

**LUNA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**Barbara L. Reedy**  
**Member**

**Linda M. Smrkovsky**  
**Chairperson**

**John S. Sweetser**  
**Member**

**Thursday, September 19, 2019**  
**4:00 p.m.**  
**Regular Meeting**  
**Luna County Courthouse**

1. **Call to Order:** Chair Smrkovsky to commence meeting (At this time, please silence your cell phones and any other electronic devices) Pledge of Allegiance, State Pledge.
2. **Roll Call:**
3. **Approval of Agenda:**
4. **Minutes:**
  - a. Work Session- August 8, 2019  
**MOTION AND VOTE**
  - b. Regular Meeting- August 8, 2019  
**MOTION AND VOTE**
  - c. Special Work Session-August 28, 2019  
**MOTION AND VOTE**
  - d. Special Meeting-August 28, 2019  
**MOTION AND VOTE**
5. **Presentations:**
  - a. Taylor Horst, New Mexico Counties Risk Management Director  
Presentation on Insurance Coverages
6. **Service Awards:**

a. Miguel Carreon	Detention Center	20 yrs
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7. **Elected Officials Report:**
8. **County Manager's Report:**
  - a. Regular Report
  - b. Update on Census 2020 Complete Count Committee

**9. Indigent Claims Report:**

- a. Recess as County Commission, Convene as Claims Board

**MOTION AND VOTE**

- b. Presentation of Claims Report by Joanne Hethcox \$13,465.94-August-Tabled  
\$0.00-September

- c. Consider Claims dated September 19, 2019

**MOTION AND VOTE**

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

**MOTION AND VOTE**

- 10. Public Comment:** The Public has the opportunity to provide comment 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 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. Comment will not be allowed on individual agenda items as they are discussed by the Commissioners during new business.

**11. Consent Agenda:**

- a. Accounts Payable: \$1,714,499.55  
b. Payroll: \$1,560,048.06  
c. Resolution 19-45 Budget Increases  
d. Resolution 19-46 Budget Transfers

**MOTION AND ROLL CALL VOTE**

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**12. New Business:**

- a. Exemption from Special Tax Assessment for Predator Control Program-Nutt Dairy, LLC and NM Feeding Co.

**MOTION AND ROLL CALL VOTE**

- b. Appointment of Member of Labor Management Relations Board (Labor-Mark Myers)

**MOTION AND ROLL CALL VOTE**

- c. Appointment of Member of Labor Management Relations Board (Management-John Strand)

**MOTION AND ROLL CALL VOTE**

- d. Appointment of Member of Labor Management Relations Board (Independent-Gary Jeffreys)

**MOTION AND ROLL CALL VOTE**

- e. Resolution 19-47 Luna County Infrastructure Capital Improvement Plan (ICIP)

**MOTION AND ROLL CALL VOTE**

- f. Resolution 19-48 Disposition of Personal Property

**MOTION AND ROLL CALL VOTE**

- g. Resolution 19-49 Electronic Eavesdropping/Unlawful Recording Policy

**MOTION AND ROLL CALL VOTE**

- h. Certification of Tax Rate for 2019

**MOTION AND ROLL CALL VOTE**

- i. Keller Partners & Company (Possible Vote) Grant Writing and Lobbying

**MOTION AND ROLL CALL VOTE**

- j. Opportunity Zones

**DISCUSSION ONLY**

- k. Luna County Community and Economic Development Advisory Committee  
Resolution 17-13

**DISCUSSION ONLY**

- 13. Executive Session:** Executive Session to discuss bargaining strategy for collective bargaining sessions with AFSCME Local #1764 (LCSO) and AFSCME Local #2061 (LCDC) pursuant to Section 10-1-1H(5)NMSA 1978

**MOTION AND ROLL CALL VOTE**

- a. FY 2019-20 Final Budget approved by DFA presented by Joanne Hethcox

**MOTION AND ROLL CALL VOTE ON FY 108 COMPENSATION LEVELS**

**14. Old Business**

- a. Budget Review Committee Appointment
- b. Update on Strategic Plan

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

Regular Commission Meeting October 10, 2019

**16. Adjourn:**

**NOTE TO THE PUBLIC:** Please use the microphone when addressing the Board. This is necessary for recording purposes. Thank you for your cooperation. Headphones for hearing enhancement are available upon request.

**MINUTES  
WORK SESSION  
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS  
Thursday, August 8, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met at 9:00 a.m. on Thursday August 8, 2019 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Work Session.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 9:01 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 Commissioners constituting a quorum were present:

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

**SERVICE AWARDS:**

- Elizabeth El Bizri from IT was not present to receive her 10 year pin.
- Luhuaana Valdespino from Dispatch was not present to receive her 5 year pin.

**PRESENTATIONS:**

- a. **Swearing in of New LCDC Cadets:** LCDC Lieutenant Javier Gallegos recognized Joby Schafer, Steven Aguilar, Arturo Quesada, Jose Calderon, Gavin Villegas, Alicia Holguin, Alondra Rangel, Nora Herrera, Angelique Martinez, Derek Guess, Francis Chappell, Jorge Solano and Avery Crump for completing LCDC training. Judge Frank Van Gundy swore in the new LCDC Cadets.
- b. **Introduction of new Adult Drug Court Program Director James Jackson:** Community Health & Well Being Director Jessica Jara introduced James Jackson. James Jackson is now the Luna County Adult Court Program Manager. Mr. Jackson thanked the Board for their contribution to the program and explained to the Board that the individuals in the program are being treated in an intensive outpatient treatment program for sixteen weeks, then they begin the MRT program which is a standard twelve step program. The MRT portion of the program allows individuals to dig deep inside themselves and determine the root cause of their substance or alcohol abuse addictions. Mr. Jackson explained the numbers are proving the drug court program is working. Mr. Jackson again thanked the Board and asked for an increase support of the program.

**DISCUSSION:**

- a. **County Lodger's Tax:** Chair Smrkovsky mentioned a Bill was recently passed which changes how we can collect and spend the monies received from Lodger's Tax. She mentioned we do currently have an Ordinance #2 Amendment #5 which deals specifically with lodger's taxes, but later this fall the County will be receiving a packet asking for input regarding County Lodger's Tax. County Attorney Charles Kretek explained Luna County has five businesses paying County Lodger's Tax at this time, which equates to \$3,500 a year. Chair Smrkovsky said she will forward to the County Manager David McSherry information she has received regarding this topic.

**COMMISSIONERS AND STAFF DISCUSSION ON REGULAR MEETING AGENDA ITEMS:** The Luna County Board of County Commissioners presented the Regular Meeting Agenda items for presentation and discussion by attending members of the public. *(\*Note: Items were presented for discussion only and no actions were taken.)* The following agenda items were discussed:

Executive Director of Chamber of Commerce John Richmond gave an update on local events for both Chamber of Commerce and Main Street.

**ADJOURN:** Upon motion made by Commissioner Reedy and a second made by Commissioner Sweetser. Chair Smrkovsky adjourned the meeting at 9:20 a.m.

**ATTEST:**

**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

\_\_\_\_\_  
**Andrea Rodriguez, Luna County Clerk**

\_\_\_\_\_  
**Barbara L. Reedy, District 1**

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

\_\_\_\_\_  
**Chair, Linda M. Smrkovsky, District 2**

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

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS  
Thursday, August 8, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, August 8, 2019 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: Deputy County Manager Byron Hollister, County Attorney Charles C. Kretek, Administrative Assistant Laura Garcia, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Sheriff Kelly Gannaway, Captain Michael Brown, IT Technician James Ozment, Administrative Assistant Debra Seats, DWI Coordinator Edith Vasquez, LCDC Director Chris Brice, Executive Assistant Yossie Niebles, Grant Specialist Michael ODonnell and Community Health & Well Being Director Jessica Jara.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 10:02 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, Chair, District 2  
John S. Sweetser, District 3**

**APPROVAL OF AGENDA:** Chair Smrkovsky entertained a motion to approve the agenda as presented. Commissioner Sweetser motioned to approve the agenda as presented. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

**MINUTES:**

- **Work Session – July 12, 2019:** Upon a motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the July 12, 2019 Work Session were unanimously approved.
- **Regular Meeting – July 12, 2019:** Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of the July 12, 2019 Regular Meeting were unanimously approved.
- **Special Meeting – July 18, 2019:** Upon a motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the July 18, 2019 Special Meeting were unanimously approved.
- **Special Meeting – July 26, 2019:** Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of the July 26, 2019 Special Meeting were unanimously approved.

**ELECTED OFFICIALS REPORTS:** County Clerk Andrea Rodriguez reported they just returned from Local Election School. She mentioned all local governments will be having an election in November of the odd numbered years going forward. She also mentioned that on July 22, 2019 the Secretary of State's Office mandated realignment of offices because now the odd numbered districts are going to run with the President and the even numbered districts will run with the Governor. Chair Smrkovsky mentioned this process is being contested and may not take place if the Supreme Court rules this to be unconstitutional. She also mentioned that on September 17, 2019 oral hearings with Judges, New Mexico Counties and other groups will be heard.

Assessor Michelle Holguin reported the front desk is busy with daily duties including processing deeds, changing addresses and helping with answering questions in the office, on the phones and by e-mail. The GIS Department has almost completed troubleshooting the areas on the maps and will be merging with Triadic as soon as tax bills are mailed out. She also mentioned the Assessor's, Clerk's, and Treasurer's offices are getting ready to go live online with Triadic. Ms. Holguin reported the appraisal department is almost complete with processing protests. She also mentioned two appraisers passed the IAAO course with high scores and will be getting ready for their second course as it becomes available. Ms. Holguin informed the Board that due to HB407 when the Assessors department gets ready to certify the tax rates the Department of Finance Authority (DFA) will issue two sets of rates, one high and one low. Depending on the outcome of the School Bond Election one or the other will be implemented. She also reported that due to the new process the Treasurer will have to file for an extension and tax bills will likely be mailed out later than usual which will also offset the delinquent dates which will need to be adjusted.

Treasurer Gloria Rodriguez reported the Board recently received a revised financial report. Ms. Rodriguez explained the reason for the revised report is because amounts were put in incorrect line items which have been corrected but the total amounts were correct. Ms. Rodriguez also reported for the fiscal year collections, 91% was collected for current taxes and 95% on the delinquent taxes. She also mentioned the Treasurer's Office is working on balancing the July reports.

Sheriff Kelly Gannaway reported most of the stats for the month of July are down from last month. He mentioned they had one vehicle theft which is up from last month. Overall totals are down for criminal and the non-criminal side is up, accidents and DWI are down. Mr. Gannaway mentioned the Sherriff's Office is in the process of promoting a Sergeant and a Corporal, they are also in the process of hiring a Court Security Officer. Sheriff Gannaway said they had a big turnout for National Night Out, they cooked over 600 hamburgers and the Police Department cooked over 600 hot dogs and they both ran out with individuals still lined up. He thanked everyone who participated he would like to see this event continue in the future.

