

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, December 10, 2020**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, December 10, 2020 in the Chambers 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, IT Technician Joseph Apodaca, Deputy Clerk Pilar Salcido, Probate Judge Diana May-Diaz, Sherriff Kelley Gannaway, 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 10:04 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**

MINUTES: Upon a motion made by Commissioner Reedy and a second by Commissioner Smrkovsky Minutes for the Regular Meeting of November 12, 2020 were unanimously approved following a roll call vote. Upon a motion made by Commissioner Reedy and a second by Commissioner Smrkovsky the minutes of the Special Meeting held on November 19, 2020 were unanimously approved following a roll call vote.

SERVICE AWARDS:

- Richard Casillas was presented his five year service pin by Chief of Security Andy Gilmore.
- Gabriel Pena from Luna County Detention Center was not present to receive his five year pin.

RETIREMENT:

- Joseph Vigil served 31 years at the Luna County Sherriff's Office. Sherriff Gannaway presented Officer Vigil with his retirement plaque.

ELECTED OFFICIALS REPORTS: Sherriff Kelly Gannaway reported assault and larcenies are up and burglaries are down. The totals for criminal are the same as last month. Sherriff Gannaway reported they received the Stonegarden grant in the amount of \$979,875 for fiscal year 2020. Sheriff

Gannaway stated he still had four deputies pending training and he was waiting to see where the training will be held.

Probate Judge Diana Diaz reported in person meetings are suspended indefinitely.

Commissioner Smrkovsky gave her report regarding a conference she attended with New Mexico Counties Association.

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

- Dispatch: Dispatch had a total of 10,326/911 calls and 103 warrants. New recorders have been installed for calls and traffic. A proposal for a new CAD system is pending. We are leaning on Motorola system for the new CAD system.
- LCDC: There was a total of 242 people booked and 127 released. Average day population 243 with 155 Marshalls. There are currently 10 detention officer openings.
- Road Department: Two positions will open up with Jose Ramos and Mike Hatch retiring on January 2021. A total of 132 miles of roads have been bladed with high traffic areas taking priority. A total of 1,536 tires were received and we need to find out exactly where these tires are coming from.
- Budget and Procurement: Working on agency responses and corrective action plan regarding audit results. The plan is to upgrade the current Open Gov system the County is currently using to include budgeting. This new program can be accessed remotely and accessible anytime. This program will cost \$40,000 a year.
- Human Resources: Current posted positions are for detention officers and a full time dispatcher. Newly hired, David Bailey for the road department, two dispatchers Jessica Gomez and Angela Lucero and two seasonal temporary workers Humberto Romero and Samuel Layton.
- Starmax: This facility is running phenomenally. Covid testing is taking place on site at Starmax. Many good changes and upgrades are happening throughout the facility. Sales for November is \$3,695.25.
- Emergency Management: Assisted with surge testing site, we collected over 500 tests in Luna County, also assisted Department of Health and NM National Guard with the "Red to Green" test site being set up. The site will run seven days a week from 10:00 a.m. to 3 p.m. until our County is back to green. Testing will be held in Columbus. Working on purchasing MASS notification system for our County. The system should be up and running by January.
- Safety and Risk: Joann Moorman is making sure the County is in compliance. She is working on updating Action Plan & Safety Program policy. The training calendar is available on the intranet.
- Luna County Fire: They have assisted the City Fire Department. They responded to two trash fires, two vehicle fires, and one mobile home fire. Training has been held and wildland gear has been received.
- DWI: They are tracking 98 misdemeanor DWI offenders.
- Community Health and Well Being: There are lots of issues that need to be addressed at the Healing House. The Healing House Board is almost non-existent and non-responsive. If we

are providing a service to the community we need to be doing it right. CASA is serving twelve volunteers. Parents as Teachers are serving 107 clients in Luna County, 52 in Hidalgo. A total of 500 food boxes were distributed to Hidalgo and Luna Counties by this organization.

- IT: There were a total of 669 work orders submitted with 654 of them completed. The PDS server has been configured and set up. Looking into getting the sound to work in the Chambers. The IT area are working on multiple projects.
- Economic Development: The second Cares Act Grant is available for business owners. This grant is issued straight to the business. We are willing and able to help out with the application at no charge. Multiple projects are in the works for the planning department including, Starmax, Dollar General, a meat market opening up south of town and lots of solar projects. They are also seeking more grants and getting ordinances updated.
- Maintenance/Projects: The Health Complex design has been finalized. The tempered glass is being installed. They are starting the Helping Hands flooring renovation. The Park Plaza electrical design has been upgraded. Trees are being cut.

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 four claims for the month of November. The total expenditures for the month of November was \$18,719.74. The total for this year has been \$113,700.62. The money received for the month of November \$214,697.67 and the balance for the Indigent Claims Fund totaled \$1,529,138.15, of that \$598,123.88 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. Alberta Morgan went before the board and commended the County for their response to the pandemic and discussed some of her theories regarding the issue. She also commended the current Board of Commissioners and Mr. Brice for the improvements to the roads and other accomplishments.

