

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Wednesday, September 13, 2023**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Wednesday, September 13, 2023, 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 Chris Brice, Assistant to County Manager Yossie Nieblas, Executive Assistant Mayra Hernandez, Budget and Procurement Director Joanne Hethcox, Administrative Assistant Grisel Taylor, HR Director Rosa Porras, Emergency Management Director Pablo Montoya, Administrative Assistant Senior Toni Esparza, Clerk Berenda McWright, Probate Judge Diana May-Diaz, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Kristie Hobbs, Chief Deputy Treasurer Jonathan Richmond, County Services Specialist Senior Cindy Grado, County services Specialist Monica Juarez, Administrative Assistant Senior Lisa Maynes, Under Sheriff Jimmy Garcia, Captain Michael Brown, LCDC Director Lee Cook, Deputy Warden Justin Porter, Road Department Director David Bailey, Starmax Director Chadwick Troyer, Custodial Kathleen Sayre, IT Technician Joseph "JT" Apodaca

CALL TO ORDER: Chair Sweetser called the meeting to order at 10:03 a.m. after the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

ROLL CALL: Deputy Clerk Toni Esparza called Roll. The following members of the Board constituting a quorum were present:

**Ray Trejo, District 1
Colette M Chandler, District 2
John S. Sweetser, Chair District 3**

MINUTES: Commissioner Chandler motioned to approve the minutes for the Regular Meeting on August 10, 2023, Special Meeting, on August 18, 2023, 2023, and Freeholders Committee Meeting on August 31, 2023. The motion was seconded by Commissioner Trejo and was unanimously approved.

SERVICE AWARDS:

- LCSO Sgt. HIDTA Dylan Graves was not present to receive his pin for five years of service.

RETIREMENT AWARD:

- LCSO Cpt. Michael Brown and Under Sheriff Jimmy Garcia presented Sgt. Luis Malina with his Retirement Award (March 2007- August 2023).

SPECIAL RECOGNITION:

- County Manager Chris Brice presented Ms. Kathleen Sayre with a Special Recognition Award for her 15 years of service with the County.

CONSENT AGENDA:

- Accounts Payable: \$1,600,379.70
- Payroll: \$1,313,286.63
- Oath of Office: Administrative Assistant Judith Granillo

Commissioner Trejo motioned to approve the Consent Agenda as presented. The motion was seconded by Commissioner Chandler and unanimously approved following a roll call vote.

NEW BUSINESS

- **Resolution 23-66: Authorizing the execution of the Colonias Infrastructure Project fund Loan/Grant Agreement by and between NM Finance Authority and Luna County;#CIF-6138 (Keeler Farm).** Road Department Director David Bailey stated that this resolution is for one of two grants that the County was approved for. Mr. Bailey stated that the requested grant for the People's Co-op (Keeler Rd) was not approved. Mr. Bailey stated that the second of the two grants was for the roads right after the "Y" on Keeler Farm Road. Mr. Bailey stated that the approved grant is only for the plan and design of the roads. Commissioner Trejo motioned to approve Resolution 23-66: Authorizing the execution of the Colonias Infrastructure Project Loan/Grant Agreement by and between NM Finance Authority and Luna County; CIF-6138 (Keeler Farm). Commissioner Chandler seconded the motion and was unanimously approved following a roll call vote.
- **Resolution 23-67: Declaring the vacation and abandonment of a portion of Red Onion Road.** Commissioner Trejo stated that although he is not on board with closing off public access to County roads, in this case, it is necessary. Commissioner Trejo stated that this particular piece of Red Onion Road runs through private property. Commissioner Trejo stated that he had also talked to Mr. Brice and the Director of Public Safety Pablo Montoya about whether this closure would interfere in case there was an emergency in this area, which there would not be. Mr. Bailey stated that the County Road Department will continue to maintain the roads in that area. Mr. Bailey stated that the farmer grades that portion of the road where the power pole is. Mr. Bailey stated that there were two cattle guards removed off of Pearl Onion Road, not the road requested, but the road perpendicular. Mr. Bailey stated that the cattle guard that is closest to Hwy 418, the owner has agreed to maintain it since the road department cannot remove to maintain it. Commissioner Trejo motioned to approve Resolution 23-67: Declaring the vacation and abandonment of a portion of Red Onion Road. The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.
- **Resolution 23-68: Budget Increase:** Budget and Procurement Director Joanne Hethcox stated that there are several budget increases, and most of the increases are to realign the budget that did not come over from the final budget after the approval from DFA was received. Ms. Hethcox stated that a couple of the increases are new grants that have come in that it is now time to budget for. Commissioner Trejo motioned to approve Resolution 23-68: Budget Increases. The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.
- **Resolution 23-69: Budget Transfers:** Ms. Hethcox stated that these transfers were just small transfers between intra-fund budgets. Ms. Hethcox stated that one grant was closed out and funds were able to be moved into another line item that was more useable.

