

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Thursday, March 9, 2023**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, March 9, 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, Executive Assistant Malarie Villegas, Executive Assistant Yossie Nieblas, County Attorney Charles Kretek, Human Resources Director Rosa Porras, Budget and Procurement Director Joanne Hethcox, Grants Administrator Heather Lutz, Emergency Management Director Pablo Montoya, Clerk Berenda McWright, Deputy Clerk Toni Esparza, Probate Judge Diana Diaz, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Kristie Hobbs, Central Dispatch Director Lauree Sanchez, Central Dispatch Operations Manager Yovanie Granillo, JJCS Programs Manager Anadely Martinez, Road Department Director David Bailey, LCSO Under Sheriff Jimmy Garcia, LCDC Director Lee Cook, LCDC Operations Captain Robert Apodaca, Starmax Director Tyler Massey, IT Technician Nathan Ortberg, IT Director Elizabeth El-Bizri, GIS Coordinator/IT Judy Hatch,

**CALL TO ORDER:** Chair Sweetser called the meeting to order at 10:04 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 Trejo motioned to approve the minutes for the Regular Meeting on February 9, 2023, and Special Meeting on February 22, 2023, as presented. The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.

**SPECIAL AWARDS:** County Manager Chris Brice stated that Zalenna Pinon was not in attendance and she will be given her service award next month at the Regular Meeting. Road Department Director David Bailey presented Mechanic Rafael Luna with his award for 10 years of service, and Equipment Operator John Blandford with his award for 20 years of service.

**PRESENTATIONS:**

**Luna County's FY 2021-2022 Fiscal Audit Report by Robert Gonzales:** The audit report was presented remotely by Robert Gonzales, CPA, Cordova CPAs, LLC. Mr. Gonzales presented the results of the Fiscal Year 2022 Audit Report which is required by the Office of the State Auditor. Mr. Gonzales covered the timeline, the financials, the overview, and the communication with the governmental entity being audited, as well as the Auditor's opinions and reporting. Mr. Gonzales stated that an Audit takes several months to complete, and within this time hundreds of documents

are requested, and also a lot of questions are asked in order to complete the process. Mr. Gonzales stated that the timeline for this audit began in the middle of May, this being the contracting phase, the engagement letter phase, etc., then a plan begins. The majority of the planning and compliance actually took place in June. Mr. Gonzales stated that he had several communications with the governmental entity and top management, with the first step being the entrance meeting which took place September 14, 2022. This is the meeting where the parties' responsibilities are discussed, who will be on the Auditing staff, and how the audit information will get to the office of the State Auditor by the due date. Once the first step was completed, then evidence-gathering began which took place on the week of September 12, 2022. Mr. Gonzales stated that the reporting and conclusions were completed in October, with the last required communication which is the exit conference also referred to as the results meeting. The results meeting includes all of the information that was gathered while performing the audit, which took place on November 28, 2022. Once the information was in the State Office and the two levels of review were performed, the financial statements became available to be presented to the public on February 22, 2023. Mr. Gonzales stated that the financial statements of Luna County are moving in the right direction showing an increase in revenues from the prior year. Mr. Gonzales also stated that the audit also showed an increase in expenses, along with an increase in Capital assets as well. Mr. Gonzales stated that Luna County is in compliance with the requirements of the State to cover or collateralize at least 50% of the uninsured balances.

**PEN Test results by SecureWorks:** The PEN test results were presented remotely by Security Consultant Emilio Herrera. Mr. Brice explained that this test is a penetration test on the IT Department and County systems to see how easily the systems could be hacked and given viruses. Mr. Herrera reported that the Penetration test is a test that is with the permission of an organization to attempt to gain access to their computer networks and recover data that may be critical to them just like a criminal would. Mr. Herrera stated that as a security company, the test performed will give insight into how a malicious attacker may compromise an organization's or County's data and identify the vulnerabilities in the network. Mr. Herrera stated that this test is extremely useful to any organization from a security standpoint to be able to see how exactly a real-world criminal would attempt to either steal company information or in this case gain access to an entire County and its private records. Some of these records would include personal information such as Social Security numbers, driver's license numbers, address and phone information, and even court records and other sensitive records. Mr. Herrera stated that Luna County engaged in an external Penetration Test which is performed from the perspective of an attacker trying to gain access to externally facing computers, which could include a computer server that has a website on it or it could be a user's workstation or any device used to login to access Luna County's resources on the inside. Mr. Herrera stated that there are many techniques used to access these systems, for this test, there are a series of phases that are used to achieve this particular goal, this series of phases go on for about a week. Mr. Herrera reported that during the testing period for Luna County, there were several low and medium-severity findings, the first finding being related to a password policy issue. Mr. Herrera stated that with these test results the County can now take the report and see exactly how the attacks were performed and how to fix them.

**CONSENT AGENDA:**

- Accounts Payable: \$2,759,372.39
- Payroll: \$1,305,433.47
- Resolution 23-24: Budget Increase

- Resolution 23-25: Budget Transfers
- Proclamation 23-03: Proclaiming April as Child Abuse Awareness Month
- Proclamation 23-04: Proclaiming April as Fair Housing Month.

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

**Call For Ordinance:** Resolution 23-26 Call to amend Ordinance 112; Addressing Off-Highway Vehicles. County Lawyer Charles Kretek explained that the ordinance definition will be changed in order to become compliant with both State Law and Game and Fish. Commissioner Chandler motioned to approve Resolution 23-26: Call to amend Ordinance 112; Addressing Off-Highway Vehicles. The motion was seconded by Commissioner Trejo and approved following a roll call vote.

#### **NEW BUSINESS:**

**Resolution 23-27: Authorizing the Execution of the Colonias Infrastructure Project fund Loan/Grant Agreement by and between the NM Finance Authority and Luna County; #CIF-5784 (Rockhound and McCan Road).** Road Department Director David Bailey stated that this Resolution is the third of three Colonias grants executed documents. This means they are the closing of the loans/grants, the first two grants were approved in January which were for Majestic view and also for the Water Trust Board for the BERM Project in Columbus. Mr. Bailey explained that this resolution is for phase three of the Rockhound Project, which is on Rockhound and McCan for drainage and roadway improvements. Mr. Bailey stated that the approval for this resolution is just to close these agreements. Commissioner Trejo motioned to approve Resolution 23-27: Authorizing the Execution of the Colonias Infrastructure Project Fund Loan/Grant Agreement by and between the NM Finance Authority and Luna County; #CIF-5784 (Rockhound and McCan Road). The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.

**Resolution 23-28: Acceptance/ Approval of the Luna County's FY 2021-2022 Audit.** Commissioner Chandler motioned to accept and approve Resolution 23-28: Acceptance/Approval of the Luna County's FY 2021-2022 Audit. The motion was seconded by Commissioner Trejo and was approved unanimously following a roll call vote.

**Resolution 23-29: Disposal of Assets:** Mr. Brice Stated that this resolution is to dispose of the Presbyterian Medical Services building that is located on Diamond Street. Mr. Brice stated that at one point there had been a CDBG grant to remodel this building. Mr. Brice stated that Presbyterian showed interest in purchasing the building so the County got permission from the State and sold it. Commissioner Trejo motioned to approve Resolution 23-29: Disposal of Assets. The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.

**Resolution 23-30: Amending Resolution 22-44; Luna County Cooperative Agreement (SP):** Mr. Bailey stated that Resolutions 23-30, 23-31, and 23-32 are all LGRF (Local Government Road Fund) awards. Mr. Bailey stated that the reason for the amendment of these three Resolutions is because of Covid and the changes in the pricing of materials that needed to be updated. Commissioner Chandler motioned to approve Resolution 23-30: Amending Resolution 22-44; Luna

County Cooperative Agreement (SP). The motion was seconded by Commissioner Trejo and unanimously approved following a roll call vote.

