

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, May 14, 2020**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, May 14, 2020 in the Basement Training Room of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board. Due to the Covid-19 Pandemic and the Governor's Orders regarding social distancing, the commission meeting was conducted via teleconference and webcasting with a minimum in attendance from the public and staff.

The following staff and elected officials were present: County Manager Chris Brice, Executive Assistant Yossie Nieblas, Deputy Clerk Pilar Salcido, Chief Deputy Clerk Berenda McWright, Assessor Michelle Holguin and Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox. Other directors and elected officials were present virtually.

CALL TO ORDER: Chair Sweetser called the meeting to order at 10:00 a.m., and led the Pledge of Allegiance and the salute to the flag of New Mexico.

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

**Barbara L. Reedy, District 1
Linda M. Smrkovsky, District 2
John S. Sweetser, Chair District 3**

APPROVAL OF AGENDA: Chair Sweetser entertained a motion to approve the agenda. Commissioner Smrkovsky asked to move item "c. Resolution 20-30" to New Business for discussion. Commissioner Smrkovsky moved to approve the agenda as amended. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

MINUTES: Upon a motion made by Commissioner Smrkovsky and a second by Commissioner Reedy the Minutes of the Emergency Meeting held on March 24, 2020, the Regular Meeting held on April 9, 2020 and the Special Meeting held on April 24, 2020 were unanimously approved following a roll call vote.

- **Emergency Meeting – March 24, 2020**
- **Regular Meeting – April 9, 2020**
- **Special Meeting – April 24, 2020**

SERVICE AWARDS:

- **Christopher Griffith - Road Department:** Not present to receive his award.
- **Alexandria Garcia - Assessor:** Assessor Michelle Holguin presented Alexandria Garcia with her five year anniversary pin.

ELECTED OFFICIALS REPORTS: Assessor Michelle Holguin reported the rendering period has ended, they are currently working on protest, and fifty protests were filed. They are finalizing evaluations with the Property Tax Division and meeting with the State later in the month.

Sherriff Gannaway submitted his report electronically. The criminal report showed assaults, burglary and vehicle thefts were down and larceny was up. The Non-criminal civil report was up and accidents were down.

Commissioner Smrkovsky stated that the New Mexico Association of Counties recently had an Executive Committee meeting and out of that came the cancelation of the June Conference in Dona Ana County. The NMAC is working hard to make sure the Governor is recognizing that all Counties are not the same.

Commissioner Reedy stated that there are many unhappy individuals after the Governor's recent statement, they were expecting more in the opening of phase one. She believes the County should send another letter to the Governor and make a statement for the needs of our County. Ms. Reedy stated that "some local business won't be able to go much longer without going under". Ms. Reedy also stated the public needs to know that we are aware and are also concerned about the current situation. Chair Sweetser asked if Mr. Brice received a response from the letter. County Manager Chris Brice stated we have not received a response from the letter sent to the Governor as of today.

COUNTY MANAGER'S REPORT: County Manager Chris Brice reported on the following items:

- Dispatch – One dispatcher completed their training and is now considered a certified dispatcher.
- LC Detention Center – The average population on Marshall Inmates is probably about 135. On Thursday May 7th LCDDC received word through the Department of Health that Secretary Konkil wanted all detention center staff and detainees tested for the Corona Virus by May 15th. The inmates and staff including the County Manager and the kitchen staff were all tested. One of the Detention Officers tested positive and was sent home and the ten individuals that were in class with him were also sent home. There were no detainees who tested positive.
- Road Department – 254 miles of roads bladed. They are working on clearing road easements and widening roads on Monte Vista Road SW and Sunshine Road SW to make them safer for school buses.
- Budget and Procurement – Mr. Brice is working with Director Joanne Hethcox on the 20-21 fiscal year budget. A Work Session has been scheduled for next week to go over the preliminary budget.
- Human Resources – A total of three new Sheriff's Officers have been hired and one maintenance person at the Detention Center. The County has put a freeze on all non-essential positions for the time being.

- Starmax – The sales for the month of April were zero and the sales for May will most likely also be zero. The Security system and fire alarm system project are nearing completion. Starmax will be prepared for May 15th re-opening if allowed.
- Community Health and Well Being – Casa is currently serving ten kids in Luna County. As of April the Healing House has served over 100 clients. The number for the Healing House is up from previous months
- Emergency Management – Emergency Manager Phillip Rodriguez continues to do a good job. The County is doing well with only eight residents testing positive for the Corona Virus out of a population of 25,000. Mr. Brice sent an e-mail out saying, if you choose to go out of State you probably will have to take fourteen days of quarantine as you return using your own personal time, unless you get tested and receive a negative result then you can come back to work right away.
- IT – they have received 175 work orders for the month and completed 156.
- Planning – Community Development Director Premal Patel is doing a phenomenal job. The County is applying for a build grant for about 15 million for the flooding diversion at Columbus. We have been working with the State begging them not re-coup the Boarder Authority monies. He is also looking at community development and creative concepts for a family entertainment center. Baseball cages will probably be the first step. He will be looking into grants that have to do with economic development.
- The Court House clock is being rebuilt and the Court House is being painted externally. The electrical system at the Court House Park is being upgraded. There is work still being done to the Department of Health roof. We've obligated all our money to the State and hopefully we can keep at least all of last years money.

