

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Thursday, December 13, 2012**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 9:00 a.m. on Thursday, December 13, 2012, 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:

Kelly Kuentler, County Manager
Glory Johnson, County Manager's Office
Karen Smyer, County Clerk
Natalie Pacheco, Chief Deputy Clerk
Andrea Rodriguez, Clerk's Office
JoAnna Z. Zurinsky, Clerk's Office
Dora Madrid, Treasurer
Gloria Rodriguez, Chief Deputy Treasurer
Delilah Rojo, Assessor
Barbara Cobos, Chief Deputy Assessor
Raymond Cobos, Sheriff
Danny Gonzales, Business Office
Joanne Hethcox, Business Office

Gabriel Boyle, Planning & Community
Development
Jessica Johnson, Keep Luna County Beautiful
Billy Ruiz, Special Projects and Facilities
Management Director
Marty Miller, Road Department
Les Williams, Road Department
Lt. John Mooradian, Dispatch Director
Matthew Elwell, Detention Director
Mark Jasso, Emergency Services Director
Ira Pearson, Starmax Facilities Director
Manny Armendariz, Information Technology

CALL TO ORDER: Chairman Spivey called the meeting to order at 9:05 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
Chairman J. Jay Spivey, District 2
R. Javier Diaz, District 3

SERVICE AWARDS: Sheriff Raymond Cobos presented Corporal Jose Martinez with a five-year service pin. Chairman Spivey presented honorable mentions to County Clerk Karen Smyer (25 years), Chief Deputy Clerk Natalie Pacheco (30 years), and Chief Deputy Treasurer Gloria Rodriguez (41 years) and thanked them for their years of service to Luna County.

PRESENTATIONS:

- a. County Manager Kelly Kuentler and Detention Director Matt Elwell administered the oath of office to Luna County Detention Center officers Cheyanne Sandoval and Fernando Arenibas.
- b. Barbara Herrington, Project Manager of Sites Southwest presented the Luna County Comprehensive Plan. Sites Southwest worked in conjunction with the county in putting the plan together. Highlighted in the presentation were goals and objectives and a community profile. Elements addressed in the plan were: natural resources, private land use, housing, economic development, community services and facilities, transportation, and hazard mitigation.
- c. Nancy Sherman presented information on Healthy Kids Luna County which is a grant that provides an outreach program addressing childhood obesity and the chronic health problems associated with obesity and unhealthy eating. Ms. Sherman provided details on plans for Healthy Kids Luna County creating safe routes for walking paths and bike trails, education efforts, and school gardens.

PUBLIC HEARING: Chairman Spivey opened a public hearing for testimony on the Luna County Comprehensive Plan. Planning Director Gabe Boyle thanked those involved in putting together the Comprehensive Plan. Nancy Sherman, Ann Shine-Ring, Gene Krieger, Fred Williams, Eric Graham, Joel Chinkes, Larry Caldwell and Dave Petersen provided testimony and voiced their concerns with the plan. Mr. Boyle acknowledged the issues addressed and reiterated the Comprehensive Plan is a planning document and can be changed. Commissioner Diaz declared the Public Hearing closed after all residents who had signed the roster had come forth with their testimonies.

ANNOUNCEMENTS: Commissioner Diaz wished Special Projects and Facilities Management Director Billy Ruiz a Happy Birthday.

Chairman Spivey took leave due to illness and turned the meeting over to Commissioner Diaz who acted as temporary chairman.

ELECTED OFFICIALS REPORTS: County Clerk Karen Smyer thanked the commissioners and the public for their support during her term as County Clerk and said it had been an honor to serve. She provided information on the School Board Election in February. The filing date for Districts 1 and 2 is December 18, 2012. Absentee voting by mail begins January 11, 2013. Early Voting starts January 16, 2013. Books

close for voter registration on January 8, 2013. Mrs. Smyer urged voters to vote early to avoid confusion regarding polling places. Treasurer Dora Madrid reported the first rush of the first half of the taxes is over with.

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

- Billy Ruiz is working on an asbestos test for the demolition of the 110 N. Gold property. The demolition is scheduled for January 7th. The county is planning on recycling every possible element from the Western Furniture building feasible.
- The Planning Department is working on a county road atlas. Six community meetings have been conducted in conjunction with this and the Comprehensive Plan.
- Risk and Emergency Management Department has conducted pre-inspections of 17 county buildings. The county received an inspection from the New Mexico Association of Counties and the county is awaiting a report.
- A vehicle usage agreement is currently being worked on for the volunteer fire departments for use of a van to use for emergency incidents.
- There have been zero tort claims, workman's comp claims, or vehicle accidents for the month of November.
- Central Dispatch Call Sheets were reported: Deming Police Department received 392 calls. Luna County Sheriff's department 207 calls. Inbound phone call received totaled 5,757. Outbound phone calls totaled 4,228. Ms. Kuenstler commended Lt. Mooradian and Dispatch Supervisor Lauree Sanchez for their continued efforts in improving the dispatch department.
- Community Health and Welfare is in the process of converting into a grant clearinghouse, and is working with all departments to have grant-ready files.
- Healthy Start has received preliminary word that they may receive a \$430,000 CYFD grant.
- Healing House is in the process of looking for a new director.
- Healing House Advisory Committee elected Dave Petersen as their new Chairperson.
- Luna County Detention Center November Received 405 Adult Offenders, 17 Juvenile Offenders. Average daily population 331 adults, 8 juveniles. 180 federal prisoners.
- 41 detention staff received weapons certification/recertification for taser weaponry.
- The Detention Center received a fire inspection November 16. There were minor issues found and they are rectified. The county is awaiting a final report.
- The Road Department has resumed partial maintenance of all county roads.
- The Budget and Procurement Director is receiving a Certified Public Officer certification January 13, 2013.
- The maintenance department is finishing up the Columbus substation remodel.
- Several improvements have been made at Starmax.
- The annual 'Shop-With-a-Cop' event was held and was a huge success. Almost 300 children participated in the event.
- DWI presentations were given in the local High Schools. Over 116 students were reached.
- Wireless Internet has been installed throughout the courthouse, and will be available for citizens by the next meeting.

