

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Thursday, December 9, 2021**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, December 9, 2021 in the Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board. Due to the Covid-19 Pandemic and the Governor's Orders regarding social distancing, the commission meeting was also conducted via teleconference and webcasting.

**The following staff and elected officials were present:** County Manager Chris Brice, Assistant to the County Manager Yossie Nieblas, Deputy Clerk Pilar Salcido, Clerk Berenda McWright, Chief Deputy Clerk Leslie Nabours, Chief Deputy Assessor Isabelle Enciso, Sheriff Kelly Gannaway, Road Department Director David Bailey, IT Technician Joseph Apodaca, LCDC Interim Director Pablo Montoya, Economic Development & Community Director Christie Ann Harvey, Budget & Procurement Director Joanne Hethcox and County Attorney Charles Kretek. Other directors and elected officials were present virtually.

**CALL TO ORDER:** Chair Reedy called the meeting to order at 10:00 a.m. and led the Pledge of Allegiance and the salute to the flag of New Mexico.

**ROLL CALL:** Deputy Clerk Pilar Salcido called roll. The following members of the Board constituting a quorum were present: Commissioner Linda M. Smrkovsky was present telephonically.

**Barbara L. Reedy, Chair, District 1  
Linda M. Smrkovsky, District 2  
John S. Sweetser, District 3**

**APPROVAL OF AGENDA:** Chair Reedy entertained a motion to approve the agenda. Commissioner Sweetser moved to approve the agenda as submitted. Commissioner Smrkovsky seconded the motion which carried unanimously.

**MINUTES:** Upon a motion made by Commissioner Smrkovsky and a second by Commissioner Sweetser the Minutes for the Regular Meeting of November 10, 2021, were unanimously approved.

**SERVICE AWARDS:**

- Sheriff Kelly Gannaway presented to Paul Garcia, LCSO his 5 years of service award.
- County Manager Chris Brice presented to Ricardo Hidalgo, Maintenance his 10 years of service award.
- Director Lee Cook presented to Steven Aguilar, LCDC the Medal of Valor. Mr. Aguilar saved the life of a detainee who had no pulse and was unresponsive.

**PRESENTATION:**

- **Project Sea – Cassie Arias / Compass Manufacturing** – This presentation was tabled.
- **Colores United – Crystal Gonzales** – This presentation was tabled.

**ELECTED OFFICIALS REPORTS:** Chief Deputy Isabelle Enciso reported that Assessor Michelle Holguin submitted a brief report to the board. Ms. Enciso would like to add that the public website is still down but they are trying to work it out.

Clerk Berenda McWright provided the board with a report. Ms. McWright reported they are still working on the ongoing projects with the minute books and Leslie is making the changes to the precincts maps and commission district changes that were previously approved. She also stated they are catching up on voter registrations and they have a higher amount of extra phone calls due to the website being down.

Sheriff Kelly Gannaway reported for the month of November on the criminal side there were no homicides or rapes to report. Assaults and larcenies were down, burglaries were up, and there were no arsons and no robberies. The overall totals for the criminal side were up. On the non-criminal, paper service, accidents, and DWI were all down. The overall totals for non-criminal were down. Sheriff Gannaway stated he attended graduation in Santa Fe for Deputy Soledad, who is now a certified Law Enforcement Officer for the Luna County Sheriff's Department. They also received a new vehicle for Deputy Holguin and they have three more Durango vehicles ordered. They are still working on the Sargent's promotion and are currently looking to hire a School Resource Officer. Sheriff Gannaway stated they are still down three Deputies. The Shop with a Cop went well and they were able to help out a little over 300 kids. They have the Pre-Schools scheduled for next week and they still have the raffle going on. They will be doing that on December 24<sup>th</sup> at the Courthouse.

Commissioner Smrkovsky reported the Executive Committees met on Tuesday. At that time they reviewed the priorities for the Legislative Session. The committee supported an interest in the return to work PERA for all, not just law enforcement.

