

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, June 9, 2016**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, June 9, 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 Ira Pearson, Assistant County Manager Glory Juarez, Executive Administrative Assistant Yossie Nieblas, County Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk JoAnna Zurinsky, Treasurer Dora Madrid, Chief Deputy Treasurer Gloria Rodriguez, County Services Specialist Lisa Maynes, Assessor Delilah Rojo, Captain Kelly Gannaway, Community Projects Director Jessica Etcheverry, Special Projects and Facilities Management Director Billy Ruiz, Code Enforcement Officer Frankie Tarazon, Road Director Marty Miller, Detention Deputy Director Mary Gooding, Community Projects Director Jessica Etcheverry, IT Technician Manny Armendariz, Grant and Compliance Officer Palmira Valentine, Public Information Officer Matt Robinson, Security Screener Moses Pastran.

CALL TO ORDER: Chairman Diaz called the meeting to order at 10:03 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 amend and approve the agenda, tabling items *F* and *G* on the Consent Agenda. The motion was seconded by Commissioner Milo which carried unanimously.

ELECTED OFFICIALS REPORTS: County Clerk Andrea Rodriguez reported that her office was successful in conducting the Primary Election, and are awaiting the Certification of Canvass Results for the Primary Election 2016, which will be presented during today's Regular Meeting.

County Treasurer Dora Madrid reported her department has collected 90 percent of taxes, and will send out notices to collect the remaining percentage.

Captain Kelly Gannaway reported on crime statistics, and stated that overall crime was down, and stood for questions.

There was no report given by County Assessor.

ANNOUNCEMENTS: Community Projects Director Jessica Etcheverry announced that there will be an ICIP meeting held today at 5:00 p.m. in the Commission Chambers, and another meeting on Friday, June 10, 2016 at 11:00 a.m., also in the Commission Chambers.

SERVICE AWARDS: Detention Deputy Director Mary Gooding presented five year service awards to Derek Apodaca and Jennifer Tone.

Treasurer Dora Madrid presented a ten year service award to County Services Specialist Lisa Maynes.

PRESENTATIONS: There were no presentations given at today's Regular Meeting.

PUBLIC HEARING: Chairman Diaz opened a Public Hearing to receive testimony considering the Animal Regulation and Control Ordinance Number 52.

Larry Caldwell stated that in the Work Session, there had been a lot of ambivalence demonstrated by the Board and the public, and respectfully requested that the Ordinance be deferred by the Commission until the next regular meeting.

Sande Foster spoke on behalf of the Ordinance Commission, and stated there were many public meetings held, and requested that Commissioner's Smrkovsky request that the Ordinance remain a living document be upheld. Ms. Foster urged the Commission to pass the Ordinance, and made suggestions for the fee schedules, inspections, and enforcements.

Robert Floyd urged the Commission to pass the Ordinance, and stated that the Ordinance was well done, and that anything that needed to be added or corrected could be done in the future, or at a later date.

Sherry McDaniel addressed concerns with animal overcrowding and shelter.

Leslie Bronken commented that it was of utmost importance that the public (people) were protected, and not just animals.

Carol Bartlett provided testimony on her experiences with rescue organizations in the area, and commented that the current Animal Enforcement is made of people who know their job(s), and urged the Commission to 'not put a ceiling on what can be done'.

With no other public comment forthcoming Chairman Diaz closed the Public Hearing.

ORDINANCE: Commissioner Smrkovsky stated that she would like to see the following issues addressed in the Ordinance: human safety consideration and fee schedules. A discussion ensued amongst the Board and Ordinance Board Chairman Matt Robinson regarding state statutes, and whether or not specific statutes pertained to the Ordinance. Assistant County Manager Glory Juarez made the recommendation that any changes or amendments to the Ordinance be made by each specific (concern) section. County Manager Ira Pearson stated that New Mexico law does not require inclusion of every statute because it already exists (or the law is already on the books). Ms. Juarez advised that a fee schedule must be attached and approved as part of the Ordinance. A discussion ensued in regards to the fee schedule and necessary amendments. Commissioner Smrkovsky stated that she hoped the funds would be put towards the inspections.

Commissioner Smrkovsky motioned to amend and approve the Amended Animal Regulation and Control Ordinance Number 52 by adding the definition of a Fee Schedule set annually by the Humane

Society, and striking the last sentence in the second paragraph in the preamble. Commissioner Milo seconded to approve the amended motion which carried unanimously following a roll-call vote.

PUBLIC COMMENT: Chairman Diaz opened the floor to Public Comment: The Commission introduced County Manager Ira Pearson to attending members of the public.