**Resolution 23-31: Amending Resolution 22-45; Luna County School Bus Routes Projects (SBR):** Commissioner Chandler motioned to approve Resolution 23-31: Amending Resolution 22-45; Luna County School Bus Routes Projects (SBR). The motion was seconded by Commissioner Trejo and unanimously approved following a roll call vote.

**Resolution 23-32: Amending Resolution 22-46; Luna County Arterial Projects (CAP):** Commissioner Trejo motioned to approve Resolution 23-32: Amending Resolution 22-46; Luna County Arterial Projects (CAP). The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.

**Resolution 23-33: Luna County Cooperative Agreement (SP):** Commissioner Trejo motioned to approve Resolution 23-33: Luna County Cooperative Agreement (SP). The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.

**Resolution 23-34: Luna County School Bus Routes Project (SBR):** Commissioner Chandler motioned to approve Resolution 23-34: Luna County School Bus Routes (SBR). The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.

**Resolution 23-35: Luna County Arterial Projects (CAP):** Commissioner Trejo motioned to approve Resolution 23-35: Luna County Arterial Projects (CAP). The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.

**Resolution 23-36: NMDOT 2023 Annual Hardship Sale:** Mr. Bailey stated that in this sale rural counties such as Luna County will get the first choice of machinery and other equipment needed. Mr. Bailey stated that the County Road Department will submit an application and a letter with things that are needed and will get a \$25,000 voucher to get started. Anything purchased above the \$25,000 will be paid by the County. Commissioner Trejo motioned to approve Resolution 23-36: NMDOT 2023 Annual Hardship Sale. The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.

**Resolution 23-37: Authorizing the Sale of Property (Irwin Farms):** Mr. Brice stated that Irwin Farms also known as Sunny Side Farms in Columbus is about 600 acres and was purchased by the County about 20 years ago. Mr. Brice stated that about two years ago the County entered negotiations with a landowner who was wanting to purchase the land and with COVID the deal fell through. Mr. Brice stated that there is another entity that has shown interest in purchasing this land with the intention of putting in a business or some type of manufacturing plant. Commissioner Chandler motioned to approve Resolution 23-37: Authorizing the sale of Property (Irwin Farms). The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.

**Special Use Permit for South Peak Solar to Galehead Development:** This item was tabled.

**Indigent Claims Report:** Commissioner Trejo motioned to Recess as a County Commission Board and Convene as Claims Board. The motion was seconded by Commissioner Chandler and unanimously approved. Budget and Procurement Director Joanne Hethcox reported that in



February there were five claims for the Indigent Claims Fund, three of which were for the Detention Center in the amount of \$20,133.68. Ms. Hethcox stated that in February \$140,533.72 in GRT was collected. Ms. Hethcox also stated that the cash balance as of February 28<sup>th</sup> is \$1,866,034.56, of which \$1,095,947.87 is already obligated. Commissioner Chandler motioned to consider the Claims dated March 9, 2023, in the amount of \$20,133.68 as presented. The motion was seconded by Commissioner Trejo and was approved unanimously. Commissioner Trejo motioned to Recess as Claims Board and Re-Convene as County Commission. The motion was seconded by Commissioner Chandler and was unanimously approved.

**Community Support Reports:** Executive Director of the Economic Opportunity Council Christie Ann Harvey reported that she was sponsored by Senator Diamond to be back on the Border Authority Board. Ms. Harvey stated that she appeared before the Rules Committee where she also got a unanimous vote to proceed to the Full Senate for which she also received a unanimous vote. Ms. Harvey received a letter from Senator Diamond along with the Governor. Ms. Harvey stated that she had the opportunity to meet with Secretary Keys and also met Joseph De La Rosa Special Projects Manager for DOT. Mr. De La Rosa has been designated by Economic Development to be in charge of Global Trade and Infrastructure Investments with Mexico and the United States, representing the United States on the Border Authority. Ms. Harvey reported that there is a great deal going on at the Border, and there is a renewed interest with Chihuahua and many businesses there to locate in what will soon be a completed Industrial Park in Columbus. Ms. Harvey also reported that for the past several years she along with Mr. Brice have worked on the Fertilizer Plant, which would be a tremendous opportunity for Luna County being that it is a large business and will offer many job opportunities, housing, and the ancillary activities. Ms. Harvey stated that all of the businesses that are looking to locate here in Luna County will need trained personnel. Ms. Harvey and Mr. Brice have been working with Western New Mexico on multiple plans to expand the technology offerings that are there. Ms. Harvey stated that she will be meeting with Dr. Shepard of Western New Mexico to talk to him about their plans and Luna County's plans and how to increase the collaboration moving forward to provide more technical courses. Ms. Harvey stated that they are working on the housing issue for farmers. Agriculture here is bringing \$41,000,000 in GRT to our economy, and considering the trickle-down theory it is greater than that. Ms. Harvey explained that right now there are crops that are in jeopardy, some of them being green chile, hay, alfalfa, onions, and watermelons. Many moved to commodities last year such as cotton because they are less labor intensive and were cheaper for the farmers to produce and the market was good. Ms. Harvey stated that she attended three Village Trustee meetings this past week and there were some interesting dynamics going on. Ms. Harvey stated that Finley Engineering was hired by the County as an engineer for our lobby and feasibility project that has been ongoing for some time, and should be complete in another five weeks. Ms. Harvey stated that there are many people outside of the state that are taking a major interest in the Broadband expansion project which is critical to Luna County's economic development. She stated that this project is a basic communication tool that people rely upon to do all forms of business. This project also goes hand in hand with what happens at the border, being that it is a basic necessity that is needed along with the workforce to attract people and improve the standard of living for our community and to provide higher paying jobs. Ms. Harvey stated that she will again be teaching co-starters which is an economic development class along with Emily Gojkovich of the COG. The class is set to begin April 6, 2023, at the Learning Center, and will teach new business owners to stay in business for the long term.

Deming Mainstreet Executive Director Chelsea Evans reported that her office has been very busy planning the 2023 community events, which have all been posted on their event calendar at demingms.org. Ms. Evans stated that Deming Mainstreet partnered with the Columbus Chamber of Commerce to sponsor the Horseback parade that Columbus has for the annual event that will take place this weekend. Ms. Evans stated that she had been working with Mr. Brice on a few projects in Courthouse Park, one of these projects being the posting of a Mimbres-themed mural around the base of the gazebo. The mural will be similar to the one that was placed on the Pavilion a few years back. Ms. Evans also stated that there will be placing of color-changing lights throughout the trees, this will be so that color of the lights may be changed for each event and for the holidays.

Humane Society Director Sandy Foster reported that in the last week, the shelter had come across one of the worse hoarding cases that the shelter had seen in a long time. Ms. Foster reported that in the Lewis Flats area, there were kennels with 21 dogs and eight cats with no food and no water. Ms. Foster stated that there were indications that the animals had been fed but they had no shelter. The incident was reported by a bird hunter and called into the Humane Society and then called into the Sheriff's Department. Ms. Foster stated that with permission from the Sheriff's Department, the animals were able to be removed from this dire situation they were in. The animals were transported to meet volunteers from Best Friends rescue out of Utah an International Rescue Association.