**COUNTY MANAGER'S REPORT:** Deputy County Manager Byron Hollister reported on the following.

- Federal inmate count is 389 and total inmate count is 911
- Starmax revenue for July was \$145,431 as compared to last year July \$139,637 which is \$6000 above last year's total.



- The County currently has 10 vacancies, 2 dispatchers, 1 Court Security Officer, 5 Detention Officers, a Planning Director and a Grant Writer position.
- The County is working with the City in putting together a kids fishing derby for the opening day of the pond which is scheduled for the first week of November. The kids will be allowed to take two catfish and five trout home per child, children under sixteen years of age will not require a fishing license. Main Street and Rotary Club have committed to helping out with this event.
- An Internal Solar Study is being done on Starmax, the Learning Center and the Detention Center buildings. The study will be presented to the Board at a later date.
- Gun Range for Law Enforcement. The City is willing to share Centennial Park and all the land to the left for future gun range expansion. Initial plans is for law enforcement training but maybe in the future something can be built for public use. They are still working on logistics and more discussion is forthcoming.
- A Directors Meeting will be scheduled soon and communication regarding the meeting will be sent out by Laura Garcia going forward. The first meetings topic will be the new evaluation system and discussion on what was learned from the strategic planning sessions.
- The Learning Center flooring needs to be selected. The Commissioners are asked to help with the color scheme.

**INDIGENT CLAIMS REPORT:** Chair Smrkovsky entertained a motion to table the Indigent Claims Report as Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox was not present. A motion by Commissioner Sweetser and a second by Commissioner Reedy was made to table the Indigent Claims Report for the month of July until next month.

**PUBLIC COMMENT:** Alberta Morgan commented that the building southwest of the Learning Center which is the head start building would be a good building to consider for a solar project.

Susan Shiffner lives on Sunshine Rd. SE. She is having issues with the Waterloo Onion Shed and the disposal of onions. She would like help from the Board to resolve this issue.

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

- a. Accounts Payable: \$899,558.57
- b. Payroll: \$1,105,780.62

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

- a. **Resolution 19-44 Southwest New Mexico Council of Governments:** Chair Smrkovsky read Resolution 19-44 and explained this organization provides services by helping with grants. Chair Smrkovsky entertained a motion to approve Resolution 19-44 Southwest New Mexico Council of Government Services contract showing David McSherry as the member and Commissioner Barbara Reedy as the first alternate and Chair Linda Smrkovsky as the second alternate. Commissioner Reedy motioned to approve Resolution 19-44 Southwest New Mexico Council of Governments Services.



Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

- b. Discussion and Consideration for approval of Strategic Planning session Results-Vision, Mission, Committees, Committee Members:** Deputy County Manager Byron Hollister would like to get the vision and mission statements approved at this time and the committees can be approved at a later time. Chair Smrkovsky entertained a motion to approve the alternative statements for both Vision Statement and the Mission Statement. Commissioner Reedy motioned to approve alternate statements for both Vision and Mission Statements. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote. Commissioner Sweetser nominated Commissioner Reedy to be our representative on the Luna County Committee. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.
- c. Discussion and Consideration for approval of Discontinuation of Work Sessions for remainder of calendar year.** Chair Smrkovsky entertained a motion to amend Resolution 19-01 item 3 to read "A Work Session may be called by the Chairperson or a majority of the Commission members upon 72 hours (3 days) notice. The notice shall include an agenda for the meeting or information on how members of public may obtain a copy of the agenda. The agenda shall be available to the public at least 72 hours before any work session meeting." Commissioner Sweetser motioned to approve amendment of Resolution 19-01. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

**DISCUSSION:**

- a. Census 2020** – Tabled for next month
- b. Ordinance 98 Animal Control:** County Attorney Charles Kretek explained Ordinance 98 Animal Control will be published for public review on September 19, 2019.
- c. County Lodgers Tax** – Waiting to see what NM Counties True will be rolling out.

**UPCOMING MEETINGS:** Chair Smrkovsky announced the following upcoming meetings and mentioned that a Budget meeting will also be scheduled.

Regular Meeting – September 12, 2019 at 10:00 a.m.

**ADJOURN:** Upon a motion made by Commissioner Reedy and a second made by Commissioner Sweetser the meeting was adjourned at 11:28 a.m.

**ATTEST:**

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

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**ANDREA RODRIGUEZ, LUNA COUNTY CLERK**

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**BARBARA L. REEDY, DISTRICT 1**

**APPROVED:** \_\_\_\_\_

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**LINDA M. SMRKOVSKY, DISTRICT 2**

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**JOHN S. SWEETSER, DISTRICT 3**

**MINUTES  
WORK SESSION  
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS  
Wednesday, August 28, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met at 9:00 a.m. on Wednesday August 28, 2019 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Work Session.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 9:03 a.m. and led the Pledge of Allegiance and the salute to the flag of New Mexico.

**ROLL CALL:** Chief Deputy Berenda McWright called roll. The following Commissioners constituting a quorum were present:

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

**PRESENTATIONS:**

- a. **Priscilla Lucero from SWNM Council of Governments:** Priscilla Lucero, Executive Director for the Southwest Council of Governments led the discussion regarding the Luna County Infrastructure and Capital Improvements Plan. The following items were suggested as priorities for the ICIP.

- Dispatch/IT Center Improvements
- Roads & Drainage Improvements
- Entertainment Complex Improvements & Solar
- Courthouse Improvements
- Detention Center Improvements
- Park Improvements
- Road Department Heavy Equipment
- Health Department Building Improvements
- Solid Waste Improvements
- Mimbres Valley Learning & Event Center Improvements
- Port of Entry Flood Control
- Youth & Community Recreation Center
- Computer upgrades for all departments

**PUBLIC COMMENT:** Chair Smrkovsky opened the floor to Public Comment. No public comment was forthcoming.

**COMMISSIONERS AND STAFF DISCUSSION ON SPECIAL MEETING AGENDA ITEMS:** The Luna County Board of County Commissioners presented the Regular Meeting Agenda items for presentation and discussion by attending members of the public. *(\*Note: Items were presented for discussion only and no actions were taken.)\** The following agenda items were discussed:

The following items were not discussed as time did not allow.

- a. ICIP and Economic Development
- b. Shooting Range Grant
- c. MVLC Flooring
- d. New Personnel Evaluation Process

**ADJOURN:** Upon motion made by Commissioner Sweetser and a second made by Commissioner Reedy, Chair Smrkovsky adjourned the meeting at 11:29 a.m.

**ATTEST:**

**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

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**Andrea Rodriguez, Luna County Clerk**

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**Barbara L. Reedy, District 1**

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

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

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**John S. Sweetser, District 3**

**MINUTES  
SPECIAL MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Wednesday, August 28, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in Special Session at 11:00 a.m. on Wednesday, August 28, 2019 in the Basement 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 David McSherry, Deputy Manager Byron Hollister, Attorney Charles Kretek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Gloria Rodriguez, Chief Deputy Treasurer Dora Madrid, Executive Assistant Laura Garcia, Grant Specialist Michael O'Donnell, DWI Program Manager Edith Vazquez, Administrative Assistant Patricia Rodriguez and Community Project Coordinator Joe Padilla.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 11:42 a.m. and led the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

**ROLL CALL:** Chief Deputy Clerk Berenda McWright called roll. The following members of the Board constituting a quorum were present:

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

**PUBLIC INPUT:** Chair Smrkovsky opened the floor for Public Comment. No public comment was forthcoming.

**NEW BUSINESS:**

- a. **New Infrastructure Capital Improvement Plan and Economic Development:** Upon a motion by Commissioner Sweetser, a second by Commissioner Reedy, and a unanimous roll call vote the item was tabled.
- b. **New Shooting Range Grant** Upon a motion by Commissioner Reedy, a second by Commissioner Sweetser and a unanimous roll call vote the item was tabled.
- c. **Mimbres Valley Learning Center New Flooring:** Deputy Manager Byron Hollister reported he received three bids for the flooring at Mimbres Valley Learning Center and recommended approval of the bid from Rio Grande Flooring in an amount not to exceed \$45,000 for replacement of flooring and installation. Chair Smrkovsky motioned to

approve the bid for replacement of flooring at the Mimbres Valley Learning Center not to exceed \$45,000. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

- d. Approval of New Personnel Evaluation Process:** Mr. Hollister gave a presentation regarding a new personnel evaluation process and provided the Board with a copy. Upon a motion by Commissioner Sweetser, a second by Commissioner Reedy and a unanimous roll call vote the item was tabled.

**EXECUTIVE SESSION: Executive Session pursuant to Section 10-15-1 (H)(7) NMSA 1978 to discuss pending litigation (Ruiz):** Chair Smrkovsky entertained a motion to enter into Executive Session to discuss pending litigation (Ruiz). Commissioner Reedy motioned to go into Executive Session to discuss pending litigation pursuant to Section 10-15-1(H)(7) NMSA 1978 (Ruiz). The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote. The Board went into Executive Session at 12:00 p.m. and returned from Executive Session 1:30 p.m.

Chair Smrkovsky motioned to return from Executive Session where no other matters were discussed other than pending litigation (Ruiz) pursuant to Section 10-15-1(H)(7) NMSA 1978. The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote. No action was forthcoming.

**UPCOMING MEETINGS:** Chair Smrkovsky announced the following upcoming meetings.

Special Meeting – To be scheduled in the near future to discuss ICIP & Economic Development  
Regular Meeting- September 12, 2019 at 9:00a.m.

**It was brought to the attention of the Board that the final total amount of the flooring and the installation at the Mimbres Valley Learning Center was \$49,500.** Chair Smrkovsky motioned to approve an additional amount of \$4,500 for the flooring at the Mimbres Valley Learning Center. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

**ADJOURN:** Commissioner Sweetser motioned to adjourn. The motion was seconded by Commissioner Reedy and carried unanimously. Chair Smrkovsky adjourned the meeting at 1:33 p.m.