CALL TO AMEND ORDINANCE:

Resolution 20-53 Call to Amend Ordinance 54; Relating to Collective Bargaining for Luna County, New Mexico; Providing Rights, Responsibilities, and Procedures in the Employment Relationship between Employees and the Employer: Mr. Brice explained that the collective bargaining units have put a real big push to enhance their foothold in counties and municipalities throughout the state and strengthen collective bargaining power. The New Mexico Association of Counties and the Municipal League have really pushed back because it would be detrimental to county and city governments. Dina Holcomb who is the attorney in the state for collective bargaining went to bat for us. In the end some of the state statutes for collective bargaining did change. So we are amending ours to reflect the changes that have happened through the legislature. Commissioner Smrkovsky motioned to approve Resolution 20-53 Call to Amend Ordinance 54; Relating to Collective Bargaining for Luna County, New Mexico; Providing Rights, Responsibilities, and Procedures in the

Employment Relationship Between Employees and the Employer. The motion was seconded by Commissioner Reedy and approved unanimously following a roll call vote.

PUBLIC HEARING:

Ordinance 54 Second Amended – Relating to Collective Bargaining for Luna County, New Mexico; Providing Rights, Responsibilities, and Conditions of Continued Existence and Transfer of Authority upon Termination of Local Board: There was no public comment forthcoming. Commissioner Smrkovsky motioned to approve Ordinance 54 Second Amended Relating to Collective Bargaining for Luna County, New Mexico; Providing Rights, Responsibilities, and Conditions of Continued Existence and Transfer of Authority upon Termination of Local Board. The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote.

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: \$509,589.03
- b. Payroll: \$1,132,151.52

NEW BUSINESS:

- a. **Resolution 20-60 Budget Increases:** Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox explained. Commissioner Reedy motioned to approve Resolution 20-60 Budget Increases as presented. The motion was seconded by Commissioner Smrkovsky and approved unanimously following a roll call vote.
- b. **2021 Luna County Holiday Schedule:** Mr. Brice explained the hours for Luna County will revert back to previous schedule eight hours a day. Commissioner Reedy motioned to approve 2021 Luna County Holiday Schedule. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.
- c. **Replat Request: Two Tracts within Blocks 9, Units 25 Ranchettes; S26, T24S, R9W:** Economic Development Director Premal Patel explained the subject properties are two tracts within Block 9, Units 25 Ranchettes: S26, T24S R9W in the County jurisdiction. Commissioner Smrkovsky motioned to approve Replat Request, Two Tracts within Blocks 9, Units 25 Ranchettes; S26, T24S, R9W. The motion was seconded by Commissioner Reedy and was approved unanimously following a roll call vote.
- d. **Variance Request on 3425 Cabrito Rd SE; Brasas Meats:** Economic Development Director Premal Patel explained the subject property is 3425 Cabrito Rd. SE and falls under County Ordinances. The applicant Bernardo Rabago is seeking a variance for a shared well to operate a retail and wholesale meat retail outlet Brasas Meat. Commissioner Smrkovsky has concerns if the septic for this business will also be shared. Mr. Patel explained this request is only for the shared well. Commissioner Reedy motioned to approve Variance Request on 3425 Cabrito Rd SE; Brasas Meats with the recommendation from staff. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.

- e. **Resolution 20-61: Disposition of Personal Property:** Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox explained the assets to be disposed of are Caimon Multi-Terrain Vehicle and the Irwin Farm Property which includes 653 acres of land and improvements only. Ownership of the 600 acres of water rights in Southern Luna County will be retained by Luna County per agreement. Commissioner Reedy motioned to approve Resolution 20-61; Disposal of Assets. Chair Sweetser seconded the motion which carried unanimously following a roll call vote.

- f. **Resolution 20-62: Legislative Senate Finance Committee Representation:** Mr. Brice recommended the appointment of Senator Crystal Diamond to the Legislative Finance Committee to continue the long history of representation of southern and southwestern New Mexico. Commissioner Reedy motioned to approve Resolution 20-62; Legislative Senate Finance Committee Representation. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.

UPCOMING MEETINGS: Chair Sweetser announced the following upcoming meetings:

Swearing-In Ceremony at 1:30 p.m. today
 Regular Commission Meeting – January 14, 2021 @ 10 a.m.

ADJOURN: The meeting was adjourned by Chair Sweetser at 11:48 a.m.

ATTEST:

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Berenda McWright
BERENDA MCWRIGHT, LUNA COUNTY CLERK

Barbara L. Reedy
BARBARA L. REEDY, DISTRICT 1

APPROVED: 1-14-2021

Linda M. Smrkovsky
LINDA M. SMRKOVSKY, DISTRICT 2

John S. Sweetser
CHAIR, JOHN S. SWEETSER, DISTRICT 3

