

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, March 12, 2015**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 9:00 a.m. on Thursday, March 12, 2015 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:

County Manager Charles "Tink" Jackson, Assistant to the County Manager Glory Johnson, County Clerk Andrea Rodriguez, Deputy Clerk JoAnna Zurinsky, Treasurer Dora Madrid, Chief Deputy Treasurer Gloria Rodriguez, Captain Kelly Gannaway, Special Projects and Facilities Management Director Billy Ruiz, Detention Director Matthew Elwell, Sheriff Sergeant Richard Cowles, Dispatch Supervisor Lauree Sanchez, Community Projects Director Jessica Etcheverry, Road Director Marty Miller, Human Resources and Payroll Director Daniel Gonzales, Budget and Procurement Director Joanne Hethcox, Starmax Facilities Director Ira Pearson, Public Information Officer Matt Robinson, IT Technician Manny Armendariz, Emergency Services Director Mark Jasso, Director Health & Well Being Jessica Moreno, Grant/Audit Compliance Officer Palmira Valentine, Security Screener Moses Pastran.

CALL TO ORDER: Chairman Milo called the meeting to order at 9:07 a.m. and Assistant to the County Manager Glory Johnson led the Pledge of Allegiance.

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

**Chairman, Joe L. Milo, Jr., District 1
Linda M. Smrkovsky, District 2
R. Javier Diaz, District 3**

PRESENTATIONS: Mario Juarez-Infante of Wilson and Co. and General Services Administration Project Manager Danny Partida gave a slide and Power Point presentation update on the Village of Columbus and Port of Entry Diversion Berm and Village Capital Projects Update. Mr. Partida's presentation was given telephonically, and included information on project history and background, timelines, crossing points and projected routes, estimated construction costs and budget statistics. Mr. Juarez-Infante included drainage options, estimated costs and the benefits of each option.

ELECTED OFFICIALS REPORTS: County Clerk Andrea Rodriguez reported her department will purge 1,736 inactive voters per the Board of Registration.

There were no reports from the County Assessor or County Treasurer.

Captain Kelly Gannaway reported that criminal activity is down. There is currently one cadet attending academy and there are two positions open in the department. The department is hoping for a tentative date of April 1st for the opening of the Sheriff's Complex. Mr. Gannaway thanked both the Maintenance Department and Road Department for their work with the complex.

PUBLIC COMMENT: Fred Tiedge voiced his concerns about the Columbus Port of Entry. Mr. Tiedge also noted that there have been no public meetings for the Comprehensive Plan Committee, and requested that a meeting be held.

COUNTY MANAGER'S REPORT: County Manager Charles "Tink" Jackson reported on the following items:

- Both the County Manager and Detention Director Matt Elwell attended a meeting of the House Judiciary Committee to testify against House Bill (HB) 376. HB376 is the 'Isolation' bill. The bill failed in Committee 6-5.
- HM117 continues to move forward in Santa Fe. The memorial would request the Governor to notify the U.S. Fish and Wildlife Service that New Mexico would take over management of the Mexican Wolf program.
- Numerous Hold Harmless bill continue to be discussed in legislature.
- The County Manager attended the National Association of Counties Legislative Conference in Washington, D.C. last month. Key discussion points amongst members on the National Committee that the County Manager is assigned to was: Secure Rural Schools (SRS) and Payment In Lieu of Taxes (PILT) Funding.
- Luna County Dispatch received/sent 11,636 calls for the month of February. The Luna County Sheriff's Office generated 181 calls for service. The Deming Police Department generated 511 calls for service. The Deming Fire Department generated 205 calls for service. The Volunteer Fire Departments generated 3 calls for service. Tipsoft generated 37 calls.
- Keep Luna County Beautiful held a community cleanup with the Deming Soccer League with 55 participants that picked up and properly disposed of 4,000 lbs. of litter.
- Luna County Homeowner Septic System Maintenance Workshops will be held on March 17th from 6:00-8:00 p.m. and March 18th from noon to 2:00 p.m. at the Mimbres Valley Learning Center.
- Luna County Detention Center: For the month of February, the inmate daily average population was 323. The U.S. Marshal's Service daily average population was 179. Local daily inmate population was 144. The average length of stay for inmates was 47 days. The average daily population for Sierra County inmates was 46.

