

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, January 11, 2024**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:30 a.m. on Thursday, January 11, 2024 at the Mimbres Valley Learning Center, 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, Administrative Assistant to the County Manager Mayra Hernandez, County Attorney Charles Kretek, HR/Legal Director of Public Safety Pablo Montoya, Budget and Procurement Director Joanne Hethcox, Administrative Assistant (Business Office) Grisel Taylor, Clerk Berenda McWright, Chief Deputy Clerk Leslie Nabours, Probate Judge Diana Diaz, Administrative Assistant Senior Toni Esparza, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Kristie Hobbs, Chief Deputy Treasurer Jonathan Richmond, Grants Director Bryan Reedy, Deputy Director of Grants Department Yossie Nieblas, Grant Writer Heather Lutz, Planning and Zoning Director Lupita Hernandez, DWI Program Director Edith Vazquez, Road Department Director David Bailey, Executive Assistant Nancy White, Road Department truck Driver Rex Garner, Sheriff Mike Eby, Undersheriff Jimmy Garcia, LCDC Director Lee Cook, Deputy Warden Justin Porter, Starmax Assistant Manager Brigette Vega, Maintenance Director Ricardo Hidalgo, Maintenance Lead Felipe Chavez, Maintenance Tech Juan Carlos Cardoza, IT Director Victor Gonzalez, Deputy Director Tracy Fostvedt, IT Tech Nathan Ortberg, IT Tech Billy Almanza.

CALL TO ORDER: County Manager Chris Brice called the meeting to order at 10:30 a.m., and led the Pledge of Allegiance and the salute to the flag 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, District 3**

ELECT 2024 CHAIRPERSON: Commissioner Sweetser nominated Commissioner Colette M Chandler as 2024 Chairperson. The nomination was seconded by Commissioner Trejo and was unanimously approved.

MINUTES: Commissioner Sweetser motioned to approve the minutes for the Work Session and Regular Meeting of December 14, 2023. The motion was seconded by Commissioner Trejo and unanimously approved following a roll call vote.

SERVICE AWARDS:

- Clerk Berenda McWright presented Probate Judge Diana Diaz with her pin for five years of service.
- Sheriff Eby presented Sheriff's Deputy Jesus Nunez with his pin for five years of service

- Road Department Director David Bailey presented Truck Driver Jose Prieto with his pin for five years of service.

SPECIAL RECOGNITION:

- Sheriff Eby recognized Sheriff Deputy Adolfo Olivas for graduating from the New Mexico Law Enforcement Academy on November 21, 2023 at 10 am with top honors and for being named valedictorian of his class.
- Executive Director of the Council Christie Ann Harvey and County Manager Chris Brice gave special recognition and awarded a plaque to WNMU Campus Director Manuel Rodriguez for all of his assistance with bringing in classes such as welding, plumbing, and HVAC etc.

PRESENTATIONS:

- Representative Jenifer Jones gave a short presentation on a jail diversion program for mentally ill offenders to receive the help that they need. Ms. Jones stated that she sat through a presentation on this program on her trip to Florida. Ms. Jones stated that she feels that implementing a program like this here in Luna County would be very beneficial.
- LCDC Director Lee Cook-Jordon presented that LCDC Restrictive Housing Quarterly Report. Mr. Cook-Jordon stated that his report is being submitted in accordance with New Mexico State Statute 3316-1 to 3316-7. Mr. Cook- Jordon stated that during the period of October 1, 2023 through December 31, 2023 the Luna County had two detainees to report. Mr. Cook-Jordon stated that the first detainee was a 50 year-old white male who was not let out for recreation and the second being a 21year-old white male detainee that was let out of his cell but did not get the full two hours of recreation time. Mr. Cook-Jordon stated that both of these issues have been addressed at this time.

CONSENT AGENDA:

- Accounts Payable: \$2,5996,419.58
- Payroll: \$1,972,304.72
- Resolution 24-01: Notice of Meetings
- Resolution 24-02: Timely Payments
- Resolution 24-03: Notice of Fees
- Resolution 24-04: Depositories; Board of Finance, and Media Designation
- Resolution 24-05: Notice of Rights to Inspect Public Records
- Resolution 24-06: CDBG Annual Certification and Commitments
- Resolution 24-07: Designation Treasurer to Require Collateralization
- Resolution 24-08: ADA Grievance Procedure
- Resolution 24-09: Budget Increases
- Resolution 24-10: Budget Transfers
- Resolution 24-11: Disposal of Personal Property
- Resolution 24-12: Approval to participate in the Local DWI Grant and Distribution Program
- Memorandum of Understanding between Luna County DWI and New Mexico Department of Finance and Administration/ Local Government Division/ Driving while Intoxicated Program
- Statement of Assurance Local DWI Grant and Distribution Program

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

PUBLIC HEARING:

- **Ordinance 119: An Ordinance amending two IRBs, the first among the County, Solar PV Development NM 18 II LLC and Carne Solar Bondco, LLC for the Carne Solar Project, Series 2022A, and the second among the County, Carne Energy Storage LLC and Carne Storage Bondco, LLC for the Carne Solar Project, Series 2022 B:** Attorney Peter Kelton representing the County stated that the amendment to Ordinance 119 is to allow for the increase of additional property for both of these IRBs. The floor was opened for public comment and Ms. Alberta Morgan asked where this project would be located. A representative for one of the construction companies stated that this project would include four parcels of private land four miles South off of the Hatch Highway. A question and answer session ensued between the public and the ladies representing the project. Mr. Brice intervened and stated that this project had already been previously approved and the vote would be to grant the additional property requested. Commissioner Trejo motioned to approve Ordinance 119: An Ordinance amending two IRBs, the first among the County, Solar PV Development NM 18 II LLC and Carne Solar Bondco, LLC for the Carne Solar Project, Series 2022A, and the second among the County, Carne Energy Storage LLC and Carne Storage Bondco, LLC for the Carne Solar Project, Series 2022 B. The motion was seconded by Commissioner Sweetser and unanimously approved following a roll call vote.