#### **Elected Officials Report:**

**Assessor:** Assessor Michelle Holguin reported that the Assessor's Office lead the citizen's college with the Treasurer's Office which was held on February 23rd. Ms. Holguin stated that there is a video online on the Assessor's and Treasurer's website explaining the duties of both departments and encouraged everyone to watch it. Ms. Holguin stated that she got the opportunity to attend a Supervisor's Leadership class which was very helpful. Ms. Holguin reported that the rendering period for livestock and personal property and manufactured homes ended at the end of February, and anyone who did not render will receive a five percent penalty. Ms. Holguin stated that there is a rendering period for the exemptions and limitations which will go on until the end of April. The Notice of Values will be mailed on March 31, 2023, and property owners will have 30 days from the time the Notice of Values are mailed out to come to the Assessor's Office and protest with the last day to do so being May 1, 2023. Ms. Holguin stated that some of the exemptions that are available are Head of Household, Veterans, Disabled Veterans, limitation fees, and other exemptions. Ms. Holguin explained that there is a way to sign up online through the Assessor's website to sign up to receive Notice of Values online instead of by mail. Also, when you sign up for the Assessor's it will automatically sign you up with the Treasurer and will receive your tax bills online as well. Ms. Holguin stated that there are two Appraisers that just passed their third IAAO Course and are close to becoming Certified Appraisers. Ms. Holguin stated that her office is looking at having a fully staffed department of Certified Appraisers for the first time. Ms. Holguin stated that the Assessor's Office is busy working on their budget and also encouraged the public to come in or call the office if they have any questions or concerns.

**Clerk:** Clerk Berenda McWright reported for the month of February the Clerk's Office processed nine in-person voter registrations, one by mail, 29 removable, and 72 online. Ms. McWright stated that there are 13,061 active voters, 5,188 Democrats, 4,426 Republicans, 133 Libertarians, and 3,314 Declined to State in Luna County for the month of February. Ms. McWright stated that 603

recordings were processed. A total of three new business were registered for a total of 266 registered businesses. There were seven marriage licenses issued and six filed. Also, there were 13 probates opened, six closed, and 11 updated. Ms. McWright stated that \$298.05 were collected for the month of January in Lodger's tax. Ms. McWright reported that one Regular Commission and a Special Meeting were attended and the minutes were done for both. She also reported that the Board of Registration met on March 7, 2023, reviewed the list of 213 voters, and approved the purge. Ms. McWright explained that the 213 voter records were then purged from the system. New Mexico Law requires the Secretary of State's office to send notice to all voters identified as having possibly moved without updating their voter registration. Ms. McWright stated that an address confirmation postcard is sent in August of every even-numbered year to voters whom we have received returns for or those who have come USPS National Change of Address database with different addresses. Once the voters receive one of these cards from the S.O.S the voter has the option to fill it out and return it, update their voter registration, or vote in any of the elections after that. Ms. McWright stated that the postcards for this purge were sent out in August 2020, and those who did not respond or whose mail was returned were marked as inactive, and whoever did not vote between November 2020 and November 2022 remained on inactive status. The 213 that were purged is a good number and down from prior years. A Voting Rights Bill passed the Senate yesterday (March 8, 2023) in which anyone who does any transactions at the DMV will be automatically registered to vote so whoever does not want to be registered to vote will have to opt-out.

**Probate Judge:** Probate Judge Diana Diaz reported that the Probate Affiliate has Senate Bill 248 requesting that Probate judges can go to a neighboring county to docket that county's probates or weddings. This is because of the number of judges that are elderly and may be out of their offices for an extended period of time. Judge Diaz gave an example of a probate judge in Santa Fe who performed 301 weddings alone last year and this year she is out for an extended period of time. Ms. Diaz stated that the Affiliate President had back surgery and will be out for an extended period of time, Ms. Diaz herself was out for two weeks and still came in and is now caught up, but explained that it was easier for her because Luna is a smaller county. Ms. Diaz stated that the Bill did get a pass in the Senate and is now in the House and has to go back to the Senate and is unsure of the status at this time. Ms. Diaz also reported on behalf of the NMC as Board Representative, stating that County Managers received notice of the reduction of the gross receipts tax. Ms. Diaz stated that the theory is that more business will come because of the tax pyramiding and that is not an incentive to new businesses but is an incentive to small businesses, but this will deplete County funds. Ms. Diaz stated that she was unsure of the status of this Bill, and after looking into it there had been no action taken at this time. Ms. Diaz stated that the other Bill that had been passed was that there is a cap on Elected Officials based on whether the Elected Official is an A County or B County. The Bills that were promoted by NMC included the transportation of prisoners, courthouse funding for renovation, and retention of back to work, particularly in the Detention Facility. Ms. Diaz stated that the status of these Bills is also unknown at this time.

**Treasurer:** Treasurer Kristie Hobbs stated that the County College has helped them as well as the public to learn the duties of each of the County departments. Ms. Hobbs reported that the Treasurer's Office has collected 65% of the first half of the 2023 taxes, with the second half being due on April 10, 2023, and delinquent after that.



**Sheriff:** Under Sheriff, Jimmy Garcia reported that for the month of February, there were eleven accidents, three assaults, six burglaries, six larcenies, four motor vehicle thefts, no robberies, no rapes, and no DWIs. Mr. Garcia stated that there is an issue with arson in the area of Whisper Road and Montezuma, where several vehicles and motorhomes have been set on fire, and also transformers that have been shot at. Mr. Garcia stated that the Sheriff's Department has continued the night operations and patrol for this area.

**Commissioners:** No comments from the Commissioners were forthcoming.

**County Managers Report:** County Manager Chris Brice gave the following report. He stated the County has had the State Fire Marshall here numerous times for some of the arsons and encouraged anyone who sees anything suspicious anywhere to please report it to law enforcement.

- **Dispatch:** The County is working with the new CAD system and radios with the help of the County IT Department and getting some resolution amongst everybody and moving forward soon.
- **LCDC:** The Detention Center is opened back up for US Marshall inmate intake which had been closed off for a while because of the staffing ratio to inmates. Detention Center staffing is an issue nationwide.
- **Road Department:** There are a lot of projects going at this time for the Road Department.
- **Budget and Procurement:** The County is starting the budget process which is now on Open Gov. Mr. Brice explained that this is the wave of the future and will not only allow directors/department heads, commissioners, county managers, but also the public the ability to look at the budget. Mr. Brice stated that the county is in final negotiations with Court Health, which is the medical provider at the Detention Center. Mr. Brice stated that attorneys that look to defend inmates and every lawsuit that the County gets drives up the cost of insurance, especially for medical providers.
- **Safety and Emergency Management:** The Hazzard Mitigation Plan will give access to obtain grants through a FEMA portal. The plan had not been updated in a few years. This plan was finally done and has been delivered to the City of Deming and Columbus because both are able to use it as well. The County held a pipeline training that was hosted by Kinder Morgan for Emergency Management staff. The training was helpful because it is good to know which pipelines are running through our county and where they are located. It is also good to know where the most sensitive spots are for tampering or incidents that may occur. Mr. Brice stated that Safety and Emergency Management assisted the Sheriff's Department in rescuing a teenager that was up in the mountains. The Safety Committee meetings are ongoing. Mr. Brice stated that the Local Emergency Planning Committee is getting really strong and has good attendance from all law enforcement entities along with the schools, and hospitals.
- **Luna County Fire:** A total of 19 fire calls were made. Luna County Fire also assists local law enforcement agencies with traffic control during wind storms.
- **CASA:** Casa has nine volunteers, 19 kids in Luna County, and attended 14 events.
- **PAT:** This program continues to grow, is always at the top of the state for the Parent as Teachers Organizations and continues to receive more and more money.
- **JJCS:** The program was awarded the Chamber of Commerce Organization of the Year for Hidalgo County.



