

**LUNA COUNTY
BOARD OF COUNTY COMMISSIONERS**

Linda M. Smrkovsky
Chair

Barbara L. Reedy
Member

John S. Sweetser
Member

**Wednesday, April 27, 2022
10:00 a.m.
Agenda
Regular Meeting
Luna County Courthouse**

Meeting ID: meet.google.com/wcm-iczv-vnr To dial in: 414-909-4972 PIN: 939 182 389#

1. **Call to Order:** Chair Linda 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. Regular meeting- March 10, 2022

MOTION AND VOTE

5. **Service Awards/ Retirement:**

● Robert Apodaca	LCDC	10 Years
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6. **Presentations:**

- Presentation from the National Weather Services by Jason Laney
- Quarterly Restrictive Housing Unit Presentation by Lee Cook

7. **Elected Officials' Report:**

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

8. County Manager's Report:

9. Indigent Claims Report:

- a. Recess as County Commission Convene as Claims Board

MOTION AND VOTE

- b. Presentation of Claims Report by Joanne Hethcox
c. Consider Claims dated April 27, 2022 \$27,732.47

MOTION AND VOTE

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

MOTION AND VOTE

10. Community Support Reports:

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

12. Public Hearing:

- a. Ordinance 111: Addressing the Naming of County Owned Property

PUBLIC HEARING

MOTION AND ROLL CALL VOTE

13. Consent Agenda:

- a. Accounts Payable:\$1,124,956.88
b. Payroll: \$1,150,783.47
c. Oath of Office for Manuel Mendez; Deputy Sheriff
d. Oath of Office for Juan Ochoa ; Deputy Sheriff
e. Oath of Office for Raymond Lazos; Deputy Sheriff
f. Oath of Office for Chris Rodriguez; Deputy Sheriff

MOTION AND ROLL CALL VOTE

14. Old Business:

- a. Resolution 22-24: Luna County's Predator Control Program

MOTION AND ROLL CALL VOTE

15. New Business:

- a. Resolution 22-25: Budget Increases
MOTION AND ROLL CALL VOTE
- b. Resolution 22-26: Budget Transfers
MOTION AND ROLL CALL VOTE
- c. Resolution 22-27: A Resolution Confirming Luna County to Participate in the NMDOT Project Fund Call for Projects (Survey and Design of Camino Doce)
MOTION AND ROLL CALL VOTE
- d. Resolution 22-28: A Resolution Confirming Luna County to Participate in the NMDOT Project Fund Call for Projects (Planning and Design of North Boundary Street)
MOTION AND ROLL CALL VOTE
- e. Resolution 22-29: A Resolution Confirming Luna County to Participate in the NMDOT Project Fund Call for Projects (International Industrial Park Gateway Phase II)
MOTION AND ROLL CALL VOTE
- f. Resolution 22-30: Appointing Members of the Luna County Protest Board
MOTION AND ROLL CALL VOTE
- g. Resolution 22-31: A Resolution in Support of Deming Soil and Water Conservation District Letter Opposing the Removal of the Five Earthen Dams in Starvation Draw
MOTION AND ROLL CALL VOTE
- h. Amendment to the Collective Bargaining Agreement for LCSO- AFSCME#1764
MOTION AND ROLL CALL VOTE
- i. Proclamation 22-04: May is Motorcycle Awareness Month
MOTION AND ROLL CALL VOTE
- j. Proclamation 22-05: Local Great American Clean-Up
MOTION AND ROLL CALL VOTE
- k. Luna County Comprehensive Plan
MOTION AND ROLL CALL VOTE

16. Executive Session:

Executive session pursuant to Section 10-15-1H(2) NMSA1978 limited personnel pertaining to the county manager's contract and Section 10-15-1(H)(8) for the purpose of discussing the potential purchase, acquisition and disposal of certain parcels of real property.

MOTION AND ROLL CALL VOTE

17. Executive Session Action/ No Action Taken:

MOTION AND ROLL CALL VOTE

18. Upcoming Meetings/ Events (unless otherwise specified):

Regular Meeting: May 12, 2022

19. Adjourn:

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, April 14, 2022**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, April 14, 2022, in the 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 commission meeting was also conducted via teleconference and webcasting.

