were present:

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| Kelly Kuentler, County Manager | Joanne Hethcox, Budget and Procurement Director |
| Glory Johnson, Assistant to the County Manager | Billy Ruiz, Special Projects and Facilities Management Director |
| Andrea Rodriguez, County Clerk | Jonathan Mooradian, Sheriff Lieutenant-Dispatch Director |
| JoAnna Z. Zurinsky, Deputy Clerk | Joy Mullins, Sheriff Lieutenant |
| Delilah Rojo, Assessor | Richard Cowles, Sheriff Sergeant |
| Barbara Cobos, Chief Deputy Assessor | Luis Malina, Sheriff Corporal |
| Raymond Cobos, Sheriff | Lauree Sanchez, Dispatch Supervisor |
| Dora Madrid, Treasurer | Edith Vasquez, DWI Clerk/Screeners |
| Gloria Rodriguez, Chief Deputy Treasurer | Mark Jasso, Emergency Services Director |
| Danny Gonzales, Human Resources and Payroll Director | Matthew Elwell, Detention Director |
| Gabriel Boyle, Community Development and Planning Director | Ira Pearson, Starmax Facilities Director |
| Rheganne Vaughn, Community Health and Welfare Director | Marty Miller, Road Director |

CALL TO ORDER: Chairman Diaz called the meeting to order at 9:02 a.m. and led the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

ROLL CALL: Deputy Clerk JoAnna Zurinsky called roll. The following members of the Board constituting a quorum were present:

Joe L. Milo, Jr., District 1
 J. Jay Spivey, District 2
 Chairman R. Javier Diaz, District 3

PRESENTATIONS: Barbara Reedy gave an update on the Deming/Luna County Mainstreet Project. Her presentation outlined Mainstreet Project's accomplishments, goals, and challenges. Ms. Reedy also gave updates on future Mainstreet projects and plans for the farmer's market.

SERVICE AWARDS: Sheriff Raymond Cobos presented Lieutenant Jonathan Mooradian with a 20 year service pin.

ANNOUNCEMENTS: There were no announcements made on behalf of the board.

ELECTED OFFICIALS REPORTS: County Assessor Delilah Rojo reported approximately 61,000 notices of value were mailed by the Assessor's Office prior to March 29th and residents have until April 29th to protest and file for exemptions. Ms. Rojo stated the office is open and ready to help those who have questions pertaining to notices of value and exemptions.

Sheriff Raymond Cobos reported the department is waiting to find out the status of an extension that was applied for in regards to the Village of Columbus and \$20,000.00 in law-enforcement protection funds. The department also attended meetings in the village with the Department of Finance recently.

COUNTY MANAGER'S REPORT: County Manager Kelly Kuenstler reported on the following items:

- The Detention Center has moved to a new inmate lookup system on the website. It pulls up authorized information from the inmate database, and allows the public to view information on the inmate. It works on a real-time flow of information system, so this will eliminate the need for the jail to produce daily reports for Information Technology to post to the website. It gives the public more information. It will assist the public in information on bond changes and other pertinent information.
- Commissioner Spivey has been appointed the Chairperson of the US Borders Counties Coalition for the upcoming year. The Coalition includes Arizona, California, New Mexico and Texas.
- Ms. Keunstler has been appointed as the County Manager Representative to the New Mexico Association of Counties Multi-Line Pool.
- Luna County entered into approximately \$4,500.00 worth of contracts with the movie 'Enemy Way'. The contracts are for shots of the Courthouse, the Detention Center and use of various county roads and properties. The revenues received from this will go back into the general fund.
- Code Enforcement has located and cleaned up another hazardous waste dumpsite west of Skyview Road.
- The Luna County Detention Center booked 531 Adult offenders for the month of March and 20 juvenile offenders. A total of 476 adult offenders and 21 juvenile offenders were released. March daily average populations were 309 adults and 10 juveniles. Federal inmate average population was 180.
- Juvenile inmates that are currently enrolled in school have currently completed their state testing requirements. The testing was facilitated by Deming High School and Cesar Chavez School teachers.
- Luna County DWI is starting substance abuse classes for juvenile inmates this month.