- **IT:** There were 775 work orders completed and through the penetration test that was performed there were 1,315 viruses, Trojans, and Ransomware that were stopped by the County Spam Filter.
- **Planning Department:** The department has been working really hard, stating there are 20 new cases throughout the County. Planning Director Lupita Hernandez has been working with County Attorney Charles Kretek on the purchase of the property needed for the BERM Project and Ms. Hernandez went to El Paso to deliver a check to the Sanders Group, the biggest land owner in Columbus. The other properties are still in the negotiation stage and should be wrapped up within the next month. The BERM Project will officially begin after that.
- **Starmax:** The sales for the month of February were a little over \$98,000, with having hosted 20 parties. The County will be doing a serve safe class for all of the Starmax employees. The DWI program and Starmax hosted a Valentine's Day kid's event. A total of 250 kids attended and the County is now looking at getting funding to have these events quarterly. These events allow the kids to get out in a safe environment and have fun.
- **HR:** New hires consisted of four new Detention Officers and two for Starmax. On the downside, eight people left. Mr. Brice reported that there was one promotion at the Detention Center to Lieutenant, Eva McBurney. Mr. Brice stated that HR Director Rosa Porras created Total Compensation Sheets for everyone in the County to show the benefit of working for the County, showing what the pay would look like if the employees had to pay for Health Insurance, etc.
- **Audit:** Mr. Brice stated that he wanted to go over some of the things that Mr. Gonzales mentioned in the Audit so that everyone had a better understanding. Mr. Brice explained that when Mr. Gonzales mentioned the stale dated checks, just so everybody is clear, this has been a two or three-year project and the second time this has had to be done. When an inmate comes is booked into the Detention Center, if they have money on their person, the money is put through a machine and goes on what is called the books. This is a computer system that allows the inmate to buy commissary items. For instance, they can buy soap and other necessities, also allowing the inmate's family to put money on the books while in jail to allow the inmates to buy snacks, etc. In the past when the inmate was released the County used to write them checks for the money to close out their accounts. If the checks were for a low amount, the inmates would not cash them or throw them away. Mr. Brice stated that by law something had to happen with this money, and this is what prompted a lot of the stuff that Mr. Gonzales mentioned on the Audit. In order to alleviate this process now the inmates are issued a debit card with the amount left upon release. Mr. Brice stated that one of the other things found with this Audit was with the Federal Schedule of Awards. For the longest time Stone Garden, which is the County's biggest law enforcement grant that is received, has its own single source audit due to the fact that is a huge Federal Grant. Mr. Brice stated that since then there has been so much Federal Funding coming to the County to include the Parents as Teachers program which went from State to Federal Funds, with this the County exceeded Federal Funding. These will also require audits.
- **Leadership Training:** A training was held by the Public Psychology group, which was a week-long training for anyone in a supervisor position that went over very well. The training was much cheaper than sending people to Albuquerque to sit through the week-long course.
- **Miscellaneous:** Mr. Brice reminded everyone that Strategic Planning is coming up soon. Mr. Brice was happy to announce that the Armory building now officially belongs to the

County. There will be a ceremony held in which Senator Heinrich and Governor Michelle Lujan Grisham will likely attend. There is a purchase order in place for a company to go in and do preliminary design work and a Hazzard Mitigation at the Plaza building. The Legislative Session ends on March 19<sup>th</sup>.

**Executive Session: Pursuant to Section 10-15-1H (2) NMSA 1978 Limited Personnel Matters.**

Commissioner Chandler motioned to go into Executive Session: Pursuant to Section 10-15-1H (2) NMSA 1978 Limited Personnel Matters. The motion was seconded by Commission Trejo and unanimously approved following a roll call vote. The Commission Board entered into Executive Session at 11:51 am. Commissioner Trejo motioned to return from Executive Session: Pursuant to Section 10-15-1H (2) NMSA 1978 Limited Personnel Matters. The motion was seconded by Commissioner Chandler and unanimously approved following a roll call vote. The Commission board returned from Executive Session at 1:01 pm. Commissioner Chandler motioned to remove Item seven from the Budget Increases from the Sheriff's Office. The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.

**Upcoming Meetings/Events (Unless otherwise specified):**

County College: Luna County Planning Department: March 23, 2023, at 5 p.m.

Regular Meeting: April 6, 2023, at 10 a.m.

**Public Comment:** Carmen McDonald announced that Saturday is when the Chamber Murder Mystery at the learning annex would take place. Susan Schiffner commented on the grant money that was given to different businesses and also if Ordinance numbers 23,10,4-38-9 and 29 have been looked at to repeal them. Linda Harmon was in agreement with Susan Schiffner's comment.

**Adjourn:** Upon a motion by Chair Sweetser the meeting was adjourned at 1:24 p.m.

**ATTEST:**

**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

\_\_\_\_\_  
Berenda McWright, Luna County Clerk

\_\_\_\_\_  
Ray J. Trejo, District 1

Approved: \_\_\_\_\_

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Collette M. Chandler, District 2

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John S. Sweetser, District 3

**MINUTES**  
**WORK SESSION**  
**LUNA COUNTY BOARD OF COUNTY COMMISSIONERS**  
**Thursday, March 23, 2023**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met at 4:06 p.m. on Thursday, March 23, 2023, in Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Work Session.

**CALL TO ORDER:** Chair Sweetser called the meeting to order at 4:06 p.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 Commissioners constituting a quorum were present:

**Ray J. Trejo, District 1-Not Present**  
**Colette M. Chandler, District 2**  
**John S. Sweetser Chair, District 3**

**DISCUSSION ITEM:** Luna County Ordinance 29: Re-establishing a Planning Commission for Luna County. Commissioner Chandler stated that implementing a Planning Commission would be helpful in the sense that having more people would help the Board of County Commissioners in reaching out and talking to more of the community. Ms. Chandler stated that the Planning Commission would only look into things that are asked by the Commissioners and County Manager, and at the same time, the Commission board will have the right to say yay or nah. Ms. Chandler stated that this research information gathered by the Planning Commission would come from actual community members, not people from outside of the community who look at things from a scholastic standpoint. Ms. Chandler stated that this would give community members the feeling that they are doing something to help the community function better. Ms. Chandler stated that she has received phone calls from community members about the concern of having a lot of outside money pouring into Luna County if the County sells land to outside people that are not in any way interested in helping Luna County develop. Ms. Chandler stated that she is very much in favor of giving the community voice outside of just the Commission meetings. County Attorney Charles Kretek stated that if the Planning Committee will be allowed to go beyond planning and zoning that there would have to be a new ordinance put into place for things to be done right. Ms. Chandler stated that the Planning Committee members would have meetings of their own and then report to the Commission Board. Ms. Chandler stated that the Planning Committee would be assigned certain tasks to research and report their findings back to the Board. County Manager Chris Brice stated that the Call to amend Ordinance 29 could be made at the April 6<sup>th</sup> Regular Commission meeting. **(\*Note: Items were presented for discussion only and no actions were taken.)**

**PUBLIC COMMENT:** Chair Sweetser opened the floor to public comment. Phillip Butz, Wesley Light, and Alberta Morgan commented. Mr. Butz, Mr. Light, and Ms. Morgan all spoke in favor of the Planning Commission for Luna County. Mr. Light and Mr. Butz both stated that it would be wise that on the Planning Committee there be farmers, ranchers, realtors, surveyors, appraisers, etc. the more people with land experience the more successful the committee will be.



**Upcoming Meetings/Events (unless otherwise specified):**

County College: Luna County Planning Department: March 23, 2023, at 5:00 p.m.  
Regular Meeting: April 06, 2023, at 10:00 a.m.

