

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, March 10, 2016**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, March 10, 2016 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, County Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk JoAnna Zurinsky, Treasurer Dora Madrid, Chief Deputy Treasurer Gloria Rodriguez, Sheriff Jonathan Mooradian, Undersheriff Kelly Gannaway, Special Projects and Facilities Management Director Billy Ruiz, Detention Director Matthew Elwell, Dispatch Supervisor Lauree Sanchez, Community Projects Director Jessica Etcheverry, Road Director Marty Miller, Budget and Procurement Director Joanne Hethcox, Human Resources Director Danny Gonzales, Starmax Facilities Director Ira Pearson, Partnerships for Success Director Jessica Jara, IT Technician Manny Armendariz, Grant and Compliance Officer Palmira Valentine, Emergency Services Director Mark Jasso, Luna County Detention Lieutenant Carl Sanner, Luna County Detention Sergeant Miguel Carreon, Security Screener Moses Pastran.

CALL TO ORDER: Chairman Diaz called the meeting to order at 10:01 a.m.

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
Linda M. Smrkovsky, District 2
R. Javier Diaz, Chairman, District 3

APPROVAL OF AGENDA: The Agenda for today's Regular Meeting was presented to the Board for approval. Commissioner Smrkovsky motioned to approve the Agenda. Commissioner Milo seconded the motion which carried unanimously.

ELECTED OFFICIALS REPORTS: County Treasurer Dora Madrid reported that on March 8th, there was a successful tax auction held.

County Clerk Andrea Rodriguez reported that on Tuesday, March 8th, there were 11 local candidates that filed for Candidacy of Office for the upcoming Primary Election in June.

Captain Kelly Gannaway reported on crime statistics, and noted that burglaries and mail thefts were up and reported information about a telephone scam.

ANNOUNCEMENTS: Commissioner Smrkovsky announced that she attended the National Association of Counties' Legislative Conference, and outlined details of the meetings she attended.

Chairman Diaz announced that he has attended a couple of meetings pertaining to the Arizona Water Settlement Act, and there is a new Executive Director. Progress continues to be slow, but is being made. Chairman Diaz also reported on the Multi-Line Claims Board that he serves on.

SERVICE AWARDS: Luna County Detention Director Matt Elwell presented a ten year service award to Ruben Almanza.

PRESENTATIONS: There were no presentations given.

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

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

- The format of the County Manager's Report has changed, (for brevity) and a copy of the Department Reports is available online or in the Manager's Office for interested members of the public.
- Hermanas Grade- The process to get final approval for the Hermanas Grade project continues. The County is just a few days away from the draft Environmental Assessment being finalized. At this point, the majority of the public comments submitted are in favor of the project.
- National Association of Counties (NACo) Legislative Conference-The County Manager and Commissioner Smrkovsky attended the NACo Legislative Conference in Washington, D.C. last month. There were important issues addressed for Luna County during the conference, and numerous discussions were held with our Congressional delegation and staff regarding the need for a bypass road. This is the second year the County has taken these concerns to D.C., and still have no movement on these issues. An additional topic, a bill in Congress relating to RS2477 roads would be a big benefit for Luna County was also addressed.
- Alta Luna- Commissioners and staff met with contractors selected to construct the Alta Luna Solar Project. Staff continues to assist the contractor with local information for vendors, hotels, etc. to be used during the construction phase of the project. Initial steps in the construction phase should begin prior to the end of this month. The county also met with the schools to discuss the solar educational pilot project and its construction.
- Ordinance 52 Amended- The first public forum was held to discuss potential changes to the Animal Control Ordinance. There was a good turnout for the meeting, and the public provided some good ideas and helpful feedback. Once all of the comments from the first meeting are organized, a second meeting will be hosted, and the focus will be on workgroups to help move the process forward.
- Chairman Diaz, Sheriff Mooradian and the County Manager attended the Columbus Village Council meeting last month. The Sheriff attended to discuss some minor issues with the new vehicles with the Village. After a few 'unfriendly' comments were made towards the Sheriff, the County Manager reminded the Council how much Luna County contributes towards law enforcement for the Village, and discussed the need for the Village to begin to pay some portion of that cost. The Village collects taxes for the purpose of providing law enforcement, and those monies should be paying for the officers to be present in the Village.
- The County Manager met with a representative of El Paso Electric regarding the County's standing franchise agreement with them. The current agreement is valid for another year, however El Paso Electric wanted to get an early start: Franchise agreements are important for public utilities in that they allow them to utilize the County's right-of-ways to provide service.