- Detention Staff completed a pre-P.R.E.A. audit questionnaire and submitted documents for the audit, which will take place in April.
- The DWI Program is currently tracking 145 misdemeanor DWI offenders. 7 new clients were screened for substance abuse. 13 offenders attended outpatient treatment. 3 offenders completed a 90-day treatment program.
- Alcohol Prevention Classes were held at the Red Mountain Middle School to 6th grade Health Class students. A total of 58 students completed a 45-minute underage drinking presentation.
- The Road Department has completed the State reports for the tire recycling and the tire hauler. They are now working on the 2016 State Projects applications, which are due by March 15th, and they are almost complete.
- The Luna County Road Department chip sealed the Healthy Start and the new Sheriff's Complex parking lots.
- Starmax has received a total of \$139,484.70 towards the digital reimbursement program through 02/28/2015. Remaining balance on conversion expenses is \$249,176.57. Funds are put back into Fund 416.
- Budget and Procurement has begun the stages of budget preparation for Commission and DFA, and had completed DOJ single audit responses for audit findings for FY 13.
- Human Resources and Payroll posted and hired for the following positions: DWI part-time administrative assistant, in-house for Corporal's position for the Sheriff's Department, two Detention Officers positions. The following positions were posted: Starmax positions: concession, wait staff, bartender, and bowling lane attendant, a part-time court advocate for the Healing House, a Certified Field Deputy with the Safe Border grant, and part-time Court Security Officers for the Sheriff's Department.
- Maintenance Department continues work on the evidence room for the new Sheriff's Complex and is working on the roofs on County buildings.
- Starmax sales for the month of February \$134,981. New movie releases continue to be spread out, and will help with revenue fluctuations. Field trip season is starting, and schools from Deming, Cobre, Columbus, Lordsburg and Silver City will utilize Starmax. Starmax tries to accommodate as many schools as possible.
- Emergency Services Department: For the month of February, there was 1 tort claim, 2 workers comp claims, and 0 vehicle accidents. A meeting was held with Local Law Enforcement and First Responders to go over a scheduled training drill to take place on Tuesday, March 10th at the Emergency Services Office. The training will focus on a chemical leak situation at Border Foods.
- Community Health and Well-Being: CASA is busy recruiting volunteers for Silver City and Deming, and is currently providing services to Luna, Grant, and Hidalgo Counties. Deming has 24 clients, Silver City 19, and Lordsburg 3.
 - The Parents as Teachers program is providing services to 112 clients.
 - The Healing House assisted 15 clients with victim advocacy services and provided emergency shelter to 2 women and 0 children. There are currently 6 domestic violence offenders in the ENOUGH! Project. The shelter was full for the month of February.

- Volunteer Fire Departments- Cooke's Peak: Responded to 1 vehicle fire, 1 semi fire and 1 structure fire. Sunshine: There were 0 documented calls. All stations: 2 new members.

CONSIDER MINUTES: Upon motion of Commissioner Diaz, seconded by Commissioner Smrkovsky, the minutes of the February 12, 2015 Regular Meeting were unanimously approved.

Upon motion of Commissioner Diaz, seconded by Commissioner Smrkovsky, the minutes of the February 17, 2015 Special Meeting were unanimously approved.

Upon motion of Commissioner Smrkovsky, seconded by Commissioner Diaz, the minutes of the March 3, 2015 Special Meeting were unanimously approved.

CONSENT AGENDA: Upon motion of Commissioner Diaz, seconded by Commissioner Smrkovsky, Accounts Payable Registers totaling \$822,820.04 and Payroll Registers totaling \$975,439.79 were unanimously approved.

