

**MINUTES
SPECIAL MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Wednesday, June 24, 2015**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in Special Session at 7:30 p.m. on Wednesday, June 24, 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 Juarez, Deputy Clerk JoAnna Zurinsky, Budget and Procurement Director Joanne Hethcox, Detention Director Matthew Elwell, Public Information Officer Matt Robinson, Volunteer Fire Chief Luis Malina, IT Technician Manny Armendariz, Security Screener Moses Pastran, Summer Intern Loni Zumwalt

CALL TO ORDER: Chairman Milo called the meeting to order at 7:41 p.m. and Commissioner Javier Diaz 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:

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

PUBLIC COMMENT: Chairman Milo opened the floor to Public Comment, however there was none forthcoming.

NEW BUSINESS: County Manager Charles "Tink" Jackson reviewed each item on the New Business agenda with the commissioners: Before Mr. Jackson began reviewing the New Business items on the agenda, he took an opportunity to introduce the Luna County Summer Intern Ms. Loni Zumwalt to the Board and Members of the Public.

A) NM CAP ENTITY JOINT POWERS AGREEMENT: Mr. Jackson explained that this item is a Resolution to be numbered 15-41, and a Joint Powers Agreement (JPA). Mr. Jackson read the Resolution, and established the fact that the New Mexico CAP Entity exists. Mr. Jackson further explained to the Board that the choice they must make is whether or not they wish to participate, and narrated the history and timeline of the JPA with the Interstate Stream Commission (ISC) and explained this JPA is the next step in the process, and up to this point the process has taken about 15 years. Mr. Jackson stated to the Board that 5 entities have already voted to participate. A discussion ensued amongst the Board and Mr. Jackson about

the terms of the JPA and the various questions regarding referendums, membership fees, the creation of amendments and bylaws, requirements of membership, the status of the creation of bylaws, and the importance of the County's participation. Mr. Jackson recommended approval of Resolution 15-41NM CAP Entity Joint Powers Agreement. Commissioner Diaz motioned to approve Resolution 15-41 NM CAP Entity Joint Powers Agreement. Commissioner Smrkovsky seconded the motion, commenting that she felt it was important to include follow up reports pertaining to the Joint Powers Agreement in the minutes or in writing. The motion carried unanimously following a roll-call vote.

B) DWI JUVENILE ADJUDICATION FUND GRANT AGREEMENT: Assistant to County Manager Glory Juarez stated this is a Grant Agreement between the Department of Finance Administration and Luna County and provides \$12,000 for the Teen Court Program, in which the County matches \$1,200 in kind. Commissioner Smrkovsky motioned to approve the DWI Juvenile Adjudication Fund Grant Agreement. Commissioner Diaz seconded the motion which carried unanimously.

C) AMENDED INDIGENT POLICY OR PRESBYTERIAN MEDICAL SERVICES AGREEMENT: Mr. Jackson explained the history of this item from the last Commission Meeting, and recommended tabling this item. Commissioner Diaz motioned to table the Amended Indigent Policy or Presbyterian Medical Services Agreement. Commissioner Smrkovsky seconded the motion, which carried unanimously.

D) PROCLAMATION DECLARING EXTREME DROUGHT CONDITIONS IN LUNA COUNTY: Mr. Jackson explained to the Board this proclamation is on the agenda as point of clarification for the Board and the public. The County wanted the reason why the proclamation was not done this year stated on record: The authority the Commission has to enact the proclamation banning the use or sale of fireworks within unincorporated portions of Luna County, can only be exercised if the governing body has determined that **severe** or **extreme** drought conditions exist. The most current drought conditions place Luna County in **moderate** drought, and therefore the Commission does not have the authority to place the proclamation based on the current drought monitor. Mr. Jackson also explained proclamations are good for a period of only one year. Commissioner Smrkovsky motioned to deny the Proclamation Declaring Extreme Drought Conditions in Luna County. Commissioner Diaz seconded the motion which carried unanimously.

ADJOURN: Chairman Milo adjourned the meeting at 8:09 p.m.

ATTEST:

Andrea Rodriguez by
ANDREA RODRIGUEZ, CLERK
Maria Rudloff

APPROVED: July 9 2015

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CHAIRMAN, JOE L. MILO, JR., DISTRICT 1

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