**ATTEST:**

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

\_\_\_\_\_  
**ANDREA RODRIGUEZ, CLERK**

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**BARBARA L. REEDY, DISTRICT 1**

**APPROVED:** \_\_\_\_\_

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**LINDA M. SMRKOVSKY, DISTRICT 2**

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**JOHN S. SWEETSER, DISTRICT 3**

# Indigent Hospital Claims Office

David X. McSherry, County Manager

IHC Board Meeting September 19, 2019

Month	Number	Amount	Number	Denied
January	23	\$26,055.34	0	\$0.00
Feburary	6	\$14,781.78		
March	5	\$3,640.93		
April	13	\$2,412.27		
May	8	\$24,060.58		
June	1	\$51.51		
July	12	\$13,465.94		
August	0	\$0.00		
September	0	\$0.00		
October	0	\$0.00		
November	0	\$0.00		
December	0	\$0.00		
Total	68	\$84,468.35	0	\$0.00
This Month's Total	Mimbres Memorial Hospital			\$0.00
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			\$0.00
Total				\$0.00
Year to Date Total	Mimbres Memorial Hospital			\$76,136.55
Year to Date Total	All Other Hospitals			\$2,949.36
Year to Date Total	Deming Fire Dept./EMS			\$1,000.00
Year to Date Total	All Other Services			\$690.00
Total				\$80,775.91
Care of Prisoners This Month - Not including SNCP Funds				\$0.00
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$563,152.40
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$68,853.04
Care of Prisoners Year to Date Dr. Bills				\$16,483.25
Total Cost of Care of Prisoners Year to Date				\$648,488.69
Monies Received for August 2019				\$53,564.19
Balance in IHC Fund as of August 31, 2019				\$1,081,631.66
Encumbrances as of August 31, 2019				\$378,043.69
		Date	Amount Approved	Amount Denied
	Signatures	09/19/19	\$0.00	\$0.00
Barbara L. Reedy				
Linda M. Smrkovsky				
John S. Sweetser				



LCBCC Meeting September 19<sup>th</sup>, 2019  
Accounts Payable

8/2/2019	\$1,120,505.09
8/2/2019	\$7,595.92
8/2/2019	\$13,536.22
8/7/2019	\$16,920.24
8/16/2019	\$350,377.76
8/16/2019	\$30,887.31
8/16/2019	\$11,246.16
8/23/2019	\$69,732.03
8/23/2019	\$5,475.43
8/23/2019	\$8,541.45
8/29/2019	\$737.00
P-Cards	
July 2019	\$78,954.94

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Total    \$1,714,499.55

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*Luna County*  
*Board of County Commissioners*

**AGENDA 09/09/2019**

**PAYROLL**

08/02/2019	Register # 20190102	\$462,585.15
08/02/2019	*Register # 20190104	\$11,943.36
08/14/2019	Register # 20190023	\$531,748.01
08/16/2019	*Register # 20190106	\$16,692.31
08/28/2019	Register # 20190108	\$518,862.21
08/30/2019	*Register # 20190109	\$17,287.99
08/30/2019	*Register # 20190110	\$164.35
08/30/2019	*Register # 20190111	\$764.68

**Total \$ 1,560,048.06**

\* Special

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**RESOLUTION NO. 19-45  
Proposed Inter/Intra Fund Budget Increases**

**WHEREAS**, the Luna County Board of County Commissioners 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 Luna County Board of County Commissioners hereby adopts the changes to the County's Fiscal Year 108, July 1, 2019 through June 30, 2020 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 19<sup>th</sup> DAY OF SEPTEMBER, 2019.**

LUNA COUNTY

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Chairperson

ATTEST:

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Andrea Rodriguez, Luna County Clerk

Be it remembered that at a Special meeting of the Luna County Board of County Commissioners in Deming NM on the 19th day of September, 2019, the following budget adjustments are proposed and entered of record.

<div> <div>SCHEDULE OF BUDGET ADJUSTMENTS</div> <div> <b>Budget Resolution Number 19-45</b>  Proposed Inter/Intra FUND Budget Increase </div> </div>										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 - Managers	401/11000	\$ 7,943.00	401-01-2002 Salaries - Full-Time	\$ 5,823.00	To pay for additional 10% salary of Grants Administrator to reflect change in duties.	\$ 657,160.66	\$ 662,983.66	
						401-01-2060 Match - Medicare 1.45%		To pay for additional 10% salary of Grants Administrator to reflect change in duties.			
						401-01-2063 Match - PERA 16.67%		To pay for additional 10% salary of Grants Administrator to reflect change in duties.			
						401-01-2064 Match - FICA 6.2%		To pay for additional 10% salary of Grants Administrator to reflect change in duties.			
						401-01-2065 Match - Group Insurance		To pay for additional 10% salary of Grants Administrator to reflect change in duties.			
Two	Increase	401/11000	General Fund - Sheriff's Department	401/11000	\$ (22,259.00)	401-01-2070 Match - RHCA 2.0%	\$ 117.00	To pay for additional 10% salary of Grants Administrator to reflect change in duties.	\$ 13,143.21	\$ 13,260.21	
						401-77-1270 Insurance Recoveries		Insurance recovery check for vehicle accident.			
						401-08-2028 Capital Outlay		To allow for spending of insurance recovery funds for vehicle accident.			
Three	Increase	401/11000	General Fund - Sheriff's Department	401/11000	\$ 9,341.96	401-08-2074 Tort Claims	\$ 9,341.96	To pay for additional deductible not anticipated during final budget preparation.	\$ 25,000.00	\$ 34,341.96	
Four	Increase	408/22300	DWI - Teen Court	408/22300	\$ 7,621.30	408-32-2020 Supplies	\$ 7,621.30	To allow for spending of carryover amounts from previous fiscal year for Buzz Free After Prom event.	\$ 10,609.37	\$ 18,230.67	
Five	Decrease	408/22300	DWI - Teen Court	408/22300	\$ (2,000.00)	408-77-1629 Other Revenue Sources	\$ 2,000.00	To decrease anticipated revenue per final grant award for the JAF Grant.	\$ (15,000.00)	\$ (13,000.00)	
						408-32-2005 Salaries - Overtime		To decrease anticipated expenditure due to decrease in funding per final grant award for the JAF Grant.			
						408-32-2009 Office Supplies		To decrease anticipated expenditure due to decrease in funding per final grant award for the JAF Grant.			
						408-32-2060 Match - Medicare 1.45%		To decrease anticipated expenditure due to decrease in funding per final grant award for the JAF Grant.			
						408-32-2064 Match - FICA 6.2%		To decrease anticipated expenditure due to decrease in funding per final grant award for the JAF Grant.			
						408-32-2101 Professional/Contract Services		To decrease anticipated expenditure due to decrease in funding per final grant award for the JAF Grant.			

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
Six	Increase	411/21800	Community Improvements	411/21800	\$ (247,500.00)	411-77-1472 2019 Cap Appr - PAT Building	\$ (247,500.00)	CAP Appropriation Award for repairs and renovation to community health and wellness building (Silver & Hemlock Streets)	\$ -	\$ (247,500.00)
					\$ 247,500.00	411-00-2472 2019 Cap Appr - PAT Building	\$ 247,500.00	To allow for spending of CAP Appropriation for repairs and renovation to community health and wellness building (Silver & Hemlock Streets)	\$ -	\$ 247,500.00
Seven	Increase	411/21800	Community Improvements	411/21800	\$ (100,000.00)	411-77-1473 2019 HB - SO Equipment	\$ (100,000.00)	Revenue from HB Appropriation for equipment for Sheriff's Office	\$ -	\$ (100,000.00)
					\$ 100,000.00	411-00-2473 2019 HB - SO Equipment	\$ 100,000.00	To allow for spending of HB Appropriation for equipment for Sheriff's Office	\$ -	\$ 100,000.00
Eight	Increase	411/21800	Community Improvements	411/21800	\$ (16,000.00)	411-77-1467 NMSU-BLM Intgrtd Weed Mgmt	\$ (16,000.00)	Revenue from increase in federal award for BLM Weed Management Program	\$ (24,000.00)	\$ (40,000.00)
					\$ 16,000.00	411-00-2467 NMSU-BLM Integrated Weed Mgmt Pr	\$ 16,000.00	To allow for expenditure from increase in revenue from federal award for BLM Weed Management Program	\$ 24,000.00	\$ 40,000.00
Nine	Increase	411/21800	Community Improvements	411/21800	\$ (250,000.00)	411-77-1475 2019 Cap Appr - Road	\$ (250,000.00)	2019 CAP Appropriation Award for Roads	\$ -	\$ (250,000.00)
					\$ 250,000.00	411-00-2475 2019 Cap Appr - Road	\$ 250,000.00	To allow for spending of CAP Appropriation for Roads	\$ -	\$ 250,000.00
Ten	Increase	411/21800	Community Improvements	411/21800	\$ (32,993.16)	411-77-1442 Emer Mgmt Grants	\$ (32,993.16)	Revenue increase due to 2019 EMPG Award.	\$ (43,006.33)	\$ (75,999.49)
					\$ 32,993.16	411-41-2443 Emergency Mgmt - Grants	\$ 32,993.16	To allow for expenditure of 2019 EMPG Grant Award.	\$ 43,006.33	\$ 75,999.49
Eleven	Increase	415/21800	Community Services	415/21800	\$ 6,315.97	415-17-2363 Grant MCH	\$ 6,315.97	To allow for expenditure of carryover funds from prior fiscal year.	\$ 25,855.02	\$ 32,170.99
Twelve	Increase	605/21100	Law Enforcement Protection Fund (LEPF)	605/21100	\$ 6,662.61	605-08-2012 Equipment/Supplies/ Mtn/Repairs	\$ 6,662.61	To allow for spending of all LEPF funds to zero out fund by fiscal year end as required by DFA. (Luna County side only - already calculated on LGBMS)	\$ 23,262.00	\$ 29,924.61
Thirteen	Increase	610/21800	Drug Investigation - Operation Stonegarden (Even)	610/21800	\$ (950,000.00)	610-77-1423 Operation StoneGarden	\$ (950,000.00)	To book revenue for Operation Stonegarden FY 2018 award.	\$ (1,131,000.00)	\$ (2,081,000.00)
					\$ 950,000.00	610-08-2002 Salaries - Full-Time	\$ 21,840.00	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 21,840.00
						610-08-2005 Salaries - Overtime	\$ 180,000.00	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 180,000.00
						610-08-2011 Vehicle Expense	\$ 45,723.54	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 45,723.54
						610-08-2012 Equip/Supplies/Mtn/ Repairs	\$ 15,917.72	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 15,917.72
						610-08-2028 Capital Outlay	\$ 137,795.12	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 137,795.12
						610-08-2060 Match - Medicare 1.45%	\$ 2,948.52	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 2,948.52
						610-08-2063 Match - PERA	\$ 3,640.73	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 3,640.73
						610-08-2064 Match - FICA 6.2%	\$ 1,447.99	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 1,447.99
						610-08-2066 Workers' Compensation Assmnt	\$ 9.20	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 9.20

ITEM NO	Adjustment Type	Fund/DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
						610-08-2070 RHCA 2.0%	\$ 436.80	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 436.80
						610-08-2307 Stonegarden - Deming PD	\$ 190,320.38	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 190,320.38
						610-08-2308 Stonegarden - NMSP	\$ 349,920.00	To allow for spending of FY2018 Operation Stonegarden award.	\$ -	\$ 349,920.00
Fourteen	Increase	609/22600	Adult Detention	609/22600	\$ 40,000.00	609-21-2011 Vehicle Expense	\$ 40,000.00	Fuel was inadvertently left off of final budget - this will allow for spending for this fiscal year.	\$ 25,240.00	\$ 65,240.00
Fifteen	Increase	609/22600	Adult Detention	609/22600	\$ 20,000.00	609-21-2018 Inmate Medical	\$ 20,000.00	To pay for medical expenditures for inmates for this fiscal year - CorrHealth contract was increased.	\$ 768,816.87	\$ 788,816.87
Sixteen	Increase	609/22600	Adult Detention	609/22600	\$ 25,000.00	609-21-2010 Mileage/PerDiem	\$ 25,000.00	To allow for additional training necessary for accreditation during this fiscal year not realized during final budget preparation.	\$ 16,594.50	\$ 41,594.50
					\$ 122,884.84		\$ 122,884.84		\$ 722,025.79	\$ 844,910.63

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

Done at Deming New Mexico this Thursday the 19th day of September, 2019.

