

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, October 8, 2020**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, October 8, 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 also 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, Assistant to the County Manager Yossie Nieblas, Administrative Assistant Lupita Hernandez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Chief Deputy Assessor Isabelle Enciso, Sheriff Kelly Gannaway, Captain Michael Brown, IT Help Desk Debra Seats, Community Development Director Premal Patel, and Budget & Procurement Director 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 moved to approve the agenda as submitted. Commissioner Reedy seconded the motion which carried unanimously.

MINUTES: Upon a motion made by Commissioner Reedy and a second by Commissioner Smrkovsky the Minutes for the Regular Meeting of September 10, 2020 were unanimously approved following a roll call vote.

SERVICE AWARD: LCDC Captain Lionel Lozano and LCDC Lieutenant Lucio Caballeros presented a five-year service award to Alex Snyder. Mr. Jose Ramos from the Road Department was not present to receive his twenty-five year service award.

PRESENTATIONS:

- **Restrictive Housing Quarterly Report:** County Manager Chris Brice reported five detainees were restricted for the month of September. The restrictions for four individuals were Covid-19 related and one was due to side effects of new medication.

ELECTED OFFICIALS REPORTS: Assessor Michelle Holguin's report was submitted electronically.

Chief Deputy Clerk Berenda McWright reported that early and absentee voting has begun. Over 2000 absentee ballots have been mailed out and 400 early voters have been processed to date. Chairs have been provided for those waiting outside for early voting. The chairs provided are being disinfected a few times a day. The alternate location for early voting will be at the Learning Center beginning October 17th. Early voting ends on October 31st.

Treasurer Gloria Rodriguez thanked all of the departments involved in entering data for the tax roll. She also thanked Triadic for their involvement. Ms. Rodriguez stated the tax roll is complete and will be delivered soon, she is also hoping that the tax bills will be mailed out by the 19th of October. Homeowners have until December 10th to pay the first half of tax bills.

Sherriff Gannaway reported for the month of September a rape case is currently being investigated. Assaults and burglaries are down larcenies are up and there have been five vehicle thefts. Non-Criminal civil are up, accidents are down and DWI are zero. Sherriff Gannaway also reported they purchased a new vehicle funded by Stonegarden and they have also recently purchased a few more cameras, including one for himself.

Commissioner Smrkovsky reported that she attended the meeting for the New Mexico Legislative Committee on the 1st of October. A big topic of discussion was the Civil Rights Bill. The bill will need to be watched closely. Ms. Smrkovsky stated the bill takes away the statute of limitations on lawsuits against the County. There also is not a cap on the amount of money that can be awarded. This could be very detrimental to the County.

COUNTY MANAGER'S REPORT: County Manager Chris Brice reported:

- Dispatch – Had almost 9,504 911 calls for the month of September, 103 warrants and 50 new protection orders.
- Detention Center – Had 286 individuals booked and 185 released. The County currently has 178 Marshall Inmates. Four cadets graduate from the academy and they still continue to hire new people. Covid 19 is under control at the LCDC.
- Road Department - 26 miles of road bladed, 2287 tires received, road construction is ongoing.
- Budget and Procurement – Currently working with auditors Chair Sweetser was present for in brief. Some concerns but nothing major. Stonegarden is finally up to date including billing and invoicing monthly.
- Human Resource – Current openings Detention Officer, Starmax Cook, Concession and a Bowling Manager. Newly hired, detention officer, two shelter advocates at helping hands, and one bartender. Mr. Roache out of the Chamber of Commerce was selected for the Starmax Director. Mr. Roache has a huge amount of experience that will be good at Starmax, he starts on the 19th. Promotions were given to Sgt. David Townsend and Court Security Captain Garret Gigante. Currently conducting interviews for maintenance, adult drug court monitor, and a mechanic.