**COUNTY MANAGER'S REPORT:** Mr. Brice reported he has spent a lot of time in Santa Fe. Early this month he attended the County Managers Affiliate meeting. It was nice to get about 20-22 out of the 33 County Managers in the same room. It is always good to bounce ideas off each other. The most pressing thing that was discussed was the staffing issues, specifically in the detention centers. Mr. Brice stated that he met with the Secretary for the Department of Transportation and lobbied for some funding for the berm project in Columbus. The \$10 million project has to do with Hwy 11 and the raising of Hwy 11 for a bridge that the water will subsequently flow under once the berm project is complete. That was received very well. Pricilla will be entering their capital outlay this year and it will be solidified in the next week. Presentations for Silver Spikes will be done at the end of January. They requested \$2.5 million through the Water Trust Board for another portion of the Columbus Berm Flooding Project. They are on the list for approval, it just has to go through the House of Representatives and the Senate State-wide. As long as the Governor does not line item veto which is very rare for Luna County, we should see another \$2.5 million coming to the county. He also mentions they are working on the Personnel Ordinance which they will be calling for an ordinance. They have

been modifying it and will be doing a work session soon as soon as they get it crafted the way they want. In the next couple of meetings, they will be putting that ordinance up for approval. They are doing the Farmers and Ranchers meeting on December 15<sup>th</sup> at 6:30 p.m. in the chambers. The County can only do so much, but there are a lot of programs and grants that the County can guide them towards. In this meeting, they want to get to some of the top concerns and prioritize. Vehicles have become a huge problem as they are not available for a while. The \$145 million that they requested through Earmark through the US Senators are still waiting on the budget. If they do another continuing resolution at the federal level there is a really good chance they may not be able to get it at all as it is dependent on that budget being passed. So they are going to ask for it on capital outlay for emergency operations center anyway and hopefully it will cover their basis both ways. The tree lighting was a neat event. They finally received notice yesterday from the New Mexico Attorney General that they have agreed to get on board with the lawsuit of the opioid crisis.

**INDIGENT CLAIMS REPORT:** Upon a motion by Commissioner Sweetser and a second by Chair Reedy, the meeting of the Board of County Commissioners was unanimously recessed and the meeting of the Indigent Hospital Claims Board convened.

Budget & Procurement Director Joanne Hethcox reported there were seven claims for the month of November in the amount of \$32,754.53. GRT collected for the month was \$89,356.11. The balance for the Indigent Claims Fund total was \$1,924,972.27, of that \$733,778.51 is encumbered. The claims were from citizens for Mimbres Memorial Hospital and Memorial Medical Center. The encumbered amount includes the contribution for the Safety Net Pool and the contract with the Detention Center Medical. Commissioner Smrkovsky motion to approve the indigent claims. The motion was seconded by Commissioner Sweetser which carried unanimously.

Commissioner Smrkovsky motioned to recess as a Claims Board and reconvene as a County Commission. Commissioner Sweetser seconded the motion which carried unanimously.

**COMMUNITY SUPPORT REPORTS:** Executive Director of the Chamber of Commerce Debbie Troyer reported on events

**PUBLIC COMMENT:** Chair Reedy opened the floor to public comment. Several members of the public went before the board with comments.

**PUBLIC HEARING:**

- a. **Ordinance 86: Adopting the Local Economic Development Plan to Implement the Authority Provided by the New Mexico Local Economic Development Act.** Chair Reedy opened the floor for a public hearing for Ordinance 86: Adopting the Local Economic Development Plan to Implement the Authority provided by the New Mexico Local Economic Development Act. No public comment was forthcoming. Commissioner Sweetser motioned to approve Ordinance 86: Adopting the Local Economic Development Plan to Implement the Authority provided by the New Mexico Local Economic Development Act. Commissioner Smrkovsky seconded the motion and carried unanimously following a roll call vote.