The following staff and elected officials were present: County Manager Chris Brice, Assistant to the County Manager Yossie Nieblas, Administrative Assistant Priscilla Nevarez-Dominguez, IT Technician Nathan Ortberg, Probate Judge Diana May-Diaz, Clerk Berenda McWright, Chief Deputy Clerk Leslie Nabours, Deputy Clerk Pilar Salcido, Treasurer Kristie Hobbs, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Sheriff Kelley Gannaway, Captain Michael Brown, Executive Secretary Estella Ortiz, Detention Director Lee Cook, Detention Deputy Director Pablo Montoya, Road Department Director David Bailey, Program Manager Edith Vazquez, Code Compliance Supervisor Frankie Tarazon, Code Compliance Manny Armendariz, Community Development Liaison Mary Mackey, County Attorney Charles Kretek, Community Development Director Premal Patel, and Budget & Procurement Director Joanne Hethcox. Other directors and elected officials were present virtually.

CALL TO ORDER: Chair Smrkovsky called the meeting to order at 10:00 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. Commissioner Sweetser moved to approve the agenda as submitted. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

MINUTES: Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes for the Regular Meeting of March 10, 2022, was unanimously approved.

SERVICE AWARDS:

PRESENTATIONS:

PRESENTATIONS:

- Luna County's 2020-2021 Fiscal Audit by Robert Gonzales: Mr. Gonzales gave his report including the 2020-2021 fiscal audit virtually. The audit is a requirement of the Office of the State Auditor.
- Luna County Veterans Assistance Center by Alvina Meyers: Ms. Meyers gave an extensive presentation on the activities and responsibilities of the Veterans Assistance Center.
- Strengthening Families Program for Luna and Hidalgo Counties by Desa Malina JJCS: Ms. Malina gave an extensive presentation about many county programs provided to local families.

ELECTED OFFICIALS REPORTS:

Assessor Michelle Holguin reported that the rendering period for livestock, personal property, and manufactured homes ended on February 28th. Anything rendered now for livestock and personal property will be assessed at a 5% penalty. Those that did not render their manufactured homes have been assessed a 5% penalty. The rendering period for signing up for exemptions and limitation freeze is until May 2, 2022. These exemptions include family, head of household, standard veterans, 100% disabled veterans, 65 and older, disabled limitation freezes, and other exemptions have until May 2nd. The County Service Specialists are busy processing exemptions, livestock, personal property as well as processing their daily work. Online services are up and running. The Appraisal staff are busy doing final calculations and all changes for 2022 to close out the books and getting ready to mail out Notice of Values. It is very important to review the Notice of Values. You have 30 days from the day they are sent out to inform them of any issues. Once the tax bills are sent out it is too late for them to address any issues as they have already at that point given all values to the Property Tax Division. They will be using a new vendor for the Notice of Values this year. This vendor will allow you to create an online account and have the notices e-mailed possibly as early as next year and keep a yearly archive of the notices of values for your records at home. An insert will also be included explaining how to read the Notices of values. The Notice of Values has been approved by the Property Tax Division. They will be sent to the printers by March 15th and be ready for mailing on April 1st. The GIS 911 Rural Addressing Flood Plain Department is busy processing deeds, reviewing, and signing off on flood plain inquiries for the County and the City of Deming. They are also processing parcel data inquiries, issuing new addresses for the County, and processing address designation letters. They continue to work on city limit subdivisions on the GIS maps, scanning subdivision maps into the system, and checking survey descriptions for claims of exemptions. They are in the process of working on evaluation for the Property Tax Division and working on the budget for the year 2023.

Probate Judge Diana May-Diaz reported for herself and for the County Clerk Berenda McWright. Judge Diaz reported the candidate filing was held on Tuesday, March 8, 2022. The following have declared their candidacies:

- State Representative District 32: Candie Sweetser, and Jenifer Marie Jones
- Magistrate Judge: Edna M. Reyes, and J. Scott Chandler

- County Commissioner District 1: David X. McSherry, Ray J. Trejo, and Barbara Reedy
- County Commissioner District 2: Rebecca Lescombes, Premal Ramesh Patel, and Collette M. Chandler
- Sheriff: Kelly D. Gannaway, and Mike Eby
- Assessor: Michelle Martinez-Holguin
- Probate Judge: Diana Diaz

Judge Diaz reported 16 opened probates last month and 5 were closed. Closed probates can be from years past or even months. There were 12 marriage licenses issued, and 7 marriages were performed. Judge Diaz stated she is thankful for the security guard in the front of the courthouse. They had some issues where a within-age couple wanted to get married, the parents did not agree and they aired their differences in the hallway before they took it out to the parking lot and there were some arrests made. Probate training will have 17 new Judges and she has accepted the position of Secretary for the Probate Affiliate. Mandatory Probate training is still on zoom.