- Luna County Detention Center and Aramark Services conducted an Easter egg hunt on March 30th for underprivileged children.
- Emergency and Risk Management Services are currently putting together an MOU to use school buses for emergency transportation.
- Maintenance is working on resolving minor issues with the Columbus substation.
- There were two tort claims and zero workmen's comp and vehicle accidents claims for the month of March.
- New fire gear has arrived for all of the fire departments.
- The Luna Health Council, Healing House Advisory Committee, Juvenile Justice Continuum of Services had meetings in the month of March.
- Healthy Start has a caseload of 58 families and 103 home visits were conducted in the month of March.
- Healing House has assisted 25 clients with immigration advocacy, 40 clients with victim advocacy services, provided emergency shelter to 3 families, and they continue to provide weekly women's counseling sessions.
- Luna Health Council is focusing on underage drinking and prescription drug abuse programs and early childhood health and education programs.
- Starmax continues to see a sales increase. Ira Pearson, Starmax Facilities Director has implemented a preventative maintenance program for all equipment. Starmax recently hosted a teen dance, 215 teens attended. Another dance is planned for April 26th.
- Maintenance Department is currently working on replacing benches in Courthouse Park.
- Human Resources and Payroll is currently working on the personal services schedule for the preliminary budget.
- Budget and Procurement is also working on a preliminary budget and a physical inventory of fixed assets.
- The County has recouped \$6,782.40 on the digital conversion for Starmax.
- The County has re-advertised for the Hazard Mitigation Plan because there were no responses for the RFP.
- The Road Department continues partial maintenance on all county roads. El Bordo Road was recently resurfaced. Road Mileage Certifications and the map copy were sent out to the Planning Bureau at the New Mexico Department of Transportation.
- The County website is near completion.
- DWI is sponsoring a Power Talk on April 18th at Pepper's Supermarket. They are also planning a youth expo to be held on July 20th.
- Central Dispatch received 8,015 incoming calls and 4,574 outgoing calls for the month of March. Luna County Sheriff's Department generated 209 calls for service and the Deming Police Department generated 508 calls for service.
- Tipsoft received 11 tips for the month of March. To date, 2 arrests have been made from Tipsoft.
- Dispatch is in the process of receiving new E911 equipment. The installation is expected to be complete in 30-45 days.

- Ms. Kuenstler provided an update on the issues involving the Village of Columbus and the Department of Finance Authority. She reported the Village is behind on audits by a period of three or four years. She discussed the possibility of the Village disincorporating and outlined the steps that would need to transpire for this to happen.

PUBLIC COMMENT: Fred Williams requested the Capital Outlay Awards be included in the Manager's Report. He also asked about updates on Walgreen's, Pegasus Holdings, and investigating litigation on Global Housing Solutions. County Manager Kelly Kuenstler explained there was only one Capital Outlay Award, and it was not line item vetoed. She stated that the plan is to have Senator John Arthur Smith and Representative Dona Irwin attend the May Regular Meeting, and to share the news with the community. Ms. Kuenstler stated a Walgreen's update will be addressed during the New Business items of the agenda and the status on Mr. Williams's concerns with Pegasus and Global Housing remains unchanged.

Dave Petersen expressed concern about the Village of Columbus budget and the accountability of monies received from Luna County. Ms. Kuenstler explained the Department of Finance Authority is working in conjunction with the County, and next year there will be an invoicing system to get better control over the accounting procedures.

Ron Scharf asked about the Knights of Columbus Capital Outlay deficit and about a plan for the Village of Columbus. Chairman Diaz stated there are no immediate plans to address the Knights of Columbus building until the County has the money to compensate for the deficit. Chairman Diaz further stated that the Village of Columbus understands what needs to be done and what they must do in order to continue operating.

Larry Caldwell suggested the meetings should require a civilian Sergeant at Arms and not a police state.

Russ Howell expressed her support for the Mainstreet Program and its importance to the community.

CONSENT AGENDA: Upon motion by Commissioner Spivey and a second by Commissioner Milo, Payroll Registers totaling \$927,081.53 and Accounts Payable Registers totaling \$608,486.55 were unanimously approved.

CONSIDER MINUTES: Upon motion by Commissioner Milo and a second by Commissioner Spivey, the minutes of the March 14, 2013 Regular Meeting were unanimously approved. Upon motion by Commissioner Milo and a second by Commissioner Spivey the minutes of the September 18, 2012 Special Meeting were unanimously approved.

