

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, March 12, 2020**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, March 12, 2020 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, Executive Assistant Yossie Nieblas, County Attorney Charles Kretek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Probate Judge Diana May-Diaz, Treasurer Gloria Rodriguez, Chief Deputy Treasurer Dora Madrid, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Planning Director Premal Patel, Administrative Assistant Patricia Rodriguez, Community Projects Coordinator Joe Padilla, Safety & Risk Director Tyler Massey, Human Resources Director Rosa Porras, Detention Center Deputy Director Pablo Montoya, Sheriff Kelly Gannaway, Captain Michael Brown, IT Technician James Ozment, Road Department Director Marty Miller, Dispatch Director Lauree Sanchez, Maintenance Supervisor Ricardo Hidalgo, Community Health & Well Being Director Jessica Jara, Emergency Management Director Phillip Rodriguez, Program Manager Edith Vazquez, Payroll/Indigent Grisel Taylor and Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox.

CALL TO ORDER: Chair Sweetser called the meeting to order at 10:01 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:

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

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

MINUTES:

- **Work Session - February 13, 2020:** Upon a motion made by Commissioner Smrkovsky and a second by Commissioner Reedy the Minutes of the February 13, 2020 Work Session were unanimously approved.
- **Regular Meeting - February 13, 2020:** Upon a motion made by Commissioner Reedy and a second by Commissioner Smrkovsky the Minutes of the February 13, 2020 Regular Meeting were unanimously approved.

SERVICE AWARDS:

- Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox presented a twenty-year service award to Human Resource Director Rosa Porras.
- Court Security Officer Mateo Renteria was not in attendance to receive his five-year service award.
- Maintenance Supervisor Ricardo Hidalgo presented to Roberto Jimenez his five-year service award.
- Detention Officer Patricia Armendariz and Guadalupe Sandoval were not in attendance to receive their twenty-year service award.
- Sheriff Kelly Gannaway recognized Deputy Adrian Flores for his service and wished him well in his retirement and future endeavors.

PRESENTATIONS:

- **Presentation update on Luna County Historical Society:** Presenter cancelled.
- **Presentation update on Deming – Luna County Commission on Aging:** Julie Bolton from Deming Senior Center gave an extensive presentation explaining their responsibilities as a non-profit organization. Ms. Bolton stated they provide critical services for older adults in Luna County including the Village of Columbus and explained their mission is to promote independence, preservation of dignity, and to enhance life's quality for the diverse adults and individuals with disabilities. She thanked the Board for their support.

ELECTED OFFICIALS REPORTS: Assessor Michelle Holguin reported the Assessor's Office is busy with the rendering period and now is the time for the public to sign up for exemptions which include Head of Household/Family, Veterans, Sixty-five and older or Disabled limitations and other governmental exemptions. She also stated that rendering period for Manufactured home stickers has ended. Ms. Holguin also reported once Notice of Values are mailed out property owners have thirty days from mail date to protest their values and Ms. Holguin is grateful for the Boards consideration of Elected Officials salary increase.

Clerk Andrea Rodriguez reported that Tuesday was Candidate Filing day for Major Parties. Berenda McWright filed for Clerk, Kristy Hobbs, Grisel Taylor and Lisa Pastran filed for Treasurer, for Commissioner District 3, John Sweetser, Javier Diaz and Christy Ann Harvey filed, for State Representative Candie Sweetser and Scott Chandler filed, for Senator John Arthur Smith filed and for District Attorney Mike Renteria filed in her office. Ms. Rodriguez also stated the filing date for write-ins is March 17th and the filing date for Independent and Minor Parties is June 25th. She invited the Board to visit her office with any questions.

Treasurer Gloria Rodriguez reported the Treasurer's Office is doing well and the financial report was balanced and distributed to all departments. Ms. Rodriguez also stated they are ready and excited for the second part of taxes to be received. Collections for 2019 is 60% at this time and 95% for prior

years. Ms. Rodriguez announced she will not be running for a second term and congratulates all who have decided to do so.