**ADJOURN:** Chair Sweetser motioned to adjourn. The meeting was adjourned at 5:02 p.m.

**ATTEST:**

**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

\_\_\_\_\_  
**Berenda McWright, Luna County Clerk**

\_\_\_\_\_  
**Ray J. Trejo, District 1**

**Approved:** \_\_\_\_\_

\_\_\_\_\_  
**Colette M. Chandler, District 2**

\_\_\_\_\_  
**Chair, John S. Sweetser, District 3**

Luna County  
Board of County Commissioners



Agenda 4/6/2023

**PAYROLL**

Date	Register	Amount
03/10/2023	20230010	\$636,546.04
03/10/2023	*20230011	\$29,594.82
03/14/2023	*20230012	\$662.42
03/24/2023	20230013	\$621,755.13
03/24/2023	*20230014	\$16,391.58

Total: \$1,304,949.99

\* Special Assignment Pay

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**RESOLUTION NO. 23-37**  
**Proposed Inter/Intra Fund Budget Increases**

**WHEREAS**, the Board of County Commissioners of Luna County has the statutory authority to approve, modify and amend the County's annual operating budget; and

**WHEREAS**, development of an annual budget includes a considerable amount of professional guessing about events that may occur in the future; and

**WHEREAS**, during the course of the budget year actual events can result in receiving revenues or making expenditures that were not expected at the time the budget was prepared and adopted; and

**WHEREAS**, it is necessary to adjust the County's adopted budget to properly provide for these unexpected events.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Luna County hereby adopts the changes to the County's Fiscal Year 111, July 1, 2022 through June 30, 2023 Budget proposed by the County's management staff and attached hereto in spreadsheet form, as amendments to the previously adopted operating budget.

**PASSED, APPROVED AND ADOPTED THIS 6<sup>th</sup> DAY OF APRIL, 2023.**

BOARD OF COUNTY  
COMMISSIONERS OF LUNA  
COUNTY

\_\_\_\_\_  
Ray J. Trejo, District One

\_\_\_\_\_  
Colette M. Chandler, District Two

ATTEST:

\_\_\_\_\_  
Berenda L. McWright, Luna County Clerk

\_\_\_\_\_  
John S. Sweetser, District Three



Be it remembered that at a Regular meeting of the Board of County Commissioners of Luna County in Deming NM on the 6th day of April, 2023, the following budget adjustments are proposed and entered of record.

SCHEDULE OF BUDGET ADJUSTMENTS			Budget Resolution Number 23-37 Proposed Inter/Intra FUND Budget Increase/Decrease						Entity Code DFA Resolution Number	
ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
One	Increase	401/11000	General Fund - Sheriff's Department	401/11000	\$ (5,569.97)	401-77-1225 Sheriff's Salary Reimbursement	\$ (5,569.97)	Increase due to specialized OT for Construction Zone Patrols that is reimbursed	\$ (34,573.14)	\$ (40,143.11)
					\$ 5,569.97	401-08-2005 Salaries - Overtime	\$ 5,490.36	Increase due to specialized OT for Construction Zone Patrols that is reimbursed	\$ 114,305.27	\$ 119,795.63
						401-08-2060 Match - Medicare 1.45%	\$ 79.61	Increase due to specialized OT for Construction Zone Patrols that is reimbursed	\$ 31,651.21	\$ 31,730.82
Two	Increase	401/11000	General Fund - Commissioners	401/11000	\$ 10,000.00	401-00-2069 Membership Dues/Subscriptions	\$ 10,000.00	Subscriptions and dues have increased this fiscal year.	\$ 35,278.00	\$ 45,278.00
Three	Increase	403/20800	Farm & Range Improvement Fund	403/20800	\$ 3,463.00	403-11-2093 Controls - Predatory Animal	\$ 3,463.00	To account for FY 2022 4th Quarter billing paid in FY 2023.	\$ 41,750.00	\$ 45,213.00
Four	Increase	407/29900	Treasurers' Mobile Home Accounts	407/29900	\$ 20,000.00	407-07-2028 Capital Outlay	\$ 20,000.00	To pay for a new vehicle this fiscal instead of next fiscal.	\$ 87,700.00	\$ 107,700.00
Five	Increase	411/21800	Community Services - Commission/Grants	411/21800	\$ (700,000.00)	411-77-1355 CDBG - Community Services	\$ (700,000.00)	To allow for spending of additional funding from DOH for LC Health Council - not entered into budget	\$ (1,440,578.73)	\$ (2,140,578.73)
					\$ 700,000.00	411-00-2379 CDBG - Community Services	\$ 700,000.00	To allow for spending of additional funding from DOH for LC Health Council - not entered into budget	\$ 1,443,451.25	\$ 2,143,451.25
Six	Increase	508/29900	SO Equipment 1/8th GRT	508/29900	\$ 170,000.00	508-00-2028 Capital Outlay	\$ 170,000.00	To purchase two new patrol vehicles and upgrade reporting system to convert to NIBRS reporting	\$ 200,000.00	\$ 370,000.00
Seven	Increase	609/22600	Adult Detention	609/22600	\$ 75,000.00	609-21-2005 Salaries - Overtime	\$ 75,000.00	To allow for spending through remainder of fiscal year. OT is higher due to staffing shortages	\$ 230,000.00	\$ 305,000.00
					\$ 278,463.00		\$ 278,463.00		\$ 708,983.86	\$ 987,446.86

NOW, THEREFORE, it is respectfully requested that the Board of County Commissioners of Luna County, authorize the above adjustments to the Luna County Budget.

Done at Deming New Mexico this **Thursday the 6th day of April, 2023.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

Ray J. Trejo, District 1

Colette M. Chandler, District 2

John S. Sweetser, District 3



Berenda L. McWright, Luna County Clerk

Entered By:

Date

Checked By:

Date

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**RESOLUTION NO. 23-38**  
**Proposed Inter Department/Fund Transfers**

**WHEREAS**, the Board of County Commissioners of Luna County has the statutory authority to approve, modify and amend the County's annual operating budget; and

**WHEREAS**, development of an annual budget includes a considerable amount of professional guessing about events that may occur in the future; and

**WHEREAS**, during the course of the budget year actual events can result in receiving revenues or making expenditures that were not expected at the time the budget was prepared and adopted; and

**WHEREAS**, it is necessary to adjust the County's adopted budget to properly provide for these unexpected events.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Luna County hereby adopts the changes to the County's Fiscal Year 111, July 1, 2022 through June 30, 2023 Budget proposed by the County's management staff and attached hereto in spreadsheet form, as amendments to the previously adopted operating budget.

**PASSED, APPROVED AND ADOPTED THIS 6<sup>th</sup> DAY OF APRIL, 2023.**

BOARD OF COUNTY  
COMMISSIONERS OF LUNA  
COUNTY

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Ray J. Trejo, District One

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Colette M. Chandler, District Two

ATTEST:

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John S. Sweetser, District Three

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Berenda L. McWright, Luna County Clerk

Be it remembered that at a Regular meeting of the Board of County Commissioners of Luna County in Deming NM on the 6th day of April, 2023 the following budget adjustments are proposed and entered of record.