NEW BUSINESS: County Manager Charles "Tink" Jackson reviewed each item on the New Business agenda with the commissioners:

- a. RESOLUTION 15-19 BUDGET TRANSFERS:** Nine intra/inter departmental Budget Transfers in the amount of \$32,286.85 were proposed. Commissioner Smrkovsky motioned to approve Resolution 15-19 Budget Transfers. Commissioner Diaz seconded the motion which carried unanimously following a roll-call vote.
- b. RESOLUTION 15-20 BUDGET INCREASES:** Four inter/intra departmental Budget Increases in the amount of \$14,040.76 were proposed. Commissioner Diaz motioned to approve Resolution 15-20 Budget Increases. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll-call vote.
- c. RESOLUTION 15-21 APPROVING THE SALE OF LUNA COUNTY NEW MEXICO GRT IMPROVEMENT REVENUE BONDS, SERIES 2015 A:** Mr. Jackson explained the purpose of this Resolution is for the sale of a one-million dollar private placement bond and will serve as a funding source for the architecture for the Detention Center construction, and introduced Mark Valenzuela of George K. Baum and Associates to outline the terms of the Sales Resolution. Mr. Valenzuela explained the history and logic for his recommendation for choosing the bank (Capital One) for financing the bond. Commissioner Smrkovsky motioned to approve Resolution 15-21 Approving the Sale of Luna County New Mexico GRT Improvement Revenue Bonds, Series 2015 A. Commissioner Diaz seconded the motion which carried unanimously following a roll-call vote.

- d. JOINT POWERS AGREEMENT BETWEEN LUNA COUNTY AND THE VILLAGE OF COLUMBUS FOR LAW ENFORCEMENT SERVICES:** Mr. Jackson stated this Joint Powers Agreement provides Law Enforcement services for the Village of Columbus by the Luna County Sheriff's Office, and is a continuation from the last three years. Commissioner Smrkovsky moved to approve the Joint Powers Agreement between Luna County and the Village of Columbus for Law Enforcement Services. Commissioner Diaz seconded the motion which carried unanimously.
- e. APPOINTMENT OF SHOOTING RANGE COMMITTEE:** Mr. Jackson stated this item stems from the Commissioner's recommendation that letters of Public Interest be solicited for consideration for members on the Exploration Committee. From the letters of interest received, Mr. Jackson recommended that each Commissioner choose one member each putting the Shooting Range Committee at 12 members. Chairman Milo appointed Andy Gilmore, Commissioner Smrkovsky appointed John Staehle, and Commissioner Diaz appointed Bobbie Terrazas. Commissioner Smrkovsky moved to approve the Appointment of additional members Bobbie Terrazas, John Staehle and Andy Gilmore. Commissioner Diaz seconded the motion which carried unanimously.
- f. RURAL PRIMARY HEALTH CARE ACT GRANT AND LUNA COUNTY PARTICIPATION AS FISCAL AGENT/DESIGNATION OF CONTRACTOR:** Mr. Jackson introduced Rex Wilson from Presbyterian Medical Services (PMS) to the Board to explain this item. Mr. Wilson stated this item gives PMS fiscal responsibility of the Rural Primary Health Care Grant through the state, and PMS will be directly accountable for the funds. The funds for the grant will stay in Luna County and will not be dispersed in any of the other 11 counties that PMS services. Commissioner Smrkovsky moved to approve the Rural Primary Health Care Act Grant and Luna County Participation as Fiscal Agent/Designation of Contractor. Commissioner Diaz seconded the motion which carried unanimously.
- g. LETTER OF SUPPORT FOR DEMING LUNA COUNTY SENIOR CENTER:** Mr. Jackson stated this item is a letter expressing the Commissioner's support for the Commission on Aging to receive continued funding through Title 3 and Title 3-E, and the letter is produced annually. Mr. Jackson explained that the letter of support asks for a defined amount and recommended changing language in the letter of support citing that the Commission has not passed a budget (or a policy on that). Commissioner Diaz moved to amend and approve the Letter of Support for Deming Luna County Senior Center excluding any languages of will or shall. Commissioner Smrkovsky seconded the motion which carried unanimously.
- h. ADDRESS PARTNERSHIPS WITH OTHER ENTITIES/ORGANIZATIONS:** Mr. Jackson explained this item on the agenda per the request of Commissioner Smrkovsky. Commissioner Smrkovsky stated that she hoped that the County could strengthen the partnerships that they have with various entities and organizations. Commissioner Smrkovsky explained that she felt grant funding and

other opportunities were missed out on, and encouraged more involvement through staff committees and appointments. This item was presented as a discussion item only, and no action was taken.