Probate Judge Diana May-Diaz reported twenty-six probates have been filed this year, of those twenty-six, seventeen probates have been submitted without wills. Ms. May-Diaz stated that on March 17th she will be speaking to the Board of Realtors as part of their monthly meeting as there are many questions pertaining to selling properties and probates. She will also be going the Legislative Recap meeting on March 19th in Las Cruces because Probate Judges continue to be targeted. Ms. Diaz stated in January she also performed seven marriages, five in Spanish and thanked the Board for her signing table.

Sheriff Kelly Gannaway reported criminal calls for the month of February are down. The civil and non-criminal are all up and he believes it attributes to a lot of the paper service for the Month of February, 211 verses 180 from last month. Accidents are high and no DWI to report for the month. Deputy Solano has been deployed this month and will probably be gone for over a year. Sheriff Gannaway stated they are in the hiring process to onboard two new Deputies and to promote a Sergeant.

COUNTY MANAGER'S REPORT: County Manager Chris Brice reported on the following items:

- Detention Center has seven Detention Officer openings and one in maintenance.
- Stonegarden is up to date, Laura has gotten us to where we need to be and are on track to bill properly from now on.
- Tyler Massey was hired as the new Safety and Risk Management, Renee Rivera was hired in the Assessor's Office, David Townsend was hired as Court Security Officer, and Ana Kelly was hired in Dispatch.
- Starmax is reorganizing how they will be doing business and Mr. Brice believes good things are to come.
- Emergency Management hired Philip Rodriguez which was good timing for us in our current situation.
- Luna County Fire Department is struggling but on the right track with Chief Montoya.
- Corona Virus issue contact CDC web-site for medical information on the virus. Secretary for New Mexico Department of Health Kathyleen Kunkel has put out a directive that suspends all mass gatherings of 100 people or more throughout the State. If any events have been planned with more than 100 people, you are no longer having that event at least for short term. Risk Manager Tyler Massey has prepared a press release for the County. LCDC is looking to suspend all outside visitation temporarily. If you are exhibiting any of the symptoms or signs of a cold or flu stay home take PTO and if you test positive for Corona Virus the County will reimburse PTO. There has not been any restrictions on traveling at the time for County employees.

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

Hethcox reported four claims for the month of February in the amount of \$20,700.21. The gross receipts collections totaled \$91,550.65 and the balance for the Indigent Claims Fund totaled \$1,373,995.39 of that \$466,182.08 is encumbered. Ms. Hethcox stated the County will be paying the third part of the payment for the Safety Net Care Pool probably this week or next. Commissioner Smrkovsky motioned to approve the Indigent Claims Report as submitted. Commissioner Reedy seconded the motion which carried unanimously. Commissioner Reedy motioned to recess as a Claims Board and reconvene as a County Commission. Chair Sweetser seconded the motion which carried unanimously.

PUBLIC COMMENT: Chair Sweetser opened the floor to public comment: Executive Director of Deming Luna County Chamber of Commerce John Richmond gave updates from the Chamber's Office.

Executive Director of Deming/Luna County Main Street Program Christy Ann Harvey commented on updates with the Main Street Program.

CONSENT AGENDA: Upon a motion from Commissioner Smrkovsky, and a second by Commissioner Reedy the following items of Consent Agenda were approved unanimously following a roll call vote.

- a. Accounts Payable: \$1,535,059.18
- b. Payroll: \$1,077,478.45
- c. Resolution 20-21 Budget Increases
- d. Appointment of Court Security Officer – David Townsend

OLD BUSINESS:

- a. **Luna County Information Technology and Security Policy:** County Manager Chris Brice explained that Risk and Safety Manager Tyler Massey has come on board and he would like to take a look at the policy before approval. Commissioner Reedy moved to table Luna County Information Technology and Security Policy. The motion was seconded by Commissioner Smrkovsky which carried unanimously following a roll call vote.
- b. **Elected Officials Salary Increases Survey:** County Manager Chris Brice explained a spreadsheet has been provided to the Board for percentage increases for Elected Officials including salaries for Dona Ana and Bernalillo Counties for reference. Mr. Brice would like to schedule a work session to discuss salary increases so that all involved are on the same page. The work session would also include the Chief Deputy salaries going forward. Commissioner Reedy motioned to table Elected Officials and Salary Increases until a work session could be scheduled and a second from Commissioner Smrkovsky which carried unanimously following a roll call vote.