## Budget Resolution Number 23-38

### Proposed Inter Department Transfer

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	FROM Current Balance	Transfer amount	TO Line Number	Transfer Amount	Purpose
One	Transfer	401/10100	General Fund - Dispatch	401-20-2003 Salaries - Part-Time	\$14,000.00	\$10,000.00	401-20-2005 Salaries - Overtime	\$10,000.00	To allow for spending through remainder of fiscal year.
Two	Transfer	401/10100	General Fund - Dispatch	401-20-2101 Professional/Contract Services	\$36,652.82	\$3,500.00	401-20-2116 Department Uniforms	\$3,500.00	To allow for spending through remainder of fiscal year.
Three	Transfer	402/20400	Road Department	402-10-2028 Capital Outlay	\$175,746.85	\$75,000.00	402-10-2075 Equipment Operating Expense/Repair	\$60,000.00	To allow for spending through remainder of fiscal year.
							402-10-2010 Mileage/Per Diem	\$15,000.00	To allow for spending through remainder of fiscal year.
Four	Transfer	415/21800	Community Services - Parents As Teachers	415-52-2007 Telephone	\$9,027.73	\$4,000.00			
				415-52-2011 Vehicle Expense	\$7,308.10	\$4,000.00			
				415-52-2069 Membership Dues/ Subscriptions	\$20,420.00	\$16,000.00	415-52-2020 Supplies	\$24,000.00	To adjust budget to reflect award and allow for spending through remainder of fiscal year.
Five	Transfer	605/21100	Law Enforcement Protection Fund	605-08-2028 Capital Outlay	\$9,000.00	\$20,047.57	605-08-2012 Equipment/Supplies/ Mtn/Repairs	\$4,500.00	To allow for spending through remainder of fiscal year.
							605-08-2010 Mileage/Per Diem	\$4,500.00	To allow for spending through remainder of fiscal year.
					\$14,000.00	\$132,547.57		\$121,500.00	

NOW, THEREFORE, it is respectfully requested that the Board of County Commissioners of Luna County, authorize the above adjustments to the Luna County Budget.

Done at Deming New Mexico this **Thursday the 6th day of April, 2023.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

Ray J. Trejo, District 1

Colette M. Chandler, District 2

John S. Sweetser, District 3



ATTEST:

Berenda L. McWright, Luna County Clerk

Entered By:

Checked By:

Date

Date



# **“LEMONADE DAY 2023”**

## **Proclamation 23-06**

### **Lemonade Day**

**Whereas;** **Lemonade Day** is good for kids, good for business and good for Luna County. The Deming Luna County Chamber of Commerce, along with many other companies and organizations, is joining forces to bring this innovative program to Luna County on Saturday, May 13, 2023. **Lemonade Day** is a free program dedicated to teaching children how to start, own, and operate their very own business through the simple and time-honored act of building and running a lemonade stand; and

**Whereas;** All citizens have the right to live where they choose within their financial means. People must not be denied housing because of race, color, religion, sex, national origin, handicap, or familial status. We must, as individuals, assure equal access to housing for all in our communities.

**Whereas;** the young entrepreneurs who participate in the program learn real life skills through experiential learning. The children earn money and are taught to “spend a little, save a little and share a little,” donating a portion of their profits to any local charity of their choice; and

**Whereas;** **Lemonade Day** is a day of learning and celebrating Luna County’s future. On May 13, 2023, every citizen has a job—either buying or helping children sell lemonade. The citizens of Luna County are encouraged to simply purchase a cup of lemonade from one of the young entrepreneurs participating in the program to demonstrate how our community cares for the future of our youth. **Lemonade Day** is a non-profit that provides fun, proactive and experiential programs infused with life skills, character education and entrepreneurship; and

**Therefore;** The County of Luna salutes and commends the sponsors, organizers and participants of this innovative program, and extends best wishes for a successful and rewarding observance;

**DONE THIS 6<sup>TH</sup> DAY OF APRIL 2023**

by the Board of County Commissioners of Luna County

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**Chris A. Brice, Manager**

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

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

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

*Be it remembered that at the Special Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 6<sup>th</sup> day of April 2023, the following proceedings were had and entered of record.*

**RESOLUTION 23-39**

**CALL TO AMEND ORDINANCE 29**

**WHEREAS**, pursuant to Section 4-37-1, NMSA 1978, grants Counties, through the Board of County Commissioners the power to make, publish and repeal ordinances;

**WHEREAS**, Section 4-37-7, NMSA 1978, Ordinances governs the proposal of ordinances;

**WHEREAS**, Board of County Commissioners originally enacted Ordinance 29 on June 14, 1996;

**WHEREAS**, the Ordinance as enacted needs to be updated to address the desires of the current Board of County Commissioners.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of County Commissioners hereby gives notice of its intent to consider the amendment of Ordinance 29; at the Regular Meeting on June 8, 2023, at 10:00 a.m., or at such other date and time as determined by the Board of County Commissioners, in the Luna County Courthouse, 700 S. Silver Ave., Deming, New Mexico.

**BE IT FURTHER RESOLVED** that the Luna County Manager is authorized to take all necessary action necessary to properly place the issue of the amended Ordinance 29 before the Board of County Commissioners, including but not limited to, the publication of title and a general summary of the proposed adoptions and making a copy of the proposed available to interested persons beginning with the date of publication, but no later than two weeks prior to the June 8, 2023 meeting, or such other date and time as determined by the Board of County Commissioners.

**DONE THIS 6th DAY OF APRIL, 2023**

**BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY**

**ATTEST:**

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

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**Berenda McWright, County Clerk**

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

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



*Be it remembered that at a Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 9<sup>th</sup> day of February, 2023, the following proceedings were had and entered of record.*

## **LUNA COUNTY**

### **RESOLUTION 23-40**

#### **DISPOSITION OF PERSONAL PROPERTY**

**WHEREAS**, pursuant to Section 4-38-1, NMSA 1978, the powers of a county as a body politic and corporate shall be exercised by a Board of County Commissioners;

**WHEREAS**, Section 4-38-13, NMSA 1978, provides that the Board of County Commissioners shall have the power at any session to make such orders concerning the property belonging to the county as they may deem expedient;

**WHEREAS**, Section 13-6-1, NMSA 1978 declares that a County may dispose of tangible personal property and delete it from the public inventory upon a specific finding that each item is of current resale value of five thousand dollars (\$5,000.00) or less and is worn out, unusable or obsolete to the extent that the item is no longer economical or safe for continued use;

**WHEREAS**, a designated committee of three Luna County Officials has declared that all of the tangible personal property that is the subject of this resolution meets the criteria set for in Section 13-6-1, NMSA 1978; and

**WHEREAS**, pursuant to Section 13-6-2, NMSA 1978, the personal property will be disposed of by live or online auction open to the public or by an inter-governmental transfer to another state agency or local public body.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Board of County Commissioners of Luna County:

1. Finds that the property described in the Attachments hereto and incorporated by reference into this Resolution consists of property owned by the County of Luna with varying resale values, which is worn-out, unusable or obsolete to the extent that the items are no longer economical or safe for continued use by the County;
2. A copy of this Resolution and Attachments shall be sent to the State Auditor and the Local Government Division of the Department of Finance and Administration at least thirty (30) days before the disposal of the property, pursuant to Section 13-6-1(B)(2), NMSA 1978;
3. A copy of this Resolution and Attachments shall be made a permanent part of the official minutes of Luna County and maintained as a public record subject to the Inspection of Public Records Act.
4. All of the personal property will be disposed of by live or online auction process open to the public or through inter-governmental transfer.

**Done at Deming, New Mexico this 6<sup>th</sup> day of April, 2023.**

**BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY**

**ATTEST:**

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

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**Berenda McWright, County Clerk**

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

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

## STATE OF NEW MEXICO

## County of Luna

**Barbara L. Reedy**  
Commissioner, District 1

**Chris Brice**  
County Manager

**Linda M. Smrkovsky**  
Commissioner, District 2

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



700 South Silver Avenue • Post Office Box 551 • Deming, New Mexico 88031  
Telephone (575) 546-0494 Facsimile (575) 544-4293

Date: 03-22-2023

To: Luna County Board of County Commissioners  
From: Joanne C. Hethcox, Budget and Procurement Director  
CC: Chris Brice, County Manager

Subj: Disposal of Assets

Inventory #	Year	Make	Model	VIN	Mileage
982691	2021	KZ	ESCAPE	4EZTA1819M4060594	N/A
Explanation for Disposal	Transfer to Village of Columbus to retain ownership and maintain per County Manager Chris Brice.				
Inventory #	Year	Make	Model	VIN	Mileage
982692	2022	KZ	ESCAPE	4EZTA1815N4020711	
Explanation for Disposal	Transfer to Village of Columbus to retain ownership and maintain per County Manager Chris Brice.				
Inventory #	Year	Make	Model	VIN	Mileage
982693	2022	KZ	ESCAPE	4EZTA2125N4090427	
Explanation for Disposal	Transfer to Village of Columbus to retain ownership and maintain per County Manager Chris Brice.				