PUBLIC COMMENT: Larry Caldwell asked County Manager Kuenstler about the six-month review of the budget and the Detention Center deficit. He also asked about the cost of improvements with Starmax. Ms. Kuenstler explained the six-month review will be done at the end of December, and should be reported at the next meeting. Starmax improvements were approved by the commission. Commissioner Diaz declared a five-minute recess. Upon return, the public comment period was resumed. James Palza, Jr. came before the board with his concerns with the judicial system and the environment. Ann Shine-Ring recognized County Manager Kelly Kuenstler's efforts. Ray Krejci commended and thanked the efforts on behalf of those involved in the Luna County Detention Center Policy and Procedure Manual. Jim Hazleton asked the board to consider his application for road maintenance. Bill Duncan advised that Main Street is in the process of trying to re-establish a farmer's market in downtown Deming. He also commended the Road Department for improvements on his road.

CONSENT AGENDA: Upon motion of Commissioner Milo, seconded by Commissioner Diaz, Payroll Registers totaling \$1,425,435.44 and Accounts Payable Registers totaling \$669,389.53 were unanimously approved.

CONSIDER MINUTES: Upon motion of Commissioner Milo, seconded by Commissioner Diaz, the minutes of the November 8, 2012 Regular Meeting and November 9, 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 12-54 BUDGET INCREASES:** Five budget increases in the amount of \$170,130.87 were proposed. Commissioner Milo moved to accept Resolution 12-54 Budget Increases. The motion was seconded by Commissioner Diaz which carried unanimously following a roll-call vote.
- b. **RESOLUTION 12-55 BUDGET TRANSFERS:** Four budget transfers in the amount of \$22,085.90 were proposed. Commissioner Milo moved to accept Resolution 12-55 Budget Transfers. The motion was seconded by Commissioner Diaz which carried unanimously following a roll-call vote.
- c. **RESOLUTION 12-56 A RESOLUTION FOR THE ADOPTION OF A LUNA COUNTY COMPREHENSIVE PLAN:** Ms. Kuenstler explained to the board after the Sites Southwest presentation and Public Hearing it was time to accept the Resolution or address any issues with the Comprehensive Plan. Gabe Boyle explained there were some minor omissions including

recycling programs and the truck bypass route, the committee listings of only those who participated, and the resolution should reflect 2006, not 2005. Commissioner Milo moved to approve Resolution 12-56, Luna County Comprehensive Plan, with the grammatical and language changes, the committee listings, the 2005 to 2006. The motion was seconded by Commissioner Diaz which carried unanimously following a roll-call vote.

- d. **APPOINTMENT OF DEPUTY SHERIFF ISRAEL VALDEZ:** Commissioner Milo moved to approve the appointment of Deputy Sheriff Israel Valdez. Commissioner Diaz seconded the motion which carried unanimously.
- e. **2013 HOLIDAY SCHEDULE:** Ms. Kuenstler presented the proposed 2013 Holiday Schedule. Commissioner Milo moved to approve the 2013 Holiday Schedule. The motion was seconded by Commissioner Diaz which carried unanimously.
- f. **LUNA COUNTY DETENTION CENTER POLICY AND PROCEDURES MANUAL:** Ms. Kuenstler explained this manual is a first for Luna County and she recognized the efforts of Richard Huffman, Merlin Norenberg, and Ray Krecji in their roles in helping with the manual. Commissioner Milo moved to approve the Luna County Detention Center Policy and Procedures Manual. The motion was seconded by Commissioner Diaz which carried unanimously.
- g. **2013 ROAD APPLICATIONS- REVIEW AND DISCUSS FOR NEXT MONTH'S CONSIDERATION (APPLICANTS: LAWRENCE ALBA AND JAMES HAZELTON):** Ms. Kuenstler explained to board the Commissioners will evaluate each application with Road Department Superintendent Marty Miller. Mr. Miller also explained to Mr. Hazelton there has been a slight modification on the road blading and they are trying to cut down on the maintenance due to drought.

INDIGENT CLAIMS REPORT: Upon motion of Commissioner Milo seconded by Commissioner Diaz, the meeting of the Board of County Commissioners was unanimously recessed and the meeting of the Indigent Hospital Claims Board convened. Joanne Hethcox recommended approval of 40 claims dated December 13, 2012 in the amount of \$97,699.26 and four denials in the amount of \$33,052.59. The monies received for November 2012 totaled \$52,242.74. Commissioner Milo moved to approve 40 claims dated December 13, 2012 in the amount of \$97,699.26 and four denials in the amount of \$33,052.59. Commissioner Diaz seconded the motion which carried unanimously. Commissioner Milo moved to recess as claims board and to reconvene as the Board of County Commissioners. Commissioner Diaz seconded the motion which was approved unanimously.

ANNOUNCE NEXT MEETING: Commissioner Diaz announced the next regular meeting will be held on Thursday, January 10, 2012.

ADJOURN: Commissioner Diaz adjourned the meeting at 11: 48 a.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

ANDREA RODRIGUEZ, LUNA COUNTY CLERK

JOE L. MILO, JR., DISTRICT 1

APPROVED: _____

CHAIRMAN J. JAY SPIVEY, DISTRICT 2

R. JAVIER DIAZ, DISTRICT 3