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Andrea Rodriguez, Luna County Clerk

Entered By:

Date

Checked By:

Date

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**RESOLUTION NO. 19-46  
Proposed Intra/Inter Department Transfers**

**WHEREAS**, the Luna County Board of County Commissioners 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 Luna County Board of County Commissioners hereby adopts the changes to the County's Fiscal Year 108, July 1, 2019 through June 30, 2020 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 19<sup>th</sup> DAY OF SEPTEMBER, 2019.**

LUNA COUNTY

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Chairperson

ATTEST:

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Andrea Rodriguez, Luna County Clerk



Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming NM on the 19th day of September, 2019 the following budget adjustments are proposed and entered of record.

## Budget Resolution Number 19-46

### Proposed Intra/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	415/21800	Community Services- Teen Outreach Program	415-39-2101 Professional/ Contract Services	\$24,000.00	\$24,000.00	415-39-2003 Salaries - Part-Time	\$22,164.00	To pay for services through special payroll for the Teen Outreach Program
							415-39-2060 Match - Medicare 1.45%	\$348.00	To pay for services through special payroll for the Teen Outreach Program
							415-39-2064 Match - FICA 6.2%	\$1,488.00	To pay for services through special payroll for the Teen Outreach Program
Two	Transfer	401/11000	General Fund - Managers	401-01-2065 Match - Group Insurance	\$91,940.77	\$4,445.00	401-01-2002 Salaries - Full-Time	\$3,685.00	To pay for salary adjustment for job duty changes for DCM.
							401-01-2060 Match - Medicare 1.45%	\$53.00	To pay for salary adjustment for job duty changes for DCM.
							401-01-2063 Match - PERA 16.67%	\$414.00	To pay for salary adjustment for job duty changes for DCM.
							401-01-2064 Match - FICA 6.2%	\$225.00	To pay for salary adjustment for job duty changes for DCM.
							401-01-2070 Match - RHCA 2.0%	\$68.00	To pay for salary adjustment for job duty changes for DCM.
Three	Transfer	610/21800	Drug Investigation - HIDTA	610-43-2392 Lordsburg Police Department	\$6,000.00	\$6,000.00	610-43-2357 Grant County SO	\$6,000.00	To pay for agreement with Grant County SO for overtime as HIDTA grant allows.
				610-43-2395 Town of Silver City	\$6,107.78	\$6,000.00	610-43-2357 Grant County SO	\$6,000.00	To pay for agreement with Grant County SO for overtime as HIDTA grant allows.
Four	Transfer	704/20900	Cooks Peak Volunteer Fire Department	704-00-2028 Capital Outlay	\$67,304.34	\$20,000.00	704-00-2084 Safety/Equip/ Supplies/Training	\$10,000.00	To pay for training not anticipated during final budget preparation.
							704-00-2011 Vehicle Expense	\$10,000.00	To pay for major vehicle repairs not anticipated during final budget preparation.
Five	Transfer	706/20900	Sunshine Volunteer Fire Department	706-00-2028 Capital Outlay	\$71,670.36	\$20,000.00	706-00-2084 Safety/Equip/ Supplies/Training	\$10,000.00	To pay for training not anticipated during final budget preparation.
							706-00-2011 Vehicle Expense	\$10,000.00	To pay for major vehicle repairs not anticipated during final budget preparation.
					\$267,023.25	\$80,445.00		\$80,445.00	

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

Done at Deming New Mexico this **Thursday the 19th day of September, 2019.**

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

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Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Entered By:

Date

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Andrea Rodriguez, Luna County Clerk

Checked By:

Date

**LUNA COUNTY BOARD OF COUNTY COMMISSIONERS  
RESOLUTION NO. 17-28**

**RESOLUTION REGARDING ESTABLISHMENT OF A COUNTY PREDATOR  
CONTROL PROGRAM**

WHEREAS, the "County Predator Control Act" codified at NMSA 1978, §77-15-6 through 77-15-14 provides for establishment of predator control programs by a board of county commissioners.

WHEREAS, appropriate petitions required by the "Act" have been filed as required by NMSA 1978, §77-15-10 and that after examination, the undersigned Board of County Commissioners finds the petitions in order and properly signed by the owners of at least fifty one percent of cattle listed on the tax rolls of Luna County, New Mexico.

IT IS, THEREFORE, RESOLVED AND DECLARED that:

1. A County Predator Control Program is established for cattle only within Luna County, New Mexico, to continue for the next period of five (5) years.
2. That Joe Johnson, Jim Woods, Joe Bill Nunn and Mike Hatcher are hereby appointed as the Luna County Predator Control Board to serve for the five year period.
3. Any owner of dairy animals or other feed lot animals as identified in NMSA 1978, §77-15-11, may file a certified statement describing such animals with the Luna County Board of County Commissioners prior to September 1<sup>st</sup> of each year in which the tax is assessed to exclude those animals from the special assessment.

**ADOPTED** this 13th day of April, 2017

**BOARD OF COUNTY COMMISSIONERS OF  
LUNA COUNTY, NEW MEXICO**

**ATTEST:**

  
Andrea Rodriguez, County Clerk



**LUNA COUNTY**

  
Joe L. Milo, Jr., Commissioner, District 1

  
Linda M. Smrkovsky, Chair

  
John S. Sweetser, Commissioner, District 3

New Mexico Feeding Co., Inc.

PO Box 661

Deming, NM 88031

Office (575) 546-2651

Fax (575) 546-2652

April 23, 2018

Luna County Manager  
David McSherry  
700 South Silver Ave.  
Deming, NM 88030

Subject: Certification of Feedlot status and exemption from Special Tax Assessment for the predator control program.

I hereby re-certify that New Mexico Feeding Co. is a feedlot in a confined area where cattle are fattened on full feed for slaughter. The monthly average head count of the beef cattle on feed as of this date is 682 head. These cattle are on the tax rolls, but should be exempt from the predator control special tax assessment due to the nature of this operation and confined feeding.

Sincerely,



Asa Porter

President

RECEIVED

APR 26 2019

Luna County  
Administration Office

COUNTY MANAGER AND TAX ASSESSOR,

April 18, 2019

NUTT DAIRY LLC, LOCATED IN LUNA COUNTY IS REQUESTING AN EXEMPTION FROM THE SPECIAL LEVY TX 77-15-11. ACCORDING TO THE WRITTEN CODE ANY OWNER OF DAIRY ANIMALS MAY HAVE THESE EXCLUDED FROM SPECIAL ASSESSMENT BY FILING A CERTIFIED STATEMENT CONTAINING THE DESCRIPTION AND HEAD COUNT OF THE ANIMALS WITH THE BOARD OF COUNTY COMMISSIONERS PRIOR TO September 1 OF THE YEAR IN WHICH THE TAX IS ASSESSED. THE FOLLOWING DESCRIPTION AND COUNT IS APPLICABLE TO NUTT DAIRY.

GARY SHIFLETT



NUTT DAIRY LLC

PO BOX 719

HATCH, NM 87936

RECEIVED

APR 24 2019



**LUNA COUNTY RESOLUTION NO. 19-47**  
**ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP)**

**WHEREAS,** the County of Luna recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

**WHEREAS,** in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

**WHEREAS,** systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

**WHEREAS,** this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The County of Luna has adopted the attached 2021-2025 Infrastructure Capital Improvement Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for New Mexico's infrastructure.

**PASSED, APPROVED and ADOPTED** by the governing body at its regular meeting of September 19, 2019.

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Linda Smrkovsky, Chairwoman

ATTEST:

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Andrea Rodriguez, Clerk

## Appendix I: ICIP Completion Certification Form

### FY 2021-2025 ICIP Completion Certification Form

This certifies that

Luna County

Official Entity Name

19000

ICIP Entity Code

has completed and entered the information required for the FY 2021-2025 Infrastructure Capital Improvement Plan (ICIP), to include the following for each project (please check mark each item completed):

#### 1. Entity Information.

- ☐ ICIP Officer, Procurement Officer, Financial Officer: name, telephone, email
- ☐ Legislative District
- ☐ COG District number
- ☐ Address Information
- ☐ Entity type
- ☐ Compliant with Executive Order 2013-006
- ☐ Asset management plan and/or inventory listing of capital assets
- ☐ Project Priority Process
- ☐ Capital Improvement Goals
- ☐ Factors/Trends Considered

#### 2. Capital Project Detail.

- ☐ Priority
- ☐ Year/Rank
- ☐ Project Title
- ☐ Project Contact Information
- ☐ Total Project Cost
- ☐ Class
- ☐ Type/Subtype
- ☐ Project Location (include Latitude/Longitude)
- ☐ Legislative Language
- ☐ Scope of Work
- ☐ Secured/Potential Funding Budget
- ☐ Project Budget
- ☐ Phasing Budget
- ☐ Operating Budget
- ☐ Who will Own, Operate, Fiscal Agent, Own Land, Own Asset, and Maintain
- ☐ Answer all questions as related to each specific project

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date (xx/xx/xxxx)

\_\_\_\_\_  
Printed Name



## Appendix III: Permission for Access Form

### FY 2021-2025 ICIP Permission for Access Form

(Must be a political subdivision of the state - municipality, county, special district, tribe, or senior center facility.)

**Luna County** (Entity Name) agrees to provide the following agency or individual the authority to enter the Infrastructure Capital Improvement Plan (ICIP) website and manipulate the FY 2021-2025 Infrastructure Capital Improvement Plan database for this entity.