*Matthew Berry*  
Matthew Berry

## STATE OF NEW MEXICO

## County of Luna

**Barbara L. Reedy**  
Commissioner, District 1

**Linda M. Smrkovsky**  
Commissioner, District 2



**Chris Brice**  
County Manager

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

700 South Silver Avenue • Post Office Box 551 • Deming, New Mexico 88031  
Telephone (575) 546-0494 Facsimile (575) 544-4293

Date: 03-22-2023

To: Luna County Board of County Commissioners  
From: Joanne C. Hethcox, Budget and Procurement Director  
CC: Chris Brice, County Manager

Subj: Disposal of Assets

Inventory #	Year	Make	Model	VIN	Mileage
982694	2022	KZ	CONNECT	4EZTL2321N7080323	N/A
Explanation for Disposal	Transfer to Village of Columbus to retain ownership and maintain per County Manager Chris Brice.				
Inventory #	Year	Make	Model	VIN	Mileage
982695	2022	KZ	SPORTSMEN	4EZTU2422N5080631	N/A
Explanation for Disposal	Transfer to Village of Columbus to retain ownership and maintain per County Manager Chris Brice.				
Inventory #	Year	Make	Model	VIN	Mileage
982696	2021	KZ	SPORTSMEN	4EZTU3024M5070404	N/A
Explanation for Disposal	Transfer to Village of Columbus to retain ownership and maintain per County Manager Chris Brice.				

*Matthew Berry*  
Matthew Berry

## STATE OF NEW MEXICO

## County of Luna

**Barbara L. Reedy**  
Commissioner, District 1

**Chris Brice**  
County Manager

**Linda M. Smrkovsky**  
Commissioner, District 2

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



700 South Silver Avenue • Post Office Box 551 • Deming, New Mexico 88031  
Telephone (575) 546-0494 Facsimile (575) 544-4293

Date: 03-22-2023

To: Luna County Board of County Commissioners  
From: Joanne C. Hethcox, Budget and Procurement Director  
CC: Chris Brice, County Manager

Subj: Disposal of Assets

Inventory #	Year	Make	Model	VIN	Mileage
982697	2022	KZ	231 BHKSE	4EZTU2329N5091420	N/A
Explanation for Disposal	Transfer to Village of Columbus to retain ownership and maintain per County Manager Chris Brice.				
Inventory #	Year	Make	Model	VIN	Mileage
982698	2022	179R	HIDEOUT	4YDTH1G19NW244399	N/A
Explanation for Disposal	Transfer to Village of Columbus to retain ownership and maintain per County Manager Chris Brice.				
Inventory #	Year	Make	Model	VIN	Mileage
					N/A
Explanation for Disposal	Transfer to Village of Columbus to retain ownership and maintain per County Manager Chris Brice.				

eSign & e-File with e-FileDocs.com  
*Matthew Berry*  
5p02at40wab55a9a08b3a5e08d0b42  
Matthew Berry



*Be it remembered that at a Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 6th day of April 2023, the following proceedings were had and entered of record.*

**RESOLUTION #23-41**

**NMDOT PROJECT FUND SUNSHINE/MCCAN ROAD TRUCK ROUTE**

**PARTICIPATION IN THE TRANSPORTATION PROJECT FUND PROGRAM  
ADMINISTERED BY THE NEW MEXICO DEPARTMENT OF TRANSPORTATION**

WHEREAS, the County of Luna and the New Mexico Department of Transportation have entered into a joint and coordinated effort.

WHEREAS, the total cost of the project will be \$400,000.00 to be funded in proportional share by the parties hereto as follows:

a. New Mexico Department of Transportation's share shall be 95% or \$380,000.00

and

b. Luna County's proportional matching share shall be 5% or \$20,000.00

The total project cost is \$400,000.00

Luna County shall pay all costs, which exceed the total amount of \$400,000.00.

NOW therefore, be it resolved in official session that Luna County determines, resolves, and orders as follows:

That the project for this Cooperative Agreement is adopted and has a priority standing.

The agreement terminates on December 31, 2024 and the County of Luna incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

NOW therefore, be it resolved that the County of Luna to enter into Cooperative Agreement for the TPF Project with the New Mexico Department of Transportation for the TPF Program for year 2023-2024 to complete planning, preliminary design, final design, topographical survey, right of way determination, subsurface utility engineering, biological and cultural resources survey and NMDOT environmental PCE clearance for McCan Road SE (B014)/ Rockhound Rd SE (B026) to Sunshine Road SE (B017)/NM 11 for a total length of 6 miles , and

HEREBY requests that the New Mexico Department of Transportation consider and approve said application being in accordance with the regulations governing use and expenditures of said funds.

**Done at Deming, New Mexico this 6<sup>th</sup> day of April 2023**  
**LUNA COUNTY BOARD OF COMMISSIONERS**

**ATTEST:**

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

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**Berenda McWright, County Clerk**

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

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

*Be it remembered that at a Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 6th day of April 2023, the following proceedings were had and entered of record.*

**RESOLUTION #23-42**

**NMDOT PROJECT FUND HERMANAS TRUCK ROUTE**

PARTICIPATION IN THE TRANSPORTATION PROJECT FUND PROGRAM  
ADMINISTERED BY THE NEW MEXICO DEPARTMENT OF TRANSPORTATION

WHEREAS, the County of Luna and the New Mexico Department of Transportation have entered into a joint and coordinated effort.

WHEREAS, the total cost of the project will be \$500,000.00 to be funded in proportional share by the parties hereto as follows:

a. New Mexico Department of Transportation's share shall be 95% or \$475,000.00

and

b. Luna County's proportional matching share shall be 5% or \$25,000.00

The total project cost is \$500,000.00

Luna County shall pay all costs, which exceed the total amount of \$500,000.00.

NOW THEREFORE, be it resolved in official session that Luna County determines, resolves, and orders as follows:

That the project for this Cooperative Agreement is adopted and has a priority standing.

The agreement terminates on December 31, 2024 and the County of Luna incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

NOW THEREFORE, be it resolved that the County of Luna to enter into Cooperative Agreement for the TPF Project with the New Mexico Department of Transportation for the TPF Program for year 2023-2024 to complete planning, preliminary design, final design, topographical survey, right of way determination, subsurface utility engineering, biological and cultural resources survey and NMDOT environmental PCE clearance for Hermanas Rd SW (C003) and NM 9 to Hermanas Rd SW (C003) to MP7 for a total length of 7 miles , and

HEREBY requests that the New Mexico Department of Transportation consider and approve said application being in accordance with the regulations governing use and expenditures of said funds.

**Done at Deming, New Mexico this 6<sup>th</sup> day of April 2023**  
**LUNA COUNTY BOARD OF COMMISSIONERS**

**ATTEST:**

---

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

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**Berenda McWright, County Clerk**

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

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



Yossie Nieblas <yossie\_nieblas@lunacountynm.us>

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## Library board letter of Interest

1 message

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**Moses B. Barajas** <mbbarajas@gmail.com>

Thu, Mar 23, 2023 at 5:39 PM

To: "yossie\_nieblas@lunacountynm.us" <yossie\_nieblas@lunacountynm.us>

To whom it may concern:

My name is Moses Barajas and I am interested in being a Marshall Memorial Library board member. I've lived in Deming for over 30 years and I see the library as an invaluable community asset.