Sheriff Kelly Gannaway gave the monthly activity reports for February. There were not any homicides or rapes to report. Assaults are down, burglaries are down, and larcenies are up from six to eleven. Vehicle theft is way down, we did not have any arsons or robberies to report. Overall totals for criminals are down. Non-Criminal paper service is down, accidents are up, DWIs are one for the month, overall totals for non-criminals are down but the grand totals for both criminal and non-criminal are down. Sheriff Gannaway stated they swore in four new Deputies yesterday, Manuel Mendez, Chris Rodriguez, Juan Ochoa, and Raymond Lazos. Out of those four Deputies, he has one certified the three others will go to training soon. They have one more opening for a Deputy and are currently in the process of hiring for that position. They also have a Corporal position to be filled. They have new units outfitted but for some reason, they cannot get radios. They have been asked to provide old radios until the new ones come in.

Chair Smrkovsky reported that the NM Legislature has not met recently.

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

- Dispatch: Dispatch had a total of 6,313/911 calls and 191 warrants issued. They are very close to securing a contract for the new CAD system which should be happening in the next few months. They will be going off of the State system in the next 5-6 months.
- LCDC: A total of 435 people were booked and 150 were released. The average daily population was 397 with 269 Marshalls. They were able to get three inmates out to help clean up at the Petro a couple of weekends ago. They were able to get 377 bags of trash and made a slight dent in that area. 4H was also out there helping with the cleanup. He is hoping to get inmates out more to help. The Governor mentioned that the State prisons are going back on to getting inmates out to clean up.
- Road Department: A total of 1,780 tires were received and 140 total miles bladed. They did get the roll-off truck ordered. They have had that Capital Outlay for \$250,000 for a year and a half and finally got someone who has a roll-off truck that they can get to us much like Kelly's problems on vehicles same with the big trucks. We will then have a third roll-off truck so

when one breaks down we will always have two trucks in operation. David and the group out at the Road department increased the allowable spending on tires from \$15,000 to \$50,000 they came out and inspected to see how many we actually do and are within limits. Colonias awards will be announced on March 30th. He does not see any reason why they will not be selected for the grants they applied for. They are working on the LGRF projects which include McCan, Solana, four miles of Lucca, and Dona Ana. The Road Department has been instrumental in these cleanups in the County, they do a fantastic job anytime you need them they are out there. We have some huge areas that require cleaning up like the Ben Archer area. They are working with Wilson Company on the TPF project. They received funding in the amount of \$5.2 million for Columbus Industrial Park to pave the roads off of Hwy 11 and into the Industrial Park. The Water Trust Board and the \$2.5 million that goes from the Water Trust Board towards the berm project were resolved.