Person with signatory authority for this local government entity to give such permission:

Name: **David McSherry**

Title: **County Manager**

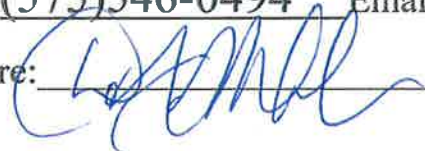
Entity/Agency Name: **Luna County**

Address: **700 S. Silver Avenue**

City: **Deming** State: **NM** Zip: **88030** County: **Luna**

Phone: **(575)546-0494** Email: **laura\_garcia@lunacountynm.us**

Signature: \_\_\_\_\_



Date: **August 29, 2019**

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Agency or individual who has been given authority to enter the ICIP data on behalf of said entity:

Name: **Priscilla Lucero**

Title: **Executive Director**

Entity/Agency Name: **Southwest New Mexico Council of Governments**

Address: **PO Box 2157**

City: **Silver City** State: **NM** Zip: **88062** County: **Grant**

Phone: **(575)388-1509** Email: **priscillalucero@swnmcog.org**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*Be it remembered that at a Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 19<sup>th</sup> day of September 2019, the following proceedings were had and entered of record.*

**LUNA COUNTY**

**RESOLUTION 19-48**

**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, none being greater than Five Thousand Dollars (\$5,000.00) 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, except the damaged LCDC containers, will be disposed of by live or online auction process open to the public.

5. The damaged LCDC containers will be disposed of by inter-governmental transfer to the City of Deming.

**Done at Deming, New Mexico this 19<sup>th</sup> day of September, 2019.**

**LUNA COUNTY BOARD OF COMMISSIONERS**

**ATTEST:**

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

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**Andrea Rodriguez, County Clerk**

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

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

## MEMORANDUM

To: Joanne Hethcox, Budget & Procurement Director/Indigent  
Claims Administrator

From: Andrea Rodriguez, Luna County Clerk

Re: Scanner

Date: May 2, 2019

We replaced a scanner and we are not using the old one. It is County tag #981454. LANIER LW324. I would like to put it up for sale in the County Surplus or sell it on an auction.

---

LUNA COUNTY SHERIFF'S OFFICE						
UNIT	MAKE	MODEL	LICENSE PLATE	VIN	YEAR	MILEAGE
981510	CHEVROLET	TAHOE	G-76092	1GNFK03089R192431	2010	150811
982249	CHEVROLET	TAHOE	G-88696	1GN1C2E03DR309852	2013	142556
982109	CHEVROLET	TAHOE	G-85668	1GNSK2E00CR281330	2012	121106
981662	FORD	CROWN VICTORIA	G-78596	2FAHP71V49X149050	2009	78691
981430	FORD	CROWN VICTORIA	G-75019	2FAFP71VX8X163590	2008	94613
982317	DODGE	CHARGER	G-91398	2C3CDXAT5EH126073	2014	134600
981516	FORD	150	G-76705	1FTPW14VX9FA84279	2009	157867
981957	DODGE	SILVER RAM	814RDB	1D7RV1CT9AS186279	2010	119678
981748	DODGE	RAM	G-79584	1D7RV1CT6AS177779	2010	109245
981749	DODGE	WHITE RAM	807PYK	1D7RV1CT4AS177778	2010	148836
982247	CHEVROLET	TAHOE/TOTALED	G 88694	1GN1C2E07DR310289	2013	112026
12 TON SEMI TRAILER		77v51 30-615	FED 23308924845	SN 633973157		
LIGHT PLANT		TP-SA4-DC 8511671M	OVERLOWE 27020	NSN 6230-01-096-3500	851167/M	

AUCTION VEHICLES 2019

## **AUCTION VEHICLES 2019**

Chris Brice, PMP  
Director



## Luna County Detention Center

1700 E. 4<sup>th</sup> St  
Deming, New Mexico 88030  
Phone (575) 543-6706

15 August 2019

From: Chris Brice, Warden  
To: Joanne Hethcox, Budget and Procurement Director  
Via: David McSherry, County Manager

Subj: Disposal of LCDC and VFD Vehicles

I would like to auction off or dispose of the following vehicles:

Make	Model	VIN	Inventory #	Mileage
2006 Ford	Crown Victoria	2FAFP73V46X130014	981191	109,632
Unit has had multiple electrical issues, 3 shops have been unable to repair. Fuel pump has failed twice, it has no cage, ignition switch is also bad. The unit is currently OOC and beyond economical repair.				

Make	Model	VIN	Inventory #	Mileage
2006 Ford	Crown Victoria	2FAFP73U06X130012	981190	Unknown
Unit has had multiple electrical issues, dash will not come on to indicate mileage. Fuel pump failures, it is not suitable for transport of inmates. The unit is currently OOC and beyond economical repair.				

Respectfully,

C. A. Brice

**Chris Brice, PMP  
Director**



## **Luna County Detention Center**

1700 E. 4<sup>th</sup> St  
Deming, New Mexico 88030  
Phone (575) 543-6706

09 September 2019

From: Chris Brice, Warden  
To: Joanne Hethcox, Budget and Procurement Director  
Via: David McSherry, County Manager

Subj: Disposal of County/LCDC Property

Luna County Detention Center has several old and damaged containers that were formerly O Pod in the South Section. These sections were removed as part of the renovation and expansion of the detention center. The units were damaged and serve no purpose, nor have any real value to the detention center. The City owned BMX Park has indicated interest in these for use at the park. I am requesting permission to transfer these old sections to the park. They will be responsible for pick up and transfer of said containers.

Respectfully,



C. A. Brice





Joanne Hethcox <joanne\_hethcox@lunacountynm.us>

---

## Transfer and disposal of VFD vehicle assets

2 messages

**Chris Brice** <chris\_brice@lunacountynm.us>

Thu, Aug 8, 2019 at 10:33 AM

To: Joanne Hethcox <joanne\_hethcox@lunacountynm.us>, Mark Jasso <mark\_jasso@lunacountynm.us>

Cc: David McSherry <david\_mcsherry@lunacountynm.us>, Pablo Montoya <pablo\_montoya@lunacountynm.us>

Good morning, I inspected all of our County VFD buildings and units yesterday. I intend on transferring or disposing of the following vehicles:

981304 was wrecked a long time ago and needs to be salvaged or auctioned.

981303 will be transferred to LCDC for the K-9 Unit

98108 Can be transferred to road department if they want it or auctioned

981105 is an ambulance, we have no real need for an ambulance, but we may use it as a recovery vehicle, (a unit the firefighters can take a break in, air conditioned and re hydrate).

The VFD has plenty of Admin Vehicles that are new, these are no longer needed and an eye sore at Sunshine VFD.

Please let me know the process to transfer and dispose of them.

Pictures attached,  
Chris

--

**Chris A. Brice**

**Director**

**Luna County Detention Center**

**Deming New Mexico**

**(O) 575-543-6701**

**(C) 575-545-7870**



---

**6 attachments**

**981304 Dispose of Expedition.jpg**  
1360K

*Be it remembered that at a Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 19<sup>th</sup> day of September 2019, the following proceedings were had and entered of record.*

## **LUNA COUNTY**

### **RESOLUTION 19-49**

#### **ELECTRONIC EAVESDROPPING/UNLAWFUL RECORDING POLICY**

##### **I. POLICY RECITALS**

**WHEREAS**, pursuant to Section 4-37-1, NMSA 1978, declares that Counties have the power to, “provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of any county or its inhabitants”; and,

**WHEREAS**, Section 3-13-4, NMSA 1978, allow municipalities and counties to establish a personnel merit system for the hiring, promotion, discharge and general regulation of municipal and county employees; and,

**WHEREAS**, many communications between county employees and administration are legally confidential and their disclosures through non-official channels may place county property, employees and citizens at risk of harm; and,

**WHEREAS**, Section 30-12-1, NMSA 1978, provides in pertinent part that it is a misdemeanor to “read, interrupt, take or copy any message, communication or report intended for another by telegraph or telephone without the consent of a sender or intended recipient thereof”

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Board of County Commissioners of Luna County hereby adopts the following Recording/Eavesdropping Policy:

##### **II. DEFINITIONS**

- A. Electronic Eavesdropping: The unauthorized electronic recording by us of an electronic recording, device of any communications made by employees of the County of Luna without the knowledge of the person making such communications.
- B. Communications: Communications include, but are not limited to, statements made during meeting, hearing, conferences, counseling, or conversations between employees or between employees and elected representatives. Communications also means any telephonic communication including cellular or mobile phone communications.
- C. Electronic Recording Devices: Electronic Recording Devices include, but are not limited to, tape recorders, Dictaphones, pocket recorders, cassette tape players/recorders, and telephonic tape or digital recording devices.
- D. Employee: The term employee includes regular, full and part-time, probationary, temporary, volunteer, seasonal, casual and contract employees.

### **III. POLICY VIOLATION**

Violation of this policy is grounds for disciplinary action up to and including termination of employment. The County reserves the right to determine the degree of violation and take appropriate action to maintain the functions and order of the County.

**Done at Deming, New Mexico this 19<sup>th</sup> day of September 2019.**

### **LUNA COUNTY BOARD OF COMMISSIONERS**

**ATTEST:**

---

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

---

**Andrea Rodriguez, County Clerk**

---

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

---

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



Michelle Lujan Grisham  
GOVERNOR

September 13, 2019

State of New Mexico  
Department of Finance & Administration  
180 Bataan Memorial Building  
Santa Fe, New Mexico 87501  
Phone: (505) 827-4985  
Fax: (505) 827-4984  
www.nmdfa.state.nm.us

Olivia Padilla-Jackson  
Cabinet Secretary

The Honorable Linda Smrkovsky  
Luna County  
P.O. Box 551  
Deming, NM 88031

**Order Setting Property Tax Rates - 2019 Property Tax Year**

Dear Commissioner Smrkovsky,

Pursuant to NMSA 1978, Sections 7-37-7(A) and 7-38-33(A), and Property Tax Division Order No. 19-30 extending the deadline under Section 7-38-33(A) to September 13, 2019, I issue this order setting the 2019 tax rates in the attached Certificate of Property Tax Rates (Certificate) for all governmental units imposing rates in your county.

Furthermore, pursuant to NMSA 1978, Section 7-38-36.2(A)(2), two property tax rates are set for those local governments in your county who submitted a resolution to the Local Government Division of the Department of Finance and Administration no later than July 15, 2019 providing notification of a mill levy question to be placed on the November 2019 ballot.

The two attached Certificates are as follows:

**Certificate #1:** This is the status quo which assumes that mill levy questions will not be approved by a majority of voters.

**Certificate #2:** This assumes that all mill levy questions will be approved by a majority of voters.

NMSA 1978, Section 7-38-34 requires the Board of County Commissioners (Board) to issue and deliver to the County Assessor its own written order imposing these rates, as shown on both Certificates, within five days of its receipt of this rate setting order. By taking action on both Certificates, any other possible combination of election results (for example only one of two mill levy questions on the ballot is approved and the other isn't) will be covered. Before the Board issues its order, the county is responsible for ensuring that the rates are correct, in accordance with 3.6.50.1 I (D) NMAC. To further those efforts, please immediately share the Certificate with all governmental units (other than the State) that have rates included in the Certificate, so that they may also check the accuracy of their rates. In addition, please note that the "percentage change I" used as specified in NMSA 1978, Section 7-37-7.1 (A) for yield control calculations this year was 3.29%.