Commissioner Chandler motioned to approve Resolution 23-69: Budget Transfers. The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.

- **Certification of 2023 Property Taxes:** Assessor Michelle Holguin stated that the new tax rates from DFA have been received. Ms. Holguin stated the City residential and non-residential tax has gone up substantially. Ms. Holguin stated that when the tax rate is figured it is done based on the State, County, City, and Schools. Ms. Holguin stated that the City increase is due to the 2023 School Secured Debt was higher was considerably higher. Commissioner Trejo motioned to approve the Certification of 2023 Property Taxes. The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.

INDIGENT CLAIMS REPORT: Commissioner Chandler motioned to Recess as a County Commission Board and convene as a Claims Board. The motion was seconded by Commissioner Trejo and unanimously approved. Budget and Procurement Director Joanne Hethcox reported that there were six claims for a total of \$11,700.44 three of which were for the Detention Center. There was a total of \$102,000 collected in GRT, with the balance in the Indigent Claims Fund Balance being \$1.8 Million. As of August 31, there was a total of \$370,000 encumbered. Commissioner Chandler motioned to approve the Indigent Claims report as submitted. The motion was seconded by Commissioner Trejo and was unanimously approved. Commissioner Chandler motioned to recess as a Claims Board and reconvene as a County Commission Board. The motion was seconded by Commissioner Trejo and was unanimously approved.

COMMUNITY SUPPORT REPORTS:

- Executive Director for the Economic Development Council Christie Ann Harvey gave updates on some of the projects that she has been working on. Ms. Harvey stated that the website (visitlunacounty.com) for economic development she had been working on with KFox TV is now complete. Ms. Harvey stated that the Broadband feasibility study showed that there are over 2,000 people who do not have and cannot be reached with Broadband in the area in which they live. Ms. Harvey stated that all of the attributes under all of the current plans/grants and everything that has been approved are not going to be touched for four to six-plus years. Ms. Harvey stated that the New Mexico Border Authority meeting that was to be held here in Deming on August 24, 2023, was canceled at the last minute due to the fact that there was no quorum with the speakers that were scheduled to attend. Ms. Harvey stated that Commissioner Trejo met with Senator Carrie Hamblen in Las Cruces who heads the Green Chamber of Commerce and is the Chair of the Economic and Rural Development Committee. Ms. Harvey stated that she continues to work with Western New Mexico Center Director Manuel Rodriguez on two new construction trade programs that are set to begin in January. Ms. Harvey stated that these courses are Drywall and Framing which will accompany the Welding course that already exists. Ms. Harvey stated that The Council created a film office which was reported on a month ago, and is also seeking funding to build a sound studio. Ms. Harvey stated that the sign for the Starmax is coming to completion, and all of the engineering has been done. Ms. Harvey stated that a proposal has been submitted by DEI for the installation as well and the lighting for this project has been accepted.
- Sandy Foster (Humane Society) stated that an anonymous grant was received totaling \$5,000 which will all be put into rabies vaccination vouchers to the public. Ms. Foster stated that the Humane Society will be putting out 20 rabies certificates for \$120 and 100 distemper/parvo

shot vouchers for \$25. The requirements being that whoever gets the voucher be a Luna County resident and use a Luna County Vet. Ms. Foster stated that the Deming Humane Society gave a donation to Shop with a Cop and is challenging other non-profits and businesses to do the same.