- Budget and Procurement: April is National Procurement Month. Mr. Brice read the proclamation given to Luna County from the Governor. Matthew Berry is the new employee helping out Joanne.
- Human Resources: Matthew Berry was hired as Procurement Specialist. Mayra Hernandez was hired as County Services Specialist. Jose Espinoza and Arturo Barraza were hired as truck drivers. Britney Valdez was hired as an SRO. Macario Hernandez was brought back as a Detention Officer. Opened positions include Starmax Cook, Assistant Manager, Part-time Bartender, Detention Officer, Dispatcher, and Domestic Violence Offender Treatment for the Healing House. They are obtaining quotes for the salary plan.
- Starmax: They finally got the sprinkler guys out there and they have pretty much wrapped up what they needed as far as the sprinklers. They still have some air-conditioning work to be done. The purchase order for the theatre is going out very soon for carpet and drapes.
- Planning: They continue to work on the Land Use Ordinance. They are working on potential purchases and getting appraisals for different buildings whether they are selling them or buying them.
- Emergency Management: Emergency Manager Phillip Rodriguez continues to monitor the spread of Covid-19. They have distributed 5,300 at-home test kits. They will not be getting any more. Currently have 97.8% of the population with at least one Covid shot and 84.3% are fully vaccinated. The Mass Notification is being launched now, sign up via the county website. They did activate the EOC due to the severe dust storms.
- Safety: Joann Moorman is working on the panic and burglar alarms.
- Luna County Fire: They received 16 fire calls and assisted the City Fire Department with the Jack Key fire. They were the first responders at the Familia Bakery fire and they have responded and assisted the Village of Columbus with their structure fires.
- Community Health and Well Being:
 - DWI: There were four DWI arrests and they are tracking 84 misdemeanor DWI offenders. They have 11 offenders in the out-patient treatment.
 - Healing House: Teen dating violence brochures were made and distributed around schools and juvenile programs. Panda's, Sweet N' Spicy, Gabe's Fitness, Cut Loose Beauty, KFC, MC Hair Studio, and Paparazzi Jewelry donated certificates for the art

contest. They held a free self-defense class a total of 20 kids participated. 4-H Club, Capital Power, Chaberton, Little Ceasar, amongst others have made generous donations. Captain Townsend held a de-escalation class for the Healing House staff.

- Health Council: They have been talking about a support group for COVID Long-Haulers. Long Haulers are individuals that are suffering from long-term effects associated with COVID. They have contracted two community health workers to educate the community about local resources and disseminate health information. There is a Health Fair scheduled for April 2, 2022, they will be handing out free medication lock boxes.
- CASA: Serving 38 kids in Luna, Hidalgo, and Grant Counties.
- JJCS: Desa spoke about her programs they do some good things.
- IT had a total of 954 work orders completed. There were 1,049 viruses, Trojans, and ransomware stopped. There were 6,417 emails caught on the spam filter many lately have been Russian attempts.
- Maintenance: They have been doing a lot of work at Courthouse Park. They have re-trimmed the trees and brought in fillers for the low spots where they typically turned into mud puddles.

Mr. Brice stated all requested for Capital Outlay have made it through the Governor's signature process, they are in really good shape for this coming year's projects. Mr. Brice received a call from the Senators office regarding the \$1 million requested to build an Emergency Operations Center. It looks like they may get approval tomorrow.

INDIGENT CLAIMS REPORT: Upon a motion by Commissioner Reedy and a second by Commissioner Smrkovsky, the meeting of the Board of County Commissioners was unanimously recessed and the meeting of the Indigent Hospital Claims Board convened.

Budget and Procurement Director Joanne Hethcox reported one claim for the month of February for a total of \$90.00. The money received for the Month of February was \$85,975.30 and the balance for the Indigent Claims Fund was \$1,851,777.51, of that \$330,659.05 is encumbered. Chair Smrkovsky stated they plan on using those funds for other programs. Commissioner Sweetser motioned to approve the Indigent Claims Report as presented. Commissioner Reedy seconded the motion which carried unanimously.

Commissioner Reedy motioned to recess as a Claims Board and reconvene as a County Commission. Commissioner Sweetser seconded the motion which carried unanimously.

COMMUNITY SUPPORT REPORT: Deming Luna County Mainstreet Executive Director Chelsea Evans and Deming-Luna County Chamber of Commerce Executive Director Debbie Troyer reported on upcoming events. Economic Development & Community Director Christie Ann Harvey reported on upcoming economic development events. Community Development Liaison Mary Mackey reported on upcoming community events.

PUBLIC COMMENT: Chair Smrkovsky opened the floor to public comment. Several members of the public went before the board and provided comments.