After the results of the November 2019 election have been confirmed, you will receive another letter from my office indicating one of the following outcomes:

1. Confirmation of which Certificate (#1 or #2) is the final to be imposed, or
2. Issuance of an amended Certificate #3 in the event that not all mill levy questions were approved by voters.

Any questions concerning or suspected errors in the rates should be immediately brought to the attention of the Local Government Division's Budget and Finance Bureau Chief, Brenda L. Suazo-Giles, at 505-827-4977; or Special Projects Analyst, Jolene Gonzales, at 505-827-4900.

Sincerely,



Olivia Padilla-Jackson  
Secretary of Finance & Administration

cc: Property Tax Division, Taxation & Revenue Department  
County Assessor  
County Treasurer

Enclosure(s): Certificate of Property Tax Rates

[Type text]

**CERTIFICATE OF PROPERTY TAX RATES IN MILLS**

CERTIFICATE #1 (Status Quo)

LUNA COUNTY

TAX YEAR 2019

NET TAXABLE VALUE:

\$611,725,058

MUNICIPALITY:	Deming	Deming			Columbus	Columbus
TAXABLE VALUE:	140,934,918	119,094,480	112,354,101	221,338,462	10,821,074	7,182,025
CATEGORY:	1 IN R	1 IN NR	1 OUT R	1 OUT NR	1A IN R	1A IN NR
State Debt Service	1.360	1.360	1.360	1.360	1.360	1.360
Total State	1.360	1.360	1.360	1.360	1.360	1.360
County Operational	10.004	11.850	10.004	11.850	10.004	11.850
County Debt Service						
Total County	10.004	11.850	10.004	11.850	10.004	11.850
Municipal Operational	4.475	4.475			3.174	5.886
Municipal Debt Service	0.767	0.767				
Total Municipal	5.242	5.242	0.000	0.000	3.174	5.886
School District Operational	0.500	0.500	0.500	0.500	0.500	0.500
School District Debt Service	5.754	5.754	5.754	5.754	5.754	5.754
School Dist. Cap. Improvement	0.000	0.000	0.000	0.000	0.000	0.000
House Bldg 33, School Building	0.000	0.000	0.000	0.000	0.000	0.000
School District Ed. Tech. Debt Svc	0.000	0.000	0.000	0.000	0.000	0.000
Total School District	6.254	6.254	6.254	6.254	6.254	6.254
Total State, County, Municipal, & School District	22.860	24.706	17.618	18.464	20.792	25.350
Other:						
Total Other	0.000	0.000	0.000	0.000	0.000	0.000
GRAND TOTAL	22.860	24.706	17.618	18.464	20.792	25.350
Where Applicable:						
Cattle Indemnity 10.000						
Sheep/Goats/Swine/Alpaca 10.000						
Dairy Cattle 5.000						
Bison/Camelids/Racine 9.659						
Horses/Donkeys/Mules 8.504						
		Caballo SWCD				
		Res:	1.000			
		NonRes:	1.000			

**CERTIFICATE OF PROPERTY TAX RATES IN MILLS**  
**LUNA COUNTY**  
**TAX YEAR 2019**  
**NET TAXABLE VALUE:**

**CERTIFICATE #2 (All Pass)**

	<b>\$611,725,058</b>						
<b>MUNICIPALITY:</b>		<b>Deming</b>	<b>Deming</b>		<b>Columbus</b>	<b>Columbus</b>	
<b>TAXABLE VALUE:</b>		<b>140,934,916</b>	<b>119,094,480</b>	<b>112,354,101</b>	<b>221,338,462</b>	<b>10,821,074</b>	<b>7,182,025</b>
<b>CATEGORY:</b>		<b>1 IN R</b>	<b>1 IN NR</b>	<b>1 OUT R</b>	<b>1 OUT NR</b>	<b>1A IN R</b>	<b>1A IN NR</b>
State Debt Service		1.360	1.360	1.360	1.360	1.360	1.360
<b>Total State</b>		<b>1.360</b>	<b>1.360</b>	<b>1.360</b>	<b>1.360</b>	<b>1.360</b>	<b>1.360</b>
County Operational		10.004	11.850	10.004	11.850	10.004	11.850
County Debt Service							
<b>Total County</b>		<b>10.004</b>	<b>11.850</b>	<b>10.004</b>	<b>11.850</b>	<b>10.004</b>	<b>11.850</b>
Municipal Operational		4.475	4.475			3.174	5.886
Municipal Debt Service		0.767	0.767				
<b>Total Municipal</b>		<b>5.242</b>	<b>5.242</b>	<b>0.000</b>	<b>0.000</b>	<b>3.174</b>	<b>5.886</b>
School District Operational		0.500	0.500	0.500	0.500	0.500	0.500
School District Debt Service		5.754	5.754	5.754	5.754	5.754	5.754
School Dist. Cap. Improvement		2.000	2.000	2.000	2.000	2.000	2.000
House Bldg 33, School Building		0.000	0.000	0.000	0.000	0.000	0.000
School District Ed. Tech. Debt Svc		0.000	0.000	0.000	0.000	0.000	0.000
<b>Total School District</b>		<b>8.254</b>	<b>8.254</b>	<b>8.254</b>	<b>8.254</b>	<b>8.254</b>	<b>8.254</b>
<b>Total State, County, Municipal, &amp; School District</b>		<b>24.860</b>	<b>26.706</b>	<b>19.618</b>	<b>21.464</b>	<b>22.792</b>	<b>27.350</b>
Other:							
<b>Total Other</b>		<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>
<b>GRAND TOTAL</b>		<b>24.860</b>	<b>26.706</b>	<b>19.618</b>	<b>21.464</b>	<b>22.792</b>	<b>27.350</b>
<b>Where Applicable:</b>							
Cattle Indemnity	10.000						
Sheep/Goats/Swine/Alpaca	10.000						
Dairy Cattle	5.000						
Bison/Camelids/Ratite	9.659						
Horses/Asses/Mules	8.504						
		<b>Caballo SWCD</b>					
		Res:	1.000				
		NonRes:	1.000				

TAX RATE TABLE FOR 2018			
RESIDENTIAL		NON RESIDENTIAL	
CITY	0.025336	CITY	0.027424
COUNTY	0.019396	COUNTY	0.021454
COLUMBUS	0.022550	COLUMBUS	0.028399

Current Tax Rate for 2018

TAX RATE TABLE FOR 2019 N/C			
RESIDENTIAL		NON RESIDENTIAL	
CITY	0.022860	CITY	0.024706
COUNTY	0.017618	COUNTY	0.019464
COLUMBUS	0.020792	COLUMBUS	0.025350

Purposed Tax Rate If Bond Does Not Pass

TAX RATE TABLE FOR 2019 <b>BOND PASSES</b>			
RESIDENTIAL		NON RESIDENTIAL	
CITY	0.024860	CITY	0.026706
COUNTY	0.019618	COUNTY	0.021464
COLUMBUS	0.022792	COLUMBUS	0.027350

Purposed Tax Rate If Bond Passes

This is a side by side look at the Current Tax Rate for 2018 and the New Purposed Tax Rates for 2019 Depending on if the Bond Passes



# KELLER PARTNERS

& COMPANY

## Suggested Client References for Keller Partners

2019

*The following are current clients of Keller Partners.*

1. Mr. Kevin Atkins, Chief Development Officer, Office of the Mayor  
**City of Lexington and Fayette County, KY**  
859-258-3100 (Mayor's Office)  
[katkins@lexingtonky.gov](mailto:katkins@lexingtonky.gov)  
Description of work performed: Keller has worked for more than 5 years with this client, providing critical grant support to win a \$14.1M USDOT grant (after the first attempt failed), writing a grant for the Fire Department to win a \$376,000 FEMA grant, a USDA food security grant support to win \$46K, arranged testimony on national television before the House Agriculture Committee and meetings with Sr. White House staff, Department Secretaries and Congressional officials for the Mayor. We are currently working on infrastructure and opioid treatment/prevention grants for the City.
2. Mr. John Baker, CFO  
**Williamsport Municipal Water and Williamsport Sanitary Authorities, PA**  
570-323-6140 (Office)  
[jbaker@wmwa-wsa.org](mailto:jbaker@wmwa-wsa.org)  
Description of work performed: Keller has worked with this client for over 5 years, identifying, writing and winning funding including a \$2.7 million water infrastructure grant and a \$729,000 road reconstruction grant. We are currently working on three projects involving rehabilitation of two dams, a new waterline to a rural community and erosion mitigation. We regularly plan, strategize and implement a fundraising process at the federal level on behalf of the Authority and the City.
3. Mr. Clay Merritt, Capital Manager  
**City of Davenport, IA**  
563-888-3055 (Direct)  
[jmerritt@ci.davenport.ia.us](mailto:jmerritt@ci.davenport.ia.us)  
Description of work performed: One of Keller's newer clients, Keller has worked for 1 year with this client, identifying sources of funding for the City and assisting them in pursuing these resources, which includes a win of \$1.2 million grant for their MetroLink transportation hub, a \$613,000 grant for fire safety equipment, and recently securing an official public safety partnership with USDOJ to address the problem of gangs and crime in the City. We are currently working on a USED grant for extension of a water main.
4. Mrs. Fran McJunkin, Deputy Director of Planning & Community Development  
**Lycoming County, PA**  
570-320-2139 (Direct)  
[fmcjunkin@lyco.org](mailto:fmcjunkin@lyco.org)  
Description of work performed: Keller has worked with this client for almost 3 years. We've implemented a strategy to secure funding for a levee rehabilitation project critical to several municipalities in Lycoming County. We've won the first critical step to a congressional authorization of the project. We also wrote and submitted a federal grant which is pending for \$2.4 million to address the County's flood control issues.

# KELLER PARTNERS

& COMPANY

## Service Agreement

Luna County, New Mexico, ("Luna County"), agrees to retain Keller Partners & Company ("Keller Partners"), Washington, DC, for government relations' services commencing on **October 1, 2019**, and ending on **September 30, 2020**.

Luna County agrees to pay Keller Partners a total professional fee of **\$6,500 per month**, billed monthly in advance, which includes all expenses (except for basic travel expenses for a visit to Luna County). Payment shall be made to Keller Partners on or before the first (1<sup>st</sup>) of each month at the address listed on the invoice(s). Federal funds may not be used to pay Keller Partners' professional fees.

In its capacity as a consultant, Keller Partners shall make its best effort to assist Luna County in pursuing its federal funding objectives. The nature of these objectives shall be determined by Luna County's leadership with the advice and assistance of Keller Partners. In this role, Keller Partners shall plan and implement government relations and funding strategies designed to accomplish Luna County's federal funding objectives; assist in the development of and preparation of grant applications and supporting materials for the initiatives; arrange meetings for Luna County's leadership with Members of Congress, congressional staff, and federal agency decision-makers to advance funding initiatives; strategically market Luna County's needs to federal decision-makers; and serve as liaison to federal agencies relevant to Luna County's funding pursuits.