ELECTED OFFICIALS REPORTS:

Assessor: Assessor Michelle Holguin stated that all tax rates did go up with the exception of Columbus and Luna County non-residential which went down slightly. Ms. Holguin stated that with the approval of the tax rates the Assessor's Office will be getting ready to input all of the tax rates into the system so that the Treasurer's Office is ready to send out their tax bills. Ms. Holguin stated that her office will be doing their abstract for the Property Tax Division. Ms. Holguin stated that the vacancy of County Specialist in her office had been filled with Corina Vera being hired. Ms. Holguin stated that the Appraisal department resolved all 46 protests with no protests going to the Board this year. Ms. Holguin stated that the budget was finalized and approved by DFA for the new fiscal year. Ms. Holguin stated that the Assessor's maps are now live so any changes that are made to a property are immediately updated on the maps.

Probate Judge: Probate Judge Diana Diaz stated that the next NMC Board of Directors Meeting will be held on September 29, 2023, to amend or finalize the proposed Legislation for 2024. Ms. Diaz stated that the marriage count is up with five weddings last month for a total of 25 for the year. Ms. Diaz stated that there were a number of probates for last month, and within that probate period, there were two Special Administrations.

Sheriff: Cpt. Michael Brown reported in place of Sheriff Eby. Cpt. Brown stated that according to the criminal activity report since the last report given, crimes have gone down significantly as Non-Criminal Civil has gone up. Cpt. Brown stated that there were 16 accidents, 6 assaults, 5 burglaries, 5 larcenies, 3 motor vehicle thefts, and two DWIs. Cpt. Brown stated that the position of Civil Process had been filled by Marty Crumley who will be taking over the position for Luis Malina. Shop with a Cop will be having their golf scramble on October 28, 2023, their bowling tournament on November 18, 2023, and the final event with the kids on December 9, 2023.

Miscellaneous: Mr. Brice stated that he would be attending the Gathering of the Counties in Albuquerque. Mr. Brice stated that this is where there is a street that is blocked off inside of the fairgrounds for Counties to set up display booths. Mr. Brice stated that the 30 percent conference for the diversion Berm in Columbus, is on track and moving forward. Mr. Brice stated that the 60 percent Conference is to be held on October 2, 2023. Mr. Brice stated that possibly by sometime early next year the County is hoping to go out to bid to get this project done. Mr. Brice stated that it will cost about \$22,000,000 to move about 1.6 million cubic feet of earth which will be about a two-year endeavor.

COUNTY MANAGERS REPORT:

- **LCDC-** Mr. Brice stated that there was a meeting with the Magistrate Court and one of the things that came out of that was a Misdemeanor Compliance Program which is something that the community needs. Mr. Brice stated that with this program the County is looking into keeping people from reenacting their crimes and keeping the crime rate down as much as possible. Mr. Brice stated that the Union negotiations for LCDC have been completed.

- **GIS:** Mr. Brice stated that Judy Hatch is now the Director of the GIS Department which is up and running. Mr. Brice stated that Judy has been working very closely with Lupita on any changes being made to properties, and anything that has been done such as vacation of plats and any other changes that have been made, Judy has made all of the documentation for these changes available for viewing on the website.
- **Dispatch:** Mr. Brice stated that Central Dispatch is now fully staffed.
- **LCSO:** Mr. Brice stated that the County is in the process of purchasing four new units. Mr. Brice stated that the order of these units was placed last week, and will probably be in service by the first of 2024.
- **IT:** Mr. Brice stated Victor Gonzalez was hired to be the director of the department.
- **Starmax:** Mr. Brice stated that the outdoor recreation site is moving forward, this consists of the skate park and batting cages. Mr. Brice stated that the expansion of Starmax is also still on track, this includes the expansion of the dining facility, the enlarging of the kitchen, and adding bathrooms and outdoor dining.

Upcoming Meetings/Events (Unless otherwise specified):

- Employee Strategic Planning Meeting: September 18, 2023
- Citizen’s College: Luna County DWI Program- September 28, 2023 at 5:30 pm
- Indigenous People’s Day: October 09, 2023- Luna County offices will be closed
- Public Input Work Session October 12, 2023, from 9:30-10:00 a.m.
- Regular Meeting: October 12, 2023 at 10 a.m.

Adjourn: Chair Sweetser adjourned the meeting at 11:12 a.m.

ATTEST:

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Berenda McWright

Berenda McWright, Luna County Clerk

Ray J. Trejo

Ray J. Trejo, District 1

Approved: 10-12-23

Collette M. Chandler

Collette M. Chandler, District 2

John S. Sweetser

John S. Sweetser, District 3