Christie Ann Harvey came before the Board and recalled a recent incident that had happened at the Deming Visitor's Center, and remarked how fortunate the County was to have security available.

COUNTY MANAGER'S REPORT: Assistant County Manager Glory Juarez reported on the following items:

- The Manager's Office has been busy with several Special Commission Meetings and assisting with the interview and hiring process of the new County Manager.
- Ms. Juarez thanked Annie Kuentler, Yossie Nieblas, Department Directors, and Elected Officials for their help.
- Ms. Juarez, County Manager Ira Pearson, and Community Projects Director Jessica Etcheverry will be attending a meeting with the State Board of Finance for the Port of Entry property transfer presentation.
- Preliminary discussions have begun with the State Auditor for the 2015-2016 audit.
- Ira Pearson commended Glory Juarez as the Interim County Manager and the transition, and thanked her for her hard work.

CONSIDER MINUTES: Upon motion of Commissioner Smrkovsky, seconded by Commissioner Milo, the minutes of the May 12, 2016 Work Session were unanimously approved.

Upon motion of Commissioner Smrkovsky, seconded by Commissioner Milo, the minutes of the May 12, 2016 Regular Meeting were unanimously approved.

Upon motion of Commissioner Smrkovsky, seconded by Commissioner Milo, the minutes of the May 19, 2016 Special Meeting were unanimously approved.

Upon motion of Commissioner Smrkovsky, seconded by Commissioner Milo, the minutes of the May 19, 2016 Work Session were unanimously approved.

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

- a. **Accounts Payable:** Accounts Payable Registers totaling \$557,654.48.
- b. **Payroll Registers:** Payroll Registers totaling \$1,021,328.37.
- c. **Resolution 16-33 Budget Transfers**
- d. **DWI Grant Agreement between Luna County and Department of Finance & Administration**
- e. **Work and Financial Plan between Luna County and US Department of Agriculture Animal and Plant Health Inspection Service for July 1, 2016-June 30, 2017**
- f. **Resolution 16-34 Election Resolution (*This Item was tabled*)**
- g. **Office of Management and Budget Uniform Grant Guidance Policy (*This Item was tabled*)**

NEW BUSINESS: The tabled items from the Consent Agenda were submitted as New Business items.

f. Resolution 16-34 Election Resolution: Assistant County Manager Glory Juarez advised to the Board the following dated changes and amendments to the Resolution: On the third *Whereas*, August 23, 2016 needs to be incorporated into the section. In the last section, *'Be It Further Resolved'*: Wednesday, July 27, 2016 needs to be incorporated into that section. Commissioner Smrkovsky motioned to approve amended Resolution 16-34 Election Resolution with the dates August 23, 2106, and Wednesday, July 27, 2016. Commissioner Milo seconded the motion which carried unanimously following a roll-call vote.

g. Office of Management and Budget Uniform Grant Guidance Policy: Commissioner Smrkovsky motioned to table this item. Commissioner Milo seconded the motion, which carried unanimously.

CERTIFICATION OF CANVASS RESULTS FOR THE PRIMARY ELECTION 2016: Commissioner Smrkovsky motioned to approve the Certification of Canvass Results for the Primary Election 2016 as presented by the County Clerk. Commissioner Milo seconded the motion which carried unanimously.

APPROVAL OF TRAVEL REQUESTS: There were no Travel Requests submitted, and therefore 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. Glory Juarez recommended approval of two claims dated June 9, 2016 in the amount of \$723.79 and zero denials. The monies received for May 2016 totaled \$51,481.80. The balance in the Indigent Funds Accounts as of May 31, 2016 is \$753,134.89 with an Encumbered Balance of \$135,363.86. Commissioner Smrkovsky moved to approve two claims dated June 9, 2016 in the amount \$723.79 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.

ANNOUNCE NEXT MEETING: Chairman Diaz announced that a Work Session will be conducted on July 14, 2016 at 9:00 a.m. and the next regular meeting will be held on Thursday, July 14, 2016 at 10:00 a.m.

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

ADJOURN: Chairman Diaz adjourned the meeting at 11:07 a.m.

ATTEST:

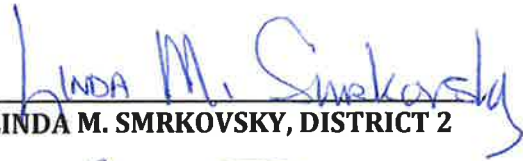


ANDREA RODRIGUEZ, LUNA COUNTY CLERK

LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS


JOE L. MILO, JR., DISTRICT 1

APPROVED: 07/14/16


LINDA M. SMRKOVSKY, DISTRICT 2


CHAIRMAN, R. JAVIER DIAZ, DISTRICT 3