Luna County agrees to frequent communication with Keller Partners and to provide Keller Partners' staff the necessary content and information, in real time, to help Keller Partners plan and implement its strategies, and assist in the preparation of grant applications.

The undersigned parties agree to indemnify and hold each other harmless from and against all liability, including all actions, claims, damages, costs, and attorneys' fees, which the undersigned may incur (or to which the undersigned may be involved), arising out of express statements made by the undersigned and their personnel or based upon information provided by the undersigned and their personnel, except in the event of wrongful acts or omissions on the parts of the undersigned, and/or from any actions which are contrary to any law, rule or regulation governing the services hereunder.

Neither party shall assign any of its rights or delegate any of its duties or obligations under this Agreement without the express written consent of the other party.



Thomas C. Keller  
Managing Principal  
Keller Partners & Company, LLC

NAME  
TITLE  
Luna County, New Mexico

# KELLER PARTNERS

& COMPANY

**TO: Mr. Byron Hollister**  
Deputy County Manager, Luna County, NM  
**CC: Mr. David McSherry, County Manager**

**FR: Thomas Keller**  
**CC: Andy Garfinkel, Alan Katz and Michael Robertson**  
Keller Partners

**DA: September 10, 2019**

**RE: Strategic Government Relations and Funding Program**

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Greetings Byron,

I very much enjoyed our conversation this past Thursday. I also appreciated Mr. McSherry dropping in to tell us more about the Opportunity Zone designation in Deming. Great meeting you both, and Laura, over the phone.

As we discussed, Luna County possesses the right demographics to make its funding requests to the federal/state governments particularly competitive. You simply need to work with professionals who know how to package these projects and lead you through the sausage factory in Washington!

Keller Partners would be honored to help Luna County determine a strategic plan, develop its projects that will attract federal funds, identify the funding streams, write the grants, and lobby the federal agencies and congressional delegation to get the wins for some of your most pressing projects.

We have great longevity with our clients because our focus is on achieving results and a good ROI for our clients. They are routinely pleased with our work, as we believe you would be.

The funding needs we discussed on the phone are all fundable. They are in Keller Partners' sweet spot. It's what we do every day. We are experts on the process and our results prove it!

Below I've provided some background on our firm, our process and our fees. We look forward to partnering with you to accomplish some great things for Luna County.

## **Keller Partners Background**

- By design, Keller Partners is the most unique firm in Washington in that we help our clients write federal grants *and* we lobby the federal decision makers to win them.
- Unlike other firms in DC, we work exclusively for public and private mission-driven entities. Assisting public servants, bodies of local government, and organizations that serves others is our passion. Our track record has been: winning measurable returns on investment for our clients for more than 25 years.

- “It’s all about the relationship!” A key to our success stems from creating, building and utilizing genuine relationships in Washington through a professional, coordinated process that helps to regularly achieve your objectives.
- We help you creatively develop your funding needs, matching them to the right federal funding sources (sometimes we even create those sources), and assist you to write and prepare the funding proposals or grant applications. We become your additional staff and augment your existing staff.
- Our clients consist of cities, counties, authorities, hospitals, universities, social service and faith-based organizations, and international NGOs. Our work typically centers on federal and state competitive grants, congressional appropriations, formula grants to states, federally guaranteed loans, contracting and regulatory relief.
- A sampling of federal grant wins for our clients include: \$14.1 million USDOT grant for the City of Lexington and a \$376,000 FEMA grant for the Lexington Fire Department; \$2.7 million EDA grant for water main infrastructure for Williamsport and a \$729,000 ARC grant for storm water repair for Williamsport; \$200,000 EPA grant for brownfields cleanup for Chicago Southwest Development Corporation; \$1.2 million for ferry dock infrastructure for MetroLink in Davenport; \$2.5 million small business incubator grant for Circleville and OCU; and many more.
- A good measure of a firm like ours is assessing the longevity of its clients. Most of our clients, including those above, have been with our firm for many years. In some cases, more than a decade. We have the highest ethical standards and have an excellent track record of success on behalf of our clients, which is why they continue to renew with us. They are happy to tell you themselves!
- Keller Partners’ bi-partisan staff have all served as senior staff in the Congress or the Executive Branch. We are process experts, because we’ve been on the inside. We continue to have great working relationships with decision makers in Congress and the Administration.

### **Situational Analysis of Luna County**

Based on our recent conversation and our research of Luna County, it is clear that the County has a competitive advantage for funding because of its unique location and demographics. For example, the fact that Luna is the poorest county in the state, with high unemployment and low median incomes, and is a rural boarder community with an Opportunity Zone designation in Deming, gives you significant leverage for funding at the federal and state levels.

Your most immediate needs, and there may be more, of a gun range that will serve the training needs of area police officers and Boarder Patrol, a regional outdoor amphitheater that will stimulate economic development, and the extension of a natural gas line south to the port of entry, are all fundable projects, if properly positioned – made more likely because of your competitive advantage.

Once the right groundwork is laid, funding could be won for these projects through the US Department of Homeland Security, US Department of Justice, US Department of Commerce, and NM state agencies, among others. Additionally, your congressional representatives sit on the right committees to help support your funding requests.

Therefore, we would like to help Luna County secure budget relieving funding through a professional, coordinated program that includes developing your projects, identifying the funding, helping to write the grants, building the relationships, and mobilizing partnerships and supporters on your behalf at the right time. This may include connecting you with the right partnerships to maximize your chances for winning federal grants.

### **Our Scope of Work**

I went over in some detail our process to win funding, but we thought your having it on paper might be helpful. The following is what we propose for working with Luna County:

- Once hired, we would visit with you and your team in Deming for a day to conduct our Resource Review and Analysis (RRA) process. This enables us to discuss and assess your needs in person. This process typically uncovers needs that you may not realize can be funded by federal and/or state grants.
- After the RRA, we provide you with a strategic plan for pursuing and winning federal funding for the needs we discussed. This plan also includes a detailed grants grid.
- Once the plan is approved, we “implement” by identifying our funding targets (laid out in the grants grid), developing project themes, concept papers, and proposals and outlines. During this time we also work with your team to help you develop your projects so that they match up with federal and/or state agency priorities – ensuring not only eligibility for funding, but competitiveness.
- We actually help you write and submit the grants. This removes a burden from your staff. However, we need a regular contact that can provide us with content for the applications (because we don’t just make it up). This involves reviewing the grant-scoring criteria and multi-level reviews for accuracy.
- We plan and implement meetings in Washington for you and your leadership. These meetings are critical to building important relationships with decision makers in federal agencies and in the Congress. We provide you with a briefing book, prepare you for the meetings, and attend these meetings with you. We handle all of the follow up work.
- These meetings in Washington would include personal meetings with your members of Congress, committee staff, federal agency political appointees and program officers. These face-to-face meetings are vital to success of your grant applications. We would also invite these individuals to Luna County to see what you plan to fund.



- Critical to the process of winning funding is mobilizing local support and lobbying for support from members of Congress at the right time and with the right people. We handle this from start to finish.
- After winning grants, we provide you with a compliance plan; then we celebrate!

### **Our Fees**

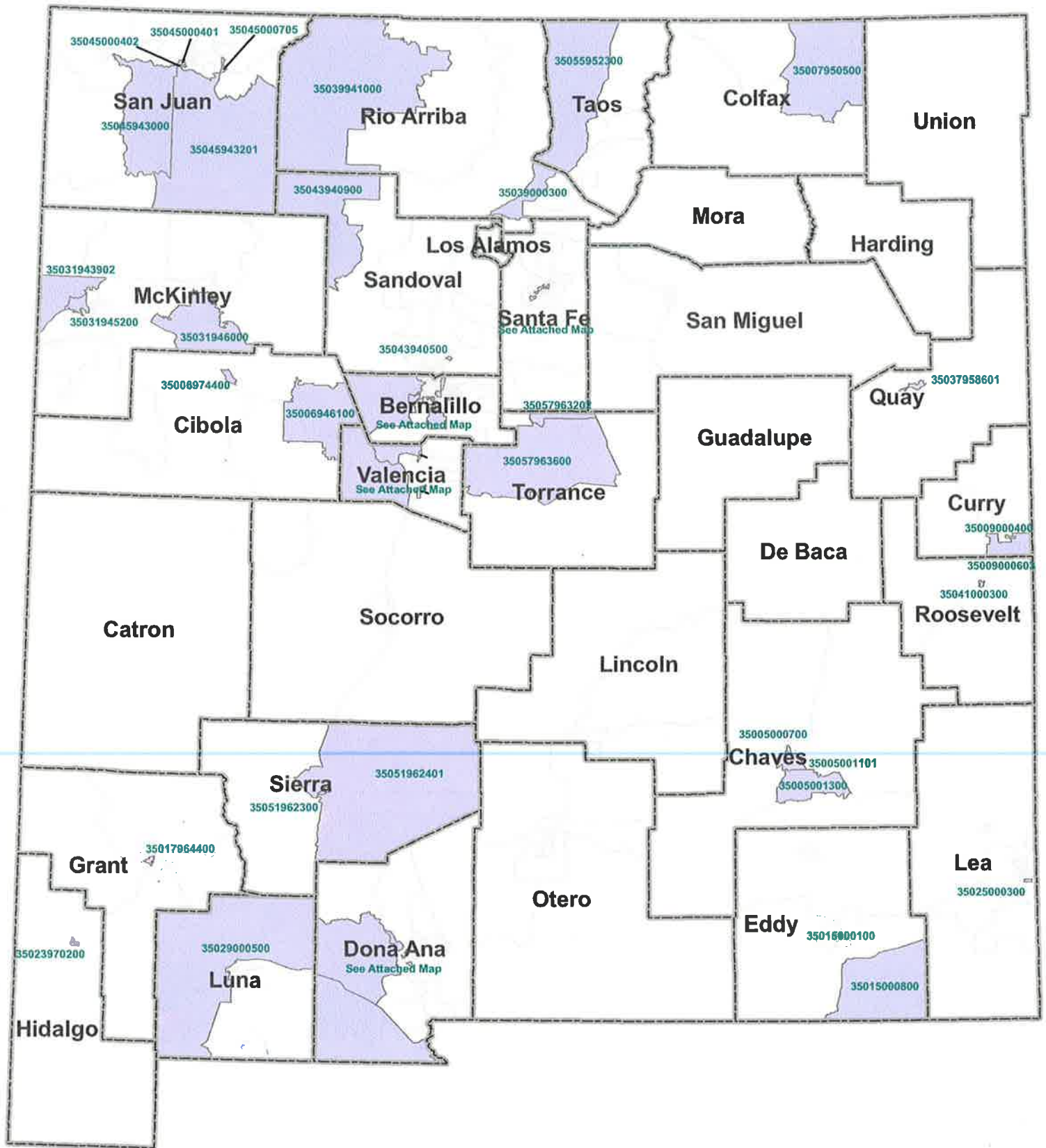
We typically work on a two-year annual retainer basis, paid monthly in advance. However, as we told Mr. McSherry, we can be flexible and begin with a one-year agreement.