- Last week, a budget review and director's workshop was held with the Commission. This was a very productive meeting, and will help streamline meeting and processes in the future.
- There have been a significant amount of public comments this week about the County Manager and the supposed demands he has made of the Commission to remain here as the Luna County Manager. While anyone in this position has to understand that there will always be people who will actively attempt to undermine a positive thing that is done, the blatant untruth that small-minded people so freely spread in this community is amazing. So for the record: (1) I (The County Manager) have not received a salary increase in over a year, and in November of last year, a salary increase was refused. (2) The salary I am making right now is the original salary I negotiated almost two years ago (despite what a former Commissioner, who agreed to that salary, is telling people). (3) I voluntarily surrendered my original severance package in November 2014 when my negotiated salary was implemented. (4) I have not asked for a severance package since that day.

CONSIDER MINUTES: Upon motion of Commissioner Milo, seconded by Commissioner Smrkovsky, the minutes of the February 11, 2016 Work Session were unanimously approved.

Commissioner Smrkovsky stated that in the minutes for the February 11, 2016 Regular Meeting *Announcements* section, in regards to the Legislative Update by the NMAC Meeting in Hidalgo County that she announced: She thought that it would probably be at the Community Center, and that it wasn't really known at the time she was announcing it, but the meeting will actually be held at the Hidalgo County Commission Chambers. She requested the minutes changed with this clarification. Commissioner Smrkovsky motioned to approve the minutes of the February 11, 2016 Regular meeting with the requested change. The motion was seconded by Commissioner Milo and approved unanimously.

Commissioner Smrkovsky motioned to approve the minutes of the March 3, 2016 Work Session. The motion was seconded by Commissioner Milo and was unanimously approved.

CONSENT AGENDA: Upon motion of Commissioner Smrkovsky, seconded by Commissioner Milo the following items on the Consent Agenda were unanimously approved following a roll call vote.

- Accounts Payable:** Accounts Payable Registers totaling \$1,373,676.21.
- Payroll Registers:** Payroll Registers totaling \$1,040,592.93.
- Resolution 16-17 Budget Increases**
- Resolution 16-18 Budget Transfers**
- Resolution 16-19 Authorizing the Application for the Juvenile Adjudication Program Grant**
- Child Abuse Awareness Month Proclamation**
- 2016 Annual Certified County Maintained Mileage Report**
- Appointment of Court Security Officer, Mateo Renteria**
- Appointment of Deputy Sheriff, Rene Gaona**

NEW BUSINESS: There were no New Business Items presented to the Board at this time.

APPROVAL OF TRAVEL REQUESTS: There were no Travel Requests submitted, and no action was taken on this item.

INDIGENT CLAIMS REPORT: Upon motion of Commissioner Milo 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

zero claims dated March 10, 2016 in the amount of zero dollars and zero denials. The monies received for February 2016 totaled \$52,124.58. The balance in the Indigent Funds Accounts as of February 29, 2016 is \$775,511.20, with an Encumbered Balance of \$347,833.23. Commissioner Smrkovsky moved to approve zero claims dated March 10, 2016 in the amount zero dollars and zero denials. Commissioner Milo seconded the motion which carried unanimously. Commissioner Milo moved to recess as claims board and to reconvene as the Board of County Commissioners. Commissioner Smrkovsky seconded the motion which was approved unanimously.

EXECUTIVE SESSION: Chairman Diaz 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 County Manager’s position. Commissioner Smrkovsky so moved and announced no other matters would be discussed. Commissioner Milo seconded the motion which carried unanimously following a roll call vote.

Commissioner Smrkovsky motioned to return from Executive Session where no other matters were discussed but Limited Personnel Matters pertaining to the County Manager’s position. Commissioner Milo seconded the motion which carried unanimously. Chairman Diaz announced that the Board accepted the County Manager’s resignation, and that Mr. Jackson’s last day would be April 8, 2016, and effective immediately, the County Manager is working on an alternative work schedule. Commissioner Smrkovsky motioned to approve the Board’s acceptance of Mr. Jackson’s resignation and an alternative work schedule. Commissioner Milo seconded the motion which carried unanimously.

ANNOUNCE NEXT MEETING: Chairman Diaz announced the next regular meeting will be held on Thursday, April 14, 2016 at 10:00 a.m.

A Work Session will be conducted on April 14, 2016 at 9:00 a.m.

A Special Meeting will be held on March 24, 2016 at 4:00 p.m.

Commissioner Smrkovsky motioned to approve the meeting times. Commissioner Milo seconded the motion which carried unanimously.

REQUESTS FOR FUTURE AGENDA ITEMS: There were no requests submitted.

ADJOURN: Chairman Diaz adjourned the meeting at 11: 59 a.m.

ATTEST:



ANDREA RODRIGUEZ, LUNA COUNTY CLERK

APPROVED: April 8, 2016

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS



JOE L. MILO, JR., DISTRICT 1



LINDA M. SMRKOVSKY, DISTRICT 2



CHAIRMAN, R. JAVIER DIAZ, DISTRICT 3