## CALL FOR ORDINANCE:

- a. **Resolution 21-76: Call to amend Ordinance 23: Luna County Personnel Ordinance.** Commissioner Smrkovsky motioned to approve Resolution 21-76: Call to amend Ordinance 23; Luna County Personnel Ordinance. Commissioner Smrkovsky motioned to approve Resolution 21-76: Call to amend Ordinance 23: Luna County Personnel Ordinance. Commissioner Sweetser seconded the motion and carried unanimously following a roll call vote.

**CONSENT AGENDA:** Upon a motion from Commissioner Smrkovsky, and a second by Commissioner Sweetser the Consent Agenda was approved unanimously following a roll call vote.

- a. Accounts Payable: \$853,528.62
- b. Payroll: \$1,131,500.02

## NEW BUSINESS:

- a. **Resolution 21-77; Budget Increases:** Budget and Procurement Director Joanna Hethcox explained there were three budget increases. One of them is the \$100,000 sponsorship of the DA/Veterans treatment court initiative. The second one is to move some personnel around that they have been working on for the last couple of months and to clean up line items associated with those corresponding salaries. The third one is for a \$300,000 grant that the volunteer fire department has received from the State Fire Marshall for a new water system. Commissioner Smrkovsky motioned to approve Resolution 21-77: Budget Increases. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.
- b. **Resolution 21-78: Budget Transfers:** Ms. Hethcox explained they have four budget transfers this month. The first one is to move money from the professional services in the general fund to the Commissioners employee's incentives. The second one is the safety and risk assessment department. They needed to move a little money from supplies and equipment into mileage. The third one is in emergency management department moving some monies from supplies into uniforms to be recognizable on the field in the event of a disaster or an emergency. The fourth one is the detention center funds are being moved from capital improvement into professional services to be able to continue to pay for their services for the rest of the year. Commissioner Smrkovsky motion to approve Resolution 21-78: Budget Transfers. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.
- c. **Budget Request for the Veterans Treatment Court initiative from the DA's office.** Mr. Brice explained District Attorney Mike Renteria gave a detailed presentation at the last meeting. Mr. Brice explained the program briefly. Commissioner Sweetser motioned to approve the Budget Request for the Veterans Treatment Court initiative from the DA's office. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.
- d. **Oath of Office for Jesus Nunez for Deputy Sheriff:** Commissioner Smrkovsky motioned to approve the Oath of Office for Jesus Nunez for Deputy Sheriff. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

- e. **Letter of interest by Mimbres Memorial Library Board from Kellye Stimpson:** Mr. Brice recommended this item be tabled until further research. Commissioner Smrkovsky motioned to table this item. Commissioner Sweetser seconded the motion the table and carried unanimously following a roll call vote.
- f. **2022 Holiday Schedule:** Commissioner Smrkovsky motioned to approve the 2022 Holiday Schedule to reflect the same holiday schedule as 2021 with 13.5 days of holiday. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

**UPCOMING MEETING:** Chair Reedy announced the following upcoming meetings.

County offices will be closed on Friday, December 24<sup>th</sup> for Christmas Eve and December 25<sup>th</sup> for Christmas Day.

Regular Commission Meeting: January 13, 2022 at 10:00 a.m.

**ADJOURN:** The meeting was adjourned by Chair Reedy at 11:03 a.m.

**ATTEST:**

Berenda McWright  
BERENDA MCWRIGHT, LUNA COUNTY CLERK

APPROVED: 1-13-22

**LUNA COUNTY BOARD OF COUNTY COMMISSIONERS**

Barbara L. Reedy  
CHAIR BARBARA L. REEDY, DISTRICT 1

Linda M. Smrkovsky  
LINDA M. SMRKOVSKY, DISTRICT 2

John S. Sweetser  
JOHN S. SWEETSER, DISTRICT 3