INDIGENT CLAIMS REPORT: Upon a motion by Commissioner Reedy and a second by Commissioner Smrkovsky, 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 reported eleven claims for the month of April in the amount of \$30,846.52. The gross receipts collections totaled \$56,884.72 and the balance for the Indigent Claims Fund totaled \$1,297,887.77, of that \$286,447.70 is encumbered. Commissioner Smrkovsky asked how many of these claims are for the Detention Center. Ms. Hethcox stated that none are Detention Center claims. Commissioner Smrkovsky asked if the back log billing issue at the hospital has been resolved. Ms. Hethcox stated she did not know. Commissioner Smrkovsky motioned to approve the Indigent Claims Report as presented. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

Commissioner Smrkovsky motioned to recess as a Claims Board and reconvene as a County Commission. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

PUBLIC COMMENT IN PERSON OR ELECTRONICALLY: Chair Sweetser opened the floor for in person or electronic public comment. Executive Director of Deming/Luna County Main Street Program Christy Ann Harvey gave a report regarding updates and events on Main Street projects. She stated she appreciates the County's concern and mentioned the County sends out a ray of hope for the local businesses as many are suffering.

Alberta Morgan expressed her concerns regarding kids in public without masks and animals being adopted which might be returned after the COVID-19 situation improves. Ms. Morgan is wondering if the local parents are getting information on Con Academy. Ms. Morgan supports them and stated the service is free.

Mr. Brice stated that he and City Manager Aaron Sera have met with Dr. Romero for a discussion on what will happen if schools are cancelled. They are working on a plan to get WI-FI to all students. Mr. Brice stated there is lots of conversation regarding the issue.

CONSENT AGENDA: Upon a motion from Commissioner Smrkovsky, and a second by Commissioner Reedy items a and b of Consent Agenda were approved unanimously following a roll call vote. Item c Resolution 20-30 was moved to new business for discussion.

- a. Accounts Payable: \$723,832.93
- b. Payroll: \$1,071,753.14
- c. Resolution 20-30 Budget Increases – **Moved to new business for discussion**

OLD BUSINESS:

- a. **Luna County Information Technology and Security Policy:** Mr. Brice explained this topic was discussed in detail in the previous work session last week. Commissioner Reedy moved to approve the Luna County Information Technology and Security Policy. The motion was seconded by Chair Sweetser which carried unanimously following a roll call vote.
- b. **Luna County Volunteer Fire Department Bylaws:** Mr. Brice explained that in order to make the Volunteer Fire Department under one district they will need to do away with the Sunshine District and put that station under Cooks Peak. Once the bylaws are approved by the State Fire Marshalls all stations can be placed under one sole district which will be called Luna County District Volunteer Fire Department. Commissioner Smrkovsky motioned to approve Luna County Volunteer Fire Department Bylaws. The motion was seconded by Commissioner Reedy which carried unanimously following a roll call vote.

NEW BUSINESS:

- a. **Abandonment of Cactus Garden Rd.:** Mr. Brice explained that he and Mr. Stafford have been working on this for some time. Mr. Brice showed a map which included property owners on Cactus Garden Road. Commissioner Reedy moved to approve Abandonment of Cactus Garden Road. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.
- b. **Social Media Policy:** Mr. Brice explained that this policy was also discussed last week during a work session. Commissioner Smrkovsky moved to approve the Social Media Policy and asked that it be reviewed for typos. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.
- c. **Resolution 20-31 Abolishment of Sunshine Volunteer Fire Department:** Mr. Brice explained the abolishment of Sunshine Volunteer Fire Department is to bring all

volunteer fire departments under one district. Commissioner Reedy moved to approve Resolution 20-31 Abolishment of Sunshine Volunteer Fire Department. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.

- d. Resolution 20-30 Budget Increase:** Budget and Procurement Director/Indigent Claims Administrator Joanne Hethcox explained the budget increases in detail. Commissioner Smrkovsky moved to approve Resolution 20-30 Budget Increase. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

EXECUTIVE SESSION: to discuss limited personnel matters pursuant to 10-15-1(H) (2) pertaining to the County Manager's Evaluation and Contract. Commissioner Smrkovsky motioned to go into Executive Session pursuant to 10-15-1(H) (2) NMSA 1978 pertaining to the County Manager's Evaluation and Contract. The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote.

The Commissioners went into Executive Session at 10:57 a.m. and returned from Executive Session at 1:33 p.m.

Commissioner Smrkovsky motioned to return from Executive Session where no other matters were discussed other than limited personal matters and no action was taken. The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote.

Commissioner Smrkovsky stated that Mr. Brice is doing an exceptional job and Mr. Brice was offered a 10% salary increase but he declined the offer. Ms. Smrkovsky also stated that the Board will again review the County Manager's performance in six months.

UPCOMING MEETINGS: Chair Sweetser announced the following upcoming meetings:

Regular Commission Meeting – June 11, 2020 @ 10 a.m.
Complete County Committee May 26, 2020 at 4:00 p.m.

ADJOURN: The meeting was adjourned by Chair Sweetser at 1:38 p.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**




ANDREA RODRIGUEZ, LUNA COUNTY CLERK
by: *Berenata McWright*




BARBARA L. REEDY, DISTRICT 1

APPROVED: 6-11-2020



LINDA M. SMRKOVSKY, DISTRICT 2



CHAIR, JOHN S. SWEETSER, DISTRICT 3