PUBLIC HEARING:

CALL FOR ORDINANCE:

- a. Resolution 22-11: Call to Adopt Ordinance 109: Authorizing Issuance of its GRT Revenue Bonds Series 2022A – Taxable and Series 2022B for the Judicial-Correctional or County Correctional Facility. Mark Valenzuela from Market Volatility stated that this item is the actual vote on the ordinances. These transactions are very sensitive to the interest-rates. Today we are seeing the three-year treasury is at 1.9% and the ten-year treasury is at 2%. There is only one-tenth of a percent between. For these transactions to work they have to produce at least 3% net present value savings to the County. We are bringing these to you so that you may be prepared to act on those interest rates if they develop, they are currently moving in that direction so that's a positive thing. The negative thing is two days ago the rates were a quarter percent lower. The Federal Government will make its announcement on interest rate rising next week, we are expecting a quarter percent higher. Chair Smrkovsky opened the floor to public comment. Colette Chandler voiced her concerns to the board. County Manager Chris Brice responded to Ms. Chandler's concerns. Commissioner Reedy motioned to approve Resolution 22-11: Call to Adopt Ordinance 109: Authorizing Issuance of its GRT Revenue Bonds Series 2022A – Taxable and Series 2022B for the Judicial-Correctional or County Correctional Facility. The motion was seconded by Commissioner Sweetser which carried unanimously following a roll call vote.
- b. Resolution 22-12: Call to adopt Ordinance 110: Authorizing Issuance of its Taxable Refunding Capital Outlay GRT Revenue Bonds for Refunding, Refinancing, and Defeasing a portion or all of its Outstanding Taxable Capital Outlay GRT (Starmax). Mark Valenzuela from Market Volatility explained this item will only be recommended if there is at least a 3% savings. Chair Smrkovsky opened the floor to public comment on this item. No public was forthcoming. Commissioner Sweetser motioned to approve Resolution 22-12: Call to adopt Ordinance 110: Authorizing Issuance of its Taxable Refunding Capital Outlay GRT Revenue Bonds for Refunding, Refinancing, and Defeasing a portion or all of its Outstanding Taxable Capital Outlay GRT (Starmax). The motion was seconded by Commissioner Reedy which carried unanimously following a roll call vote.

CALL FOR ORDINANCE:

- a. Resolution 22-20: Call to Adopt Ordinance 111: Addressing the Naming of County Owned Property. County Attorney Charles Kretek explained this item is at the request of Commissioner Reedy. Mr. Kretek explained that we currently do not have a policy or any written guidelines on how to name a County building. This resolution will be the policy to address that. Commissioner Reedy explained she is interested in renaming a building in Deming. Chair Smrkovsky motioned to approve Resolution 22-20: Call to Adopt Ordinance 111: Addressing the Naming of County Owned Property. The motion was seconded by Commissioner Reedy which carried unanimously following a roll call vote.

CONSENT AGENDA: Upon a motion from Commissioner Sweetser, and a second by Commissioner Reedy the Consent Agenda was approved unanimously following a roll call vote.

- a. Accounts Payable: \$1,842,292.18
- b. Payroll: \$1,141,563.10
- c. Oath of Office for Britney Valdez; Deputy Sheriff

NEW BUSINESS:

- a. **Resolution 22-21: Budget Increase:** Budget & Procurement Director Joanne Hethcox explained the seven budget increases and or decreases in detail. Commissioner Reedy motioned to approve Resolution 22-21: Budget Increase. The motion was seconded by Commissioner Sweetser and was approved unanimously following a roll call vote.
- b. **Resolution 22-22 Budget Transfers:** Ms. Hethcox explained there are six budget transfers this month. Commissioner Reedy motioned to approve Resolution 22-22: Budget Transfers: The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.
- c. **Resolution 22-23: Acceptance and Approval of Luna County's Fiscal Audit 2020-2021:** Commissioner Reedy motioned to approve Resolution 22-23: Acceptance and Approval of Luna County's; Fiscal Audit 2020-2021. The motion was seconded by Commissioner Sweetser and was approved unanimously following a roll call vote.
- d. **Luna County 2022 Annual Certified Maintained Mileage Report:** Road Department Director David Bailey explained there is a total of 18,286 miles maintained. Chair Smrkovsky stated in the past they would visit the areas being added or deleted from the report. She would like to get back to going out and seeing the changes. Mr. Bailey stated there are no changes at this time. Commissioner Reedy motioned to approve Luna County 2022 Annual Certified Maintained Mileage Report. The motion was seconded by Commissioner Sweetser and was approved unanimously following a roll call vote.
- e. **Resolution 22-24; Luna County's Predator Control Program:** County Manager Chris Brice recommended that this item be tabled at this time. They need to do petitions and get members to sit on the predator control board. Chair Smrkovsky tabled the item.
- f. **Proclamation 22-02: Proclaiming April as Child Abuse Awareness Month:** Commissioner Sweetser motioned to approve Proclamation 22-02: Proclaiming April as Child Abuse Awareness Month. The motion was seconded by Commissioner Reedy and was approved following a vote.
- g. **Proclamation 22-03: Proclaiming April as Fair Housing Month:** Commissioner Reedy motion to approve Proclamation 22-03: Proclaiming April as Fair Housing Month. The motion was seconded by Commissioner Sweetser and was approved following a vote.