NEW BUSINESS: Chair Sweetser reviewed each item on the New Business Agenda with the Commissioners:

- a. **Proclamation 20-02 - Child Abuse Awareness Proclamation for the Month of April:** Commissioner Reedy moved to approve Proclamation 20-02 Child Abuse Awareness for the Month of April. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.

- b. **Resolution 20-19 - Authorizing the Submission of CDBG Application to DFA/Local Government Division:** County Manager Chris Brice explained the process for CDBG applications and grants. A meeting is scheduled for March 13th to give the public information on the selected project to help refurbish a building for the Health Department. Commissioner Reedy moved to approve Resolution 20-19 Authorizing the Submission of CDBG Application to DFA/Local Government Division and to authorize the County Manager Chris Brice the phase dollar amount based on the probable cost estimate. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.
- c. **Resolution 20-20 - Approving Protest Board Members:** Commissioner Reedy moved to approve Resolution 20-20 Approving Protest Board Members including Member David Baeza, Alternate Totsie Seybert, Member Kevin Zachek, and Alternate Eva Luna all terms are expiring January 1, 2022. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.
- d. **Resolution 20-22- Volunteer Fire Department Bylaws:** County Manager Chris Brice explained the issues pertaining to the volunteer fire department bylaws. Commissioner Reedy motioned to table Resolution 20-22 VFD Bylaws. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.
- e. **2020 Annual Certified County Maintained Mileage Report:** Road Department Director Marty Miller explained the mileage report of 1,856 miles that consisted of no changes from the last year. Commissioner Reedy motioned to approve the 2020 Annual Certified County Maintained Mileage Report. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.
- f. **Resolution 20-23 - Luna County Juvenile Adjudication Fund Resolution:** County Manager Chris Brice explained that this resolution is a juvenile justice alternative program which we apply for every year. Commissioner Smrkovsky motioned to approve Resolution 20-23 Luna County Juvenile Adjudication Fund. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.
- g. **Resolution 20-24 - Disposition of Personal Property:** County Manager Chris Brice explained how the County was in desperate need of new vehicles and disposal of the old ones. Commissioner Smrkovsky motioned to approve Resolution 20-24 Disposition of Personal Property. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

EXECUTIVE SESSION: to discuss limited personnel matters pursuant to 10-15-1(H)(7) NMSA 1978 Subject to Attorney/Client Privilege Pertaining to Threatened or Pending Litigation in which the Commission is or may become a participant (Thomas, Najera, Hollister, Aguirre, McSherry): Commissioner Smrkovsky motioned to go into Executive Session pursuant to 10-15-1(H)(7) NMSA 1978 Subject to Attorney/Client Privilege for Threatened or Pending Litigation in which the Commission is or may become a participant (Thomas, Najera, Hollister, Aguirre, McSherry). The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote.

The Commissioners went into Executive Session at 11:21 a.m. and returned from Executive Session at 12:21 p.m.

Commissioner Reedy motioned to return from Executive Session where no other matters were discussed other than Attorney/Client Privilege for Pending Litigation. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.

Chair Sweetser stated no action was taken.

UPCOMING MEETINGS: Chair Sweetser announced the following upcoming meetings:


Complete Count Committee Meeting – March 24, 2020 @ 4:00 p.m.
Regular Commission Meeting – April 9, 2020 @ 10 a.m.

Commissioner Smrkovsky asked if a work session is going to be scheduled to discuss policies, she would like to have it scheduled the day before the Regular Meeting.

ADJOURN: The meeting was adjourned by Chair Sweetser at 12:22 a.m.

ATTEST:

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS



ANDREA RODRIGUEZ, LUNA COUNTY CLERK



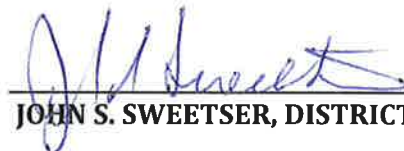
BARBARA L. REEDY, DISTRICT 1

APPROVED 

APRIL 9, 2020



LINDA M. SMRKOVSKY, DISTRICT 2



JOHN S. SWEETSER, DISTRICT 3