NEW BUSINESS: County Manager Kelly Kuenstler reviewed each item on the New Business agenda with the commissioners:

- a. **RESOLUTION 13-24 BUDGET INCREASES:** Three budget increases totaling \$239,944.42 were proposed. Commissioner Spivey moved to accept Resolution 13-24 Budget Increases. The motion was seconded by Commissioner Milo and carried unanimously following a roll-call vote.
- b. **RESOLUTION 13-25 BUDGET TRANSFERS:** Ms. Kuenstler recommended approval of fourteen budget transfers in the amount of \$122,629.38. Commissioner Milo moved to accept Resolution 13-25 Budget Transfers. The motion was seconded by Commissioner Spivey and carried unanimously following a roll-call vote.
- c. **RESOLUTION 13-26 IMPLEMENTING A FAIR HOUSING POLICY:** Ms. Kuenstler explained this resolution is a requirement for funding through the Community Development Block Grant program and Luna County will abide by the fair housing mandate and will not discriminate in the renting or selling of housing. The resolution also enforces the administration of the policy. Commissioner Milo moved to accept Resolution 13-26 implementing a Fair Housing Policy. Commissioner Spivey seconded the motion which carried unanimously following a roll-call vote.
- d. **FAIR HOUSING PROCLAMATION:** Ms. Kuenstler stated this proclamation declares April 2013 as 'Fair Housing Month' in Luna County and acknowledges the importance of fair housing practices and rights for all citizens. Commissioner Spivey moved to approve Fair Housing Proclamation. Commissioner Milo seconded the motion, which carried unanimously.
- e. **DISPOSAL OF CERTAIN ASSETS FOR PUBLIC AUCTION (ROAD DEPARTMENT EQUIPMENT):** Ms. Kuenstler and Road Department Superintendent Marty Miller recommended authorization of approval for disposal of five motor graders for public auction. Commissioner Milo moved to approve for authorization of Disposal of Certain Assets for Public Auction (Road Department Equipment). Commissioner Spivey seconded the motion which carried unanimously.
- f. **AUTHORIZE THE COUNTY MANAGER TO NEGOTIATE A UTILITY EASEMENT FOR GOLD STREET PROPERTY (CITY, PNM, CENTURY LINK):** Ms. Kuenstler explained to the board this item allows for a Walgreen's update. A survey has been done of the Gold Street property, and a review of the survey determined there is a further need to negotiate a utility easement that will extend three of the lots by 10 feet for the utilities. If the easement is granted, the survey plat will need to be amended that will include the correct description of the utility easement. The County is currently working with the City of Deming to get this done. Commissioner Milo motioned to authorize the County Manager to negotiate a utility easement for Gold Street Property (City, PNM, Century Link). Commissioner Spivey seconded the motion which carried unanimously.

INDIGENT CLAIMS REPORT: Upon motion by Commissioner Spivey and a second by Commissioner Milo, the meeting of the Board of County Commissioners was unanimously recessed and the meeting of the Indigent Hospital Claims Board convened.

Budget and Procurement Director Joanne Hethcox recommended approval of 32 claims dated April 11, 2013 in the amount of \$79,818.09 and zero denials. The monies received for March 2013 totaled \$57,690.41. Commissioner Spivey moved to approve 32 claims dated April 11, 2013 in the amount of \$79,918.09 and zero denials. Commissioner Milo seconded the motion, which carried unanimously.


Commissioner Milo moved to recess as an Indigent Hospital Claims Board and to reconvene as the Luna County Board of County Commissioners. Commissioner Spivey seconded the motion, which was approved unanimously.

EXECUTIVE SESSION: Commissioner Milo made a motion to enter into executive session to discuss pending litigation pursuant to 10-15-1 (H)(7) NMSA 1978 pertaining to law enforcement, multi-line pool and workman's compensation pool claims, and stated no other matters would be discussed. Commissioner Spivey seconded the motion which carried unanimously following a roll-call vote. Following the executive session, Commissioner Spivey moved to reconvene the meeting and announced no matters other than pending litigation pertaining to law enforcement, multi-line pool and workman's compensation pool claims were discussed. Commissioner Milo seconded the motion, which carried unanimously. Chairman Diaz announced there were no actions taken on the item.

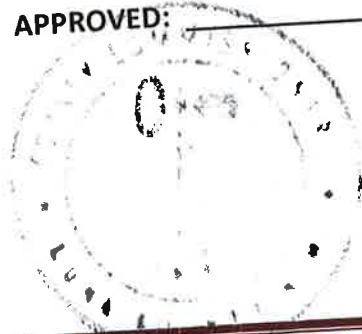
ANNOUNCE NEXT MEETING: Chairman Diaz announced the next regular meeting will be held on Thursday, May 9, 2013 at 9:00 a.m.

ADJOURN: Chairman Diaz adjourned the meeting at 11:34 a.m.

ATTEST:


ANDREA RODRIGUEZ, LUNA COUNTY CLERK

APPROVED: _____



LUNA COUNTY BOARD OF COUNTY COMMISSIONERS


JOE L. MILO, JR., DISTRICT 1


J. JAY SPIVEY, DISTRICT 2


CHAIRMAN R. JAVIER DIAZ, DISTRICT 3