Executive Session is pursuant to Section 10-15-1H (7) NMSA 1978-relating to threatened and pending litigation and subject to the attorney-client privilege (Opioid class action; Ruiz; Schmal; Hollister; Thomas; Aguirre; Punchall; Valencia; Rodriguez; Purvis; and Mendoza-Munoz); pursuant to Section 10-15H(5) for discussion of preliminary strategy to collective

bargaining negotiations; and pursuant to Section 10-15-1H(2) limited personnel matters regarding the County Manager's contract. Commissioner Reedy motioned to go into Executive Session pursuant to Section 10-15-1H (7) NMSA 1978 relating to threatened and pending litigation and subject to the attorney-client privilege (Opioid class action; Ruiz; Schmal; Hollister; Thomas; Aguirre; Punchall; Valencia; Rodriguez; Purvis; and Mendoza-Munoz); pursuant to Section 10-15H(5) for discussion of preliminary strategy to collective bargaining negotiations; and pursuant to Section 10-15-1H(2) limited personnel matters regarding the County Manager's contract. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

The Commissioners went into Executive Session at 12:16 p.m. and returned from Executive Session at 2:15 p.m.

Commissioner Reedy moved to return from Executive Session is pursuant to Section 10-15-1H (7) NMSA 1978-relating to threatened and pending litigation and subject to the attorney-client privilege (Opioid class action; Ruiz; Schmal; Hollister; Thomas; Aguirre; Punchall; Valencia; Rodriguez; Purvis; and Mendoza-Munoz); pursuant to Section 10-15H(5) for discussion of preliminary strategy to collective bargaining negotiations; and pursuant to Section 10-15-1H(2) limited personnel matters regarding the County Manager's contract-where no other matters were discussed and no action was taken. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

UPCOMING MEETINGS: Chair Smrkovsky announced the following upcoming meetings:

Regular Commission Meeting – April 14, 2022 @ 10 a.m.

County Offices Closed for Good Friday: April 15, 2022

Day of the Young Child Event: April 22, 2022, at 9:00 a.m. Veterans Park

ADJOURN: The meeting was adjourned by Chair Smrkovsky at 2:17 p.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

BERENDA MCWRIGHT, LUNA COUNTY CLERK

BARBARA L. REEDY, DISTRICT 1

APPROVED: _____

CHAIR, LINDA M. SMRKOVSKY, DISTRICT 2

JOHN S. SWEETSER, DISTRICT 3



Lee Cook
Detention Director

Pablo Montoya
Deputy Director

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

April 01, 2022

To: Director Lee Cook

From: Wendy Arreola SMU Sergeant

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

This report is being submitted in accordance with HB 364, New Mexico Restricted Housing Act reporting requirements. During the period of January 1, 2022 thru April 01, 2022 Luna County Detention Center had 6 detainees who met the reporting requirements under this act. Please see attached report.

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

- 1. A 35-year-old female. Detainee tested positive for Covid-19. It was determined by medical personnel that detainee could be excused from recreation due to detainee experiencing bad Covid-19 symptoms.**
- 2. A 43-year-old male. Detainee tested positive for Covid-19. During the same time detainee was placed on suicide watch.**
- 3. A 50 year- old male. Detainee was out of his cell for recreation but did not received 2.0 hours or more for recreation.**
- 4. A 50 year- old male. Detainee was out of his cell for recreation but did not received 2.0 hours or more for recreation.**
- 5. A 50 year- old male. Detainee was out of his cell for recreation but did not received 2.0 hours or more for recreation.**
- 6. A 46-year-old female. Detainee was Covid-19 positive and not feeling well. Detainee Refused recreation due to having bad Covid-19 symptoms.**