APPROVAL OF TRAVEL REQUESTS: Mr. Jackson submitted two travel requests: The first travel request is for April 18, 2015 for travel to Seattle, WA and is part of the Growing Food Connections award. Commissioner Smrkovsky motioned to approve travel to Seattle, WA. The motion was seconded by Commissioner Diaz which carried unanimously.

The second travel request is for May 20-22, 2015 for travel to Kauai, HI and is for the 2015 Western Interstate Regional Annual Conference. Issues impacting Luna County such as, but not limited to: Endangered Species Act, PILT Funding, SRS, and Public Lands Transfer Act will be discussed at this conference. Commissioner Diaz requested that if he were to accompany the County Manager to the 2015 Western Interstate Regional Annual Conference that the County will pay for his registration fees, but he will pay for his expenses of airfare and lodging. Commissioner Smrkovsky motioned to approve Mr. Jackson's travel request to Kauai, HI for the 2015 Western Interstate Regional Annual Conference and for the County to pay for Commissioner Diaz's registration fee for the conference should he choose to go. Commissioner Diaz seconded the motion which carried unanimously.

INDIGENT CLAIMS REPORT: Upon motion of Commissioner Diaz seconded by Commissioner Smrkovsky, 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 forty seven claims dated March 12, 2015 in the amount of \$64,715.59 and zero denials. The monies received for February 2015 totaled \$68,136.35. The balance in the Indigent Funds Accounts as of February 28, 2015 is \$518,582.11. Commissioner Smrkovsky moved to approve forty seven claims dated March 12, 2015 in the amount of \$64,715.59 dollars and zero denials. Commissioner Diaz seconded the motion which carried unanimously. Commissioner Diaz moved to recess as claims board and to reconvene as the Board of County Commissioners. Commissioner Smrkovsky seconded the motion which was approved unanimously.

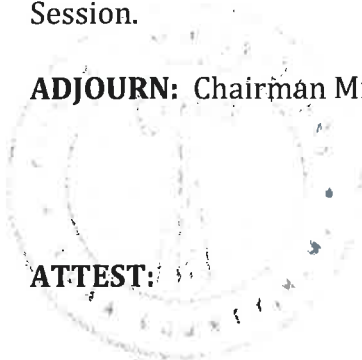
ANNOUNCE NEXT MEETINGS: Chairman Milo announced that a work session will be held on April 7 2015 at 3:00 p.m., and the Regular Meeting will be held Thursday, April 9, 2015 at 9:00 a.m.

EXECUTIVE SESSION: Chairman Milo entertained a motion to enter into Executive Session to discuss limited personnel matters pursuant to 10-15-1 (H) 2 NMSA 1978 pertaining to the roles and responsibilities of the County Manager and County Commissioners. Commissioner Diaz so moved and announced no other matters would be discussed. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.

Commissioner Diaz motioned to return from Executive Session where no other matters were discussed but Limited Personnel Matters. Commissioner Smrkovsky seconded the

motion, which carried unanimously. There was no action taken during the Executive Session.

ADJOURN: Chairman Milo adjourned the meeting at 12:55 p.m.



ATTEST:

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Andrea Rodriguez
ANDREA RODRIGUEZ, LUNA COUNTY CLERK

Joe L. Milo, Jr.
CHAIRMAN, JOE L. MILO, JR., DISTRICT 1

APPROVED: 04/09/15

Linda M. Smrkovsky
LINDA M. SMRKOVSKY, DISTRICT 2

R. Javier Diaz
R. JAVIER DIAZ, DISTRICT 3