As an avid reader and a bibliophile, I can appreciate the value of an institution such as our library as a beacon of knowledge to our city and surrounding areas.

I would be honored to help carry forth the mission of the library and all of the services which it provides. Thank you for your consideration; I look forward to your response.



March 30, 2023

To Whom it May Concern,

I submit this Letter of Interest to serve as a member of the Marshall Memorial Library Board. My interest in serving stems from my love for Deming and its youth.

I am 60 years old and have lived in Deming for over 55 years. I am currently a 5<sup>th</sup> grade teacher and Bataan Elementary. I have been an educator for DPS for 33 years. I hold a Bachelor of Science in Elementary Education with a Language Arts endorsement. I also hold a master's degree in Educational Leadership.

Thank you in advance for your consideration.

Blessings,

Kim Perea

5<sup>th</sup> Grade Teacher

Bataan Elementary

Contact Information:

Kim Perea

P.O. Box 2665

Deming, N.M. 88031

[kim.perea@demingps.org](mailto:kim.perea@demingps.org)

575-494-1051

# Indigent Hospital Claims Office

Chris A. Brice, County Manager

IHC Board Meeting April 6, 2023

Month	Number	Amount	Number	Denied
January	2	\$1,544.97	0	\$0.00
Feburary	5	\$20,133.68		
March	7	\$23,418.02		
April	0	\$0.00		
May	0	\$0.00		
June	0	\$0.00		
July	0	\$0.00		
August	0	\$0.00		
September	0	\$0.00		
October	0	\$0.00		
November	0	\$0.00		
December	0	\$0.00		
Total	14	\$45,096.67	0	\$0.00
This Month's Total	Mimbres Memorial Hospital			\$21,932.02
This Month's Total	Gila Regional Medical Center			\$0.00
This Month's Total	Memorial Medical Center			\$0.00
This Month's Total	Deming Fire Dept./EMS			\$0.00
This Month's Total	All Other Services			\$1,486.00
Total				\$23,418.02
Year to Date Total	Mimbres Memorial Hospital			\$30,566.67
Year to Date Total	All Other Hospitals			\$0.00
Year to Date Total	Deming Fire Dept./EMS			\$0.00
Year to Date Total	All Other Services			\$14,530.00
Total				\$45,096.67
Care of Prisoners This Month - Not including SNCP Funds				\$9,115.78
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$471,161.41
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$23,235.96
Care of Prisoners Year to Date Dr. Bills				\$10,915.16
Total Cost of Care of Prisoners Year to Date				\$505,312.53
Monies Received - March 2023				\$134,963.12
Balance in IHC Fund as of March 31, 2023				\$1,830,197.69
Encumbrances as of March 31, 2023				\$943,863.34
		Date	Amount Approved	Amount Denied
	Signatures	4/6/2023	\$23,418.02	
Ray J. Trejo				
Colette M. Chandler				
John S. Sweetser				

IHC Board Meeting

**April 6, 2023**

[illegible]

## LCBCC Meeting April 9, 2023

### Accounts Payable

3/03/2023	\$415,947.90
3/03/2023	\$8,169.25
3/10/2023	\$474,545.68
3/10/2023	\$27,787.36
3/17/2023	\$83,623.48
3/17/2023	\$12,188.62
3/23/2023	\$187,760.57
3/23/2023	\$68,389.50
3/24/2023	\$345.00
3/31/2023	\$11,544.72
3/31/2023	\$279,585.30

### P-Cards

February 2023	\$213,914.25
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Total    \$1,783,801.63



**Lee Cook**  
**Detention Director**

**Robert Apodaca**  
**Chief of Security**

**Luna County Detention Center**  
**1700 4<sup>th</sup> St NE**  
**Deming, NM 88030**  
**Phone: (575) 544-0191**

**April 01, 2023**

**From: Corporal Nora Herrera**

**To: Luna County Board of County Commissioners**

**Subj: RHU Quarterly report IAW HB 364 (New Mexico's Restricted Housing Act)**

**This report is being submitted in accordance with HB 364, New Mexico Restricted Housing Act reporting requirements. During the period of January 01, 2023 thru March 31, 2023 Luna County Detention Center had 1 detainee who met the reporting requirements under this act. Please see attached report.**

**A copy of this report will be submitted electronically to the legislative council service library IAW HB 364.**

- 1. A 61-year-old male. Detainee was out of his cell for recreation but did not received 2.0 hours or more for recreation.**

**Very Respectfully,**

**Corporal Nora Herrera**



- 5. Presentations:**
- a. Oath of Office for LCDC staff by Judge Edgar Davalos
  - b. Restrictive Housing Quarterly Report by Lee Cook
  - c. Keep Luna County Beautiful Presentation
  - d. NIST Assessment Presentation by Tebron Enterprises
  - e. K-Fox14 Luna County Advertisement by Candice MacBlain
  - f. Deming Soil and Water Conservation District- Katherine Turner

**6. Consent Agenda:**

- a. Accounts Payable: \$1,783,801.63
- b. Payroll: \$1,304,949.99
- c. Resolution 23-37: Budget Increases
- d. Resolution 23-38: Budget Transfers
- e. Proclamation 23-05 Local American Clean-Up
- f. Proclamation 23-06 Lemonade Day

**MOTION AND ROLL CALL VOTE**

**7. Call for Ordinance:**

- a. Resolution 23-39: Call to Amend Ordinance 29: Re-establishing a Planning Commission for Luna County

**MOTION AND ROLL CALL VOTE**

**8. New Business:**

- a. Resolution 23-40: Disposal of Assets

**MOTION AND ROLL CALL VOTE**

- b. Resolution 23-41: A Resolution confirming Luna County to Participate in the NMDOT Project Fund (Sunshine McCan Road Truck Route )

**MOTION AND ROLL CALL VOTE**

- c. Resolution 23-42: A Resolution confirming Luna County to Participate in the NMDOT Project Fund (Hermanas Road Truck Route)

**MOTION AND ROLL CALL VOTE**

- d. Appointment of a Marshall Memorial Library Board Member

**MOTION AND ROLL CALL VOTE**

**9. Indigent Claims Report:**

- a. Recess as County Commission Convene as Claims Board

**MOTION AND VOTE**

- b. Presentation of Claims Report by Joanne Hethcox

- c. Consider Claims dated April 6, 2023: \$23,418.02

**MOTION AND VOTE**

- d. Recess as Claims Board, Re-Convene as County Commission

**MOTION AND VOTE**

**10. Community Support Reports:**

**11. Elected Officials' Report:**

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

**12. County Manager's Report:**

**13. Executive Session:**

Executive Session pursuant to Section 10-15-1H(2) NMSA 1978, limited personnel matters

**MOTION AND ROLL CALL VOTE**

**14. Motion on Discussion in Executive Session if necessary:**

**MOTION AND VOTE**

**15. Upcoming Meetings/ Events (unless otherwise specified):**

- Regular meeting: May 11, 2023 at 10 a.m.
- Work Session: April 27, 2023 at 3:00pm
- County College: TBD : April 27, 2023 at 5:30 p.m.
- County Offices Closed May 29, 2023 in observance of Memorial Day

**16. Public Comment:** The Public has the opportunity to provide comments at this time pertaining to items on the agenda only. Please be advised that this is not a question and answer period. Your comments specific to the agenda items will be limited to three minutes per constituent unless the Board of County Commissioners requests more information. The time limit and opportunity to speak is given in an effort to allow public input on business matters of the County to move the agenda forward in a prompt yet efficient manner. Comments will not be allowed on individual agenda items as they are discussed by the Commissioners during new business.

**17. Adjourn:**