Indigent Hospital Claims Office

Chris A. Brice, County Manager

IHC Board Meeting April 27, 2022

Month	Number	Amount	Number	Denied
January	4	\$21,248.76	0	\$0.00
Feburary	1	\$90.00		
March	14	\$27,732.47		
April				
May				
June				
July				
August				
September				
October				
November				
December				
Total	19	\$49,071.23	0	\$0.00
This Month's Total	Mimbres Memorial Hospital			\$16,995.73
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			\$1,221.00
This Month's Total	All Other Services			\$9,515.74
Total				\$27,732.47
Year to Date Total	Mimbres Memorial Hospital			\$21,338.76
Year to Date Total	All Other Hospitals			
Year to Date Total	Deming Fire Dept./EMS			
Year to Date Total	All Other Services			
Total				\$21,338.76
Care of Prisoners This Month - Not including SNCP Funds				\$132,488.89
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$401,594.53
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$20,505.97
Care of Prisoners Year to Date Dr. Bills				\$0.00
Total Cost of Care of Prisoners Year to Date				\$422,100.50
Monies Received - March 2022				\$74,057.75
Balance in IHC Fund as of March 31, 2022				\$1,821,471.07
Encumbrances as of March 31, 2022				\$358,595.66
		Date	Amount Approved	Amount Denied
	Signatures	4/27/2022	\$27,732.47	
Barbara L. Reedy				
Linda M. Smrkovsky				
John S. Sweetser				

[illegible]

ORDINANCE 111

AN ORDINANCE ADDRESSING THE NAMING OF COUNTY OWNED PROPERTY

WHEREAS, the County of Luna (the "County") acting through its Board of County Commissioners, is a political subdivision duly organized and existing under the laws of the State of New Mexico;

WHEREAS, pursuant to Section 4-37-1, NMSA 1978, the Board of County Commissioners of Luna County are empowered to enact regulations which provide for the safety, preserve the health, promote the prosperity and improve the order, comfort and convenience of the citizens of Luna County;

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

WHEREAS, the Board of County Commissioners has the power at any session to make such orders concerning the property belonging to the County as they may deem expedient; and

WHEREAS, the Board of County Commissioners desires to establish an equitable procedure governing the naming on County buildings, facilities and property.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS ON BEHALF OF THE PEOPLE OF LUNA COUNTY, NEW MEXICO:

SECTION 1 PURPOSE AND APPLICABILITY

1.1 This Ordinance shall apply to the consideration of conferring a specific name to any county owned or operated building, facility or property, excluding streets and roads.

1.2 This Ordinance shall also apply to when preparing an official comment or recommendation of Luna County to other entities, public or private. This includes contemplating the naming or dedication of buildings, facilities or property owned or operated by an entity other than Luna County.

1.3 "County Owned Property" included within the scope of this Ordinance includes:

1.3.1 Buildings and structures, including overpasses and bridges;

1.3.2 Real property, including open spaces, parks and undeveloped or raw land.

1.4 This Ordinance shall not apply to historically registered properties for which a name has been indicated on a nomination form or accepted for use on any historic register.

1.5 This Ordinance shall not apply to public art installations that have been commissioned and/or accessioned with a title that serves as the name of the artwork.

SECTION 2 INITIAL PROCEDURE FOR NAMING REQUESTS

2.1 Requests to name or rename County Owned Property must be in writing and submitted to the Luna County Clerk for consideration by the Board of County Commissioners of Luna County.

2.2 Any Luna County resident, property owner, business operator or elected official representing any part of Luna County may submit a request to name or rename County Owned Property.