NEW BUSINESS:

- **Resolution 24-13: US Department of Transportation 2024 RAISE Grant:** Road Department Director David Bailey stated that this resolution is to seek federal funding for any potential money for the planning and study of a bypass that will be considered around the Village of Columbus. Mr. Bailey stated that the County gets waivers for the match requirements. Mr. Bailey stated that this federal funding is basically money to do road repairs at no cost to the County. Commissioner Trejo motioned to approve Resolution 24-13: US Department of Transportation 2024 RAISE Grant. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Resolution 24-14: Regarding the Mimbres Peak Monument:** Commissioner Trejo motioned to table Resolution 24-14: Regarding the Mimbres Peak Monument. The motion was seconded by Commissioner Sweetser and this item was tabled following a roll call vote with Chair Chandler voting in the negative.
- **Bid Award Recommendations for CIF-5784:** Budget and Procurement Director Joanne Hethcox stated the bid recommendation for this project is for Sierra Valley Contractors out of Caballo New Mexico. Ms. Hethcox stated that this company came in with the lowest Bid at \$979,575.69. Commissioner Trejo motioned to approve Bid Award Recommendations for CIF-5784. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **American Legion Post 4 Grant Proposal:** County Grant Writer Heather Lutz stated that the way this grant was supposed to work was that the County would put in \$7,000 and the City would match that. Ms. Lutz stated that the American Legion is the last standing Veteran's Post, and she is addimnt about protecting it and making sure it grows and does well. Ms. Lutz stated that the City had already approved and agreed to granting the money, but due to their auditing and financial commitments, they were unable to complete this request and have since overturned that decision. Ms. Lutz stated that the American Legion is just requesting the rest of the money to be able to finish their kitchen renovations. First Vice

Commander Randy Myers stated that with the first awarded grant money the Legion was able to install heating and cooling, update signage, upgrade electrical, expand the dart board area, make the Men's bathroom ADA compliant and replace all interior lighting with LEDs. Mr. Myers requested the grant for \$7,000 to be able to get the kitchen up to code. Commissioner Trejo motioned to approved American Legion Post 4 Grant Proposal. The motion was seconded by Commissioner Sweetser and unanimously approved following a roll call vote.

INDIGENT CLAIMS REPORT: INDIGENT CLAIMS REPORT: Commissioner Trejo motioned to recess as a County Commission and convene as a Claims Board. The motion was seconded by Commissioner Sweetser and was unanimously approved. Budget and Procurement Director Joanne Hethcox reported that there were three claims in the month of December in the amount of \$7,951.32 for LCDC detainees. Ms. Hethcox stated that there was a total of \$107,219.98 in GRT for the month of December. Ms. Hethcox reported an ending cash balance of \$2,069,015.98 as of December 31, 2023 and \$262,850.89 incumbered. Commissioner Sweetser motioned to approve the Indigent Claims report as submitted. The motion was seconded by Commissioner Trejo and was unanimously approved. Commissioner Sweetser motioned to recess as a Claims Board and re-convene as County Commission. The motion was seconded by Commissioner Trejo and was unanimously approved.

Community Support Reports: Executive Director of the Council Christie Ann Harvey stated that she has a meeting with a friend and a non-profit tomorrow. Ms. Harvey stated that the Starmax sign is now complete and now sits on the Northwest corner of the front parking lot of Starmax. Ms. Harvey that there will be a celebration for the completion of this sign tomorrow at 4:00 pm. at the sign and the community is cordially invited to attend where there will be free popcorn provided by Starmax. Ms. Harvey stated that the Broadband work still continues. Ms. Harvey stated that she would be in Santa Fe part of next week attending the Legislative Session, and the week after she will be going back to Santa Fe for several different meetings to assist in helping Luna County to get the money to assist with projects.

Elected Officials' Report: Commissioner Trejo motioned to receive the Elected Officials' Reports in written form due to early closures due to inclement weather. The motion was seconded by Commissioner Sweetser and was unanimously approved. Any written reports received will be available to the public upon request.

- Assessor:
- Clerk:
- Probate Judge:
- Treasurer:
- Sheriff:
- Commissioners:

County Manager's Report: Will be available to the public upon request.

Upcoming Meetings/Events (unless otherwise specified):

- Luna County Offices closed; Martin Luther King Jr. Day: January 15, 2024
- NM Edge & NMC Legislative Conference: Santa Fe- January 16 – January 18, 2024
- Silver Spikes: Santa Fe- January 29 – January 30, 2024
- Public Input Work Session: February 8, 2024 from 9:30 a.m. – 10:00 a.m.
- Regular Meeting: February 8, 2024 at 10:00 a.m.

Jail Inspection: The Jail Inspection was moved to the February 8th Regular Meeting due to early dismissal for inclement weather.

ADJOURN: Chair Chandler adjourned the meeting at 12:31pm. The meeting was cut short due to inclement weather.

ATTEST:

Berenda McWright
Berenda McWright, Luna County Clerk

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Ray J. Trejo
Ray J. Trejo,
Commissioner, District 1

Approved: 2-8-24

Colette M. Chandler
Colette M. Chandler, Chairperson
Commissioner, District 2

John S. Sweetser
John S. Sweetser
Commissioner, District 3