Our fees for this kind of work range from \$6,000/mo. to \$7,500/mo. Based on our call and the anticipated work involved, we've estimated that our work for Luna County would be in the range of \$6,500/mo. (including all expenses, expect for basic travel expenses when we come to Deming for the RRA). We keep our costs down because we work with public and private non-profits.

Our incentive to provide the taxpayers of Luna County value and results is that we hope for a long-term relationship with the County. Your incentive to keep working with Keller Partners is that you've received funding to address your objectives because of our work together and you want to continue receiving a great ROI. In a nutshell, this has been our successful business plan.

We look forward to hearing about your commissioners meeting and determining next steps.

Thank you!



Interactive Map Available at: <https://www.cdfifund.gov/pages/opportunity-zones.aspx>



# New Mexico Opportunity Zones

## Legend

- County Boundary
- Designated Opportunity Zones
- Census Tracts

**LUNA COUNTY BOARD OF COMMISSIONERS  
RESOLUTION 17-13  
ADMENDMENT TO RESOLUTION 14-39  
CREATING THE LUNA COUNTY COMMUNITY AND ECONOMIC DEVELOPMENT  
ADVISORY COMMITTEE (LCCEDAC)**

**WHEREAS**, the Luna County Board of Commissioners recognizes the need for a strong, diversified regional economy supported by the County of Luna through excellence in providing basic regional services and infrastructure in cooperation with local, state, and federal economic development organizations and the private sector; and

**WHEREAS**, a strong and diversified economy provides a high quality of life for the citizens of Luna County and the region. This, in turn, generates the resources through which local governments provide for the health, safety, and welfare of its citizens. Therefore, as a local government entity, the County of Luna shall promote economic development, along with public health and safety, social services and environmental quality; and

**WHEREAS**, the Luna County Board of Commissioners supports economic development by building capacity within basic regional services that allows for economic growth. These basic regional services include, but are not limited to; law enforcement, courts, jails, roads, comprehensive planning, water conservation planning, environmental conservation, building permitting, public safety, parks, public health, and social services; and

**WHEREAS**, In addition to building capacity within these basic regional services, the Luna County Board of Commissioners desires to participate and cooperate with the private sector and with local, state, and federal economic development organizations in a variety of roles, including, but not limited to facilitation, partnership, leadership, coordination, and support for select non-profit organization initiatives, which would significantly strengthen, expand, or diversify the economy of Luna County and quality of life;

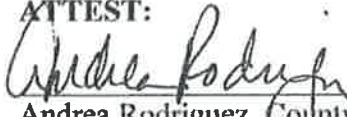
**NOW, THEREFORE, BE IT RESOLVED** that the Luna County Board of Commissioners establishes the Luna County Community and Economic Development Advisory Committee (LCCEDAC) to advise the Luna County Board of County Commissioners on matters related to business, industry, community and economic development. The committee will be a subcommittee under the Deming Luna County Economic Development Board. The committee shall be comprised of seven members appointed by the Board of Commissioners to include a representative from each Commission district, the City of Deming, the Village of Columbus, the Deming Luna County Chamber of Commerce, and Deming Luna County Mainstreet, and



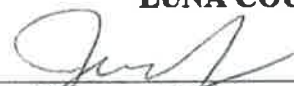
**BE IT FURTHER RESOLVED** that the Luna County Board of Commissioners charges the Luna County Community and Economic Development Advisory Committee (LCCEDAC) with advising the County on initiatives including ; agriculture development, agri-business, infrastructure development, industrial development, renewable energy development, recreation/tourism, and arts and culture.

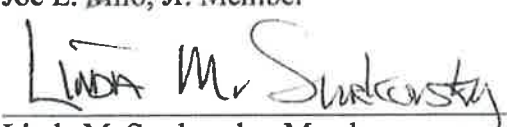
**RESOLVED** by the Luna County Board of Commissioners in regular session, January 12, 2017.

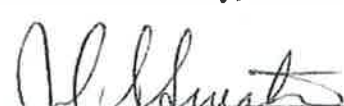
**ATTEST:**

  
Andrea Rodriguez, County Clerk

**LUNA COUNTY**

  
Joe L. Milo, Jr. Member

  
Linda M. Smrkovsky, Member

  
John S. Sweetser, Member



MICHELLE LUJAN GRISHAM  
GOVERNOR

DONNIE J. QUINTANA  
DIRECTOR



OLIVIA PADILLA-JACKSON  
CABINET SECRETARY

STATE OF NEW MEXICO  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
LOCAL GOVERNMENT DIVISION  
Bataan Memorial Building ♦ 407 Gallileo St. ♦ Suite 202 ♦ Santa Fe, NM 87501  
PHONE (505) 827-4950 ♦ FAX (505) 827-4948

August 20, 2019

The Honorable Linda M. Smrkovsky  
Luna County  
700 South Silver Ave.  
P.O. Box 551  
Deming, NM 88031

Dear Commissioner Smrkovsky:

The final budget for your local government entity for Fiscal Year 2019-2020, as approved by your governing body, has been examined and reviewed. The Department of Finance and Administration, Local Government Division (LGD) finds it has been developed in accordance with applicable statutes and budgeting guidelines, and sufficient resources appear to be available to cover budgeted expenditures. In addition, the *Budget Certification of Local Public Bodies* rule, 2.2.3 NMAC, requires that your entity's audit or "Agreed Upon Procedures" (per the *Tier System Reporting* rule, 2.2.2.16 NMAC) for Fiscal Year 2018 should have been submitted to the Office of the State Auditor as of this time. The LGD's information indicates that you are in compliance with this requirement. Therefore, in accordance with Section 6-6-2E NMSA 1978, the LGD certifies your entity's final Fiscal Year 2019-2020 budget.

Please take note that state statute requires all revenue sources be expended only for public purposes, and if applicable, in accordance with the Procurement Code, Chapter 13, Article 1, NMSA 1978. Use of public revenue is governed by Article 9, Section 14 of the Constitution of the State of New Mexico, commonly referred to as the anti-donation clause.

Budgets approved by the LGD are required to be made a part of the minutes of your governing body according to Section 6-6-5 NMSA 1978. In addition, Section 6-6-6 NMSA 1978 provides that the approved budget is binding on local officials and governing authorities; and any official or governing authority approving claims or paying warrants in excess of the approved budget or available funds will be liable for the excess amounts.

**Due to estimated expenditures and transfers exceeding estimated revenue, your entity's General Fund cash balance is being depleted. Careful control of expenditures and attention to revenue collection efforts is recommended to avoid further depletion of reserves.]**

Finally, as required by Section 6-6-2H NMSA 1978, LGD is required to approve all budget increases and transfers between funds not included in the final approved budget via submission on the Local Government Budget Management System (LGBMS).

If you have questions regarding this matter, please call Erica Cummings of my staff at 505-827-4127.

Sincerely,

A handwritten signature in black ink, appearing to read "Donnie J. Quintana", followed by a horizontal line.

Donnie J. Quintana, Director  
Local Government Division

xc: file

**State of New Mexico**  
**Local Government Budget Management System (LGBMS)**

**Budget Recap - Fiscal Year 2019-2020**  
**Luna County - Final - Approved**

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Fund	Cash	Investments	Revenues	Transfers	Expenditures	Balance	Reserves	Adjusted Balance
11000 General Operating Fund	9,048,633.00	6,345,396.00	10,706,205.00	-52,200.00	11,630,405.00	14,417,629.00	2,907,601.25	11,510,027.75
20300 County Property Valuation	664,613.00	0.00	127,500.00	0.00	233,336.00	558,777.00	0.00	558,777.00
20400 County Road	2,132,017.00	0.00	2,365,496.00	0.00	3,217,011.00	1,280,502.00	268,084.25	1,012,417.75
20600 Emergency Medical Services	555,093.00	0.00	345,000.00	0.00	435,834.00	464,259.00	0.00	464,259.00
20800 Farm & Range	29,372.00	0.00	33,200.00	0.00	45,500.00	17,072.00	0.00	17,072.00
20900 Fire Protection	242,541.00	0.00	93,541.00	0.00	336,082.00	0.00	0.00	0.00
21100 Law Enforcement Protection	9,875.00	0.00	37,400.00	0.00	47,275.00	0.00	0.00	0.00
21700 Recreation	143.00	0.00	0.00	0.00	0.00	143.00	0.00	143.00
21800 Intergovernmental Grants	503,969.00	0.00	3,948,495.00	104,200.00	3,627,878.00	928,786.00	0.00	928,786.00
22000 Indigent Fund	1,054,897.00	0.00	1,232,500.00	0.00	1,406,073.00	881,324.00	0.00	881,324.00
22100 Hospital Gross Receipts Tax	0.00	5,966,472.00	100,000.00	0.00	0.00	6,066,472.00	0.00	6,066,472.00
22200 County Fire Gross Receipts Tax	293,018.00	0.00	150,000.00	0.00	125,000.00	318,018.00	0.00	318,018.00
22300 DWI Fund	115,503.00	0.00	266,819.00	0.00	273,437.00	108,885.00	0.00	108,885.00
22500 Clerks Recording & Filing Fund	163,435.00	0.00	30,000.00	0.00	32,210.00	161,225.00	0.00	161,225.00
22600 Jail - Detention	1,484,673.00	0.00	7,383,142.00	-52,000.00	7,627,510.00	1,188,305.00	0.00	1,188,305.00
29900 Other Special Revenue	1,578,181.00	0.00	481,750.00	0.00	625,991.00	1,433,940.00	0.00	1,433,940.00
30100 Bond Proceeds Project	290,136.00	0.00	0.00	0.00	105,998.00	184,138.00	0.00	184,138.00
39900 Other Capital Projects	872,513.00	0.00	7,500.00	0.00	519,000.00	361,013.00	0.00	361,013.00
40200 GRT Revenue Bond Debt Service	5,564,122.00	0.00	2,335,000.00	0.00	1,482,995.00	6,416,127.00	0.00	6,416,127.00

<b>59900 Other Enterprise</b>	862,145.00	0.00	1,671,600.00	0.00	1,875,980.00	657,765.00	0.00	657,765.00
<b>70200 Property Taxes Held for Others</b>	245,552.00	0.00	6,644,830.00	0.00	6,644,830.00	245,552.00	0.00	245,552.00
<b>79900 Other Trust &amp; Agency</b>	170,319.00	0.00	400,000.00	0.00	404,284.00	166,035.00	0.00	166,035.00
<b>Totals</b>	<b>25,880,750.00</b>	<b>12,311,868.00</b>	<b>38,359,978.00</b>	<b>0.00</b>	<b>40,696,629.00</b>	<b>35,855,967.00</b>	<b>3,175,685.50</b>	<b>32,680,281.50</b>