- Starmax – Opened Friday and Saturday from 5:00 p.m. to 12:00 a.m. and Sunday 10:00 a.m. to 7:00 p.m. NFL games will be showing. Every other Friday night is karaoke night. Saturday night is music of some sort.
- Emergency Management – Temporary EOC activated due to flash flooding on September 9th. Sheriff's office and Luna County Fire Department were phenomenal. The MRAP was sent out to rescue a family north of town that could not get out of their house. Detention Center inmates were used to fill sand bags, they were distributed everywhere. The State came down and helped us do a damage assessment, we are waiting on the final results. We continue to monitor Covid-19 as numbers go up and down.
- Safety and Risk – Joann Moorman and Phillip conducted building safety inspection on all of our buildings. Maintenance has been given a list of things that need to get fixed.
- Luna County Fire - Volunteers responded to one brush fire, one vehicle, two semi-truck and an RV fire last month. Fire trucks are being inspected by DOT.
- DWI - 102 misdemeanor offenders are being tracked and 13 DWI arrests were made for the month of September. MRT classes have started back up with Teresa at the Detention Center. DWI program was awarded a \$9,000 grant for teen court.
- Health Council – Six health councils in the State of New Mexico were selected to contract for services to assist in addressing health inequities and health disparities by increasing stakeholder engagements, we were one of those selected. Edith has done a phenomenal job on all of her programs and it was not surprising that she was selected for that.
- Community Health and Wellbeing – Healing House was named as a recipient of New Mexico Coalition against Domestic Violence's Community Hero Award. A Domestic Violence Awareness event will be held on October 28, at 7:00 p.m. CASA is serving seven kids in Luna County and 33 in Grant County. Parents as Teachers are currently serving 109 clients in Luna County, 49 in Hidalgo and food boxes continue to be distributed.
- The IT Department received almost 865 work orders for the month and completed 173. There was over 200 attacks on networks and they continue to work on several projects including District Courts new access control system.
- Economic Development/Planning and Development – Luna County received funding from the Cares Act grant. The ICIP has been submitted to DFA and has been approved. Meeting is scheduled with architect on the batting cages at Starmax.
- Maintenance – M Squared Electric LLC is working on the PNM lighting project including the lights in the clock tower. The Health Complex design is being finalized by Perich Sabatini. Park Plaza has pending asbestos issues of which 60% have been completed.
- Started ETZ talks which is good news to get everyone on the same page with respect to the ETZ. All in agreement on moving forward. Repealing the Ordinance and rewrite it so that it benefits both the County and the City to some degree. It really benefits the citizens who live within the ETZ and it give them straight answers. A grant in the amount of \$15,000,000 for Columbus was not awarded. Economic Development Director Premal Patel scheduled a debrief so that the Federal DOT can explain to us what they saw, what they didn't see, and what they would like to see next time.
- Apache Tribe – Their intent is to put a convenience store and a gas station in that area and the plan is to employ 50 individuals when it is all said and done.

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 no claims for the month of September. The gross receipts collections totaled \$60,127.74 and the balance for the Indigent Claims Fund totaled \$1,556,461.29, of that \$352,348.29 is encumbered. Commissioner Smrkovsky motioned to approve the Indigent Claims Report as presented. Commissioner Reedy seconded the motion which carried unanimously.

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

PUBLIC COMMENT: Chair Sweetser opened the floor to public comment. Christy Ann Harvey went before the Board and gave an update on recent Main Street activity.

Alberta Morgan went before the Board to voice her concerns of the use of the Zia symbol.

CONSENT AGENDA: Upon a motion from Commissioner Smrkovsky, and a second by Commissioner Reedy the Consent Agenda was approved as submitted following a roll call vote.

- a. **Accounts Payable: \$1,200,406.00**
- b. **Payroll: \$1,081,618.58**
- c. **Exemption from Special Tax Assessment for Predator Control Program – New Mexico Feeding Company**
- d. **Exemption from Special Tax Assessment for Predator Control Program – Nutt Dairy LLC**

OLD BUSINESS

- a. **Elected Official Salary Survey:** County Manager Chris Brice stated this topic has been discussed several times, his recommendation would be to give an increase of 10%. Commissioner Smrkovsky motioned to approve an 8% salary increase for newly elected officials. Commissioner Reedy seconded the motioned which carried following a roll call vote. Chair Sweetser asked to be abstained from this vote as he is a current candidate up for re-election.

NEW BUSINESS:

- a. **Resolution 20-51 Budget Increases:** Budget and Procurement Director Joanne Hethcox reported on the increases. Commissioner Smrkovsky motioned to approve Resolution 20-51 – Budget Increases. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.
- b. **Domestic Violence Awareness Month Proclamation:** Domestic Violence Awareness Month Proclamation was read by Chair Sweetser. Commissioner Smrkovsky motioned to approve Domestic Violence Awareness Month Proclamation. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.
- c. **Approval of Commission on Aging Board Member – T. Max Lawrence:** County Manager explained Mr. Lawrence was the recommendation from the Senior Center. Commissioner Reedy moved to approve the Approval of Commission on Aging Board

Member – T. Max Lawrence. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.

- d. St. Vincent de Paul Thrift Store & Homeless Shelter Funding Request:** County Manager stated St. Vincent de Paul Thrift Store & Homeless Shelter has requested funding in the amount of \$2,000 to help out with operational needs of the homeless shelter. Commissioner Smrkovsky motioned to approve the Request for St. Vincent de Paul Thrift Store & Homeless Shelter Funding in the amount of \$2,000. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.
- e. Authorizing the Submission of Application for funding to Water Trust Board:** Economic Development Director Premal Patel explained this call to vote is basically giving the manager's office authorization to prepare applications for Water Trust Board which is due January 1st. Commissioner Smrkovsky motioned to approve Authorizing the Submission of Application for Funding to Water Trust Board understanding that the time constraint versus the Board having a meeting and asked that the Board get an update on the application. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.
- f. Consideration to Update DFA Comprehensive Plan Grant:** Mr. Brice explained this was discussed previously where the County can apply for a grant to get the plan updated. Commissioner Smrkovsky asked to be sure and include the housing plan to this plan. Commissioner Smrkovsky motioned to approve the Consideration to Update DFA Comprehensive Plan Grant. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

Executive Session pursuant to §10-15-1(H) (2) NMSA 1978 – Limited Personnel Matters; and Section §10-15-1(H) (7) NMSA 1978 Attorney-Client Privilege Information on all Pending and Threatened Claims.

Commissioner Smrkovsky motioned to move into Executive Session pursuant to §10-15-1(H) (2) NMSA 1978 – Limited Personnel Matters; and Section §10-15-1(H) (7) NMSA 1978 Attorney-Client Privilege Information on all Pending and Threatened Claims. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote. The Commissioners went into Executive Session at 11:15 a.m. and returned from Executive Session at 12:53 p.m.

Commissioner Smrkovsky entertained a motion to return from Executive Session where no other matters were discussed other than what was stated in the motion for the Executive Session. The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote.

Chair Sweetser stated no action was taken.

UPCOMING MEETINGS: Chair Sweetser announced the following upcoming meetings:


Special Meeting – October 13, 2020 @ 10:00 a.m.

Regular Commission Meeting – November 12, 2020 @ 10 a.m.

ADJOURN: The meeting was adjourned by Chair Sweetser at 12:55 p.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**



ANDREA RODRIGUEZ, LUNA COUNTY CLERK

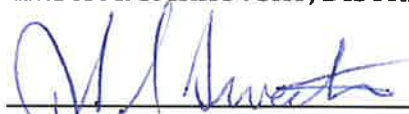


BARBARA L. REEDY, DISTRICT 1

APPROVED: November 12, 2020



LINDA M. SMRKOVSKY, DISTRICT 2



CHAIR, JOHN S. SWEETSER, DISTRICT 3