- 2.3** Requests shall include:
- 2.3.1 Map illustrating the property that is the subject of the request;
 - 2.3.2 The name of any existing place, street, facility or property affected by the request or similar in name;
 - 2.3.3 Any common usage names, nicknames for the subject property, as well as any nearby topographical, geological or archaeological landmarks;
 - 2.3.4 An overview of any public outreach or support for the request;
 - 2.3.5 A statement explaining the reason or basis for the request and historic, cultural, community or other significance of the request;
 - 2.3.6 Statements of support or endorsement of the request;
 - 2.3.7 An overview of any opposition or criticism of the request;
 - 2.3.8 A description of any plans, promotions, advertising, signage, markers, plaques, etc anticipated or planned by the sponsor of the request.
- 2.4** Upon receipt, the Luna County Clerk will deliver the request to the Board of County Commissioners at the County Manager's Office.
- 2.5** Within thirty (30) days of delivery, the County Manager, or designee, will review the request for completeness and notify the sponsor:
- 2.5.1 That the request is complete and has been accepted;
 - 2.5.2 That the request is not complete, listing the deficiencies and has been rejected and returned to the sponsor; or
 - 2.5.3 That additional information is requested regarding the request or its sponsor.
 - 2.5.4 Deficiencies or requests for additional information must be resolved within thirty (30) days or the request will be deemed denied.
- 2.6** Accepted requests will be forwarded to the Luna County Historical Society for review and comment on the historical, cultural or community significance and propriety of the request. The analysis and review shall be submitted to the Board of County Commissioners within sixty (60) days as a non-binding recommendation regarding disposition of the request.

SECTION 3 ACTION ON REQUESTS

- 3.1** After expiration of sixty (60) days from submission to or upon receipt of the non-binding recommendation from the Luna County Historical Society, a public hearing for consideration of the request shall be scheduled before the Board of County Commissioners.
- 3.2** Notice and hearing shall be in substantially the same manner as the approval of ordinances, see Sections 4-37-6 and 7, NMSA 1978.
- 3.3** Prior to or at the public hearing on the request, any Luna County resident, property owner, business operator or elected official representing any part of Luna County may submit a public comment in writing at the County Manager's Office or at the public hearing.
- 3.4** All public comments shall be compiled and made part of the record of the public hearing prior to the vote of the Board of County Commissioners.
- 3.5** After due consideration of the request, recommendation from the Luna County Historical Society and all public comments, the Board of County Commissioners, in its discretion, may vote to accept, reject, modify or remand the recommendation for additional information, comments or other requested action.
- 3.6** Once approved, changes to the name or dedication of any County Owned Property is strongly discouraged and may only be granted when a material and substantial change in circumstances since the approval of the initial request or the discovery of previously unknown adverse information that materially and substantially affects the previously granted approval.

SECTION 4 FACTORS FOR CONSIDERATION OF REQUESTS

When considering the merits of a request to name or rename County Owned Property, the Board of County Commissioners shall consider the following:

- 4.1 Whether the proposed name is a duplication or creates a confusing similarity to existing buildings, facilities, cities or other named landmarks;
- 4.2 For requests to rename or remove an existing name, the existence of a material and substantial change in circumstances since the approval of the initial request or the discovery of previously unknown adverse information that materially and substantially affects the previously granted approval;
- 4.3 For names of individuals, the honoree must have been deceased at least one (1) year prior to the request and contributed outstanding civic service to Luna County resulting in the well-being and betterment of the County and its citizens;
- 4.4 Whether the proposed named is offensive, vulgar, inappropriate or culturally insensitive;
- 4.5 The recommendation of the Luna County Historical Society;
- 4.6 The direct relation or contextual connection of the proposed name to Luna County;
- 4.7 Whether the proposed name is one of common usage or colloquial names attached to the County Owned Property;
- 4.8 Whether the proposed name is based on or related to a distinctive, predominant or defining natural or geological feature of Luna County;
- 4.9 Absent a significant historical basis, proposed names must be secular and/or non-partisan;
- 4.10 Whether the proposed name is associated with a historically significant event in Luna County;
- 4.11 Whether the proposed name reflects broad historical patterns in Luna County history;
- 4.12 Whether the name is associated with the life or lives of persons of historical significance in Luna County, past or present;
- 4.13 Whether the name reflects a distinctive achievement in or connected to Luna County;
- 4.14 Whether the proposed name is connected to an individual or organization significantly facilitated, donated or bought the County Owned Property to be named;
- 4.15 If a portion, room or something less than the entirety of a named property is the subject of the request, whether the proposed name is consistent with the overall name of the property;
- 4.16 Whether the proposed name is part of a larger coordinated and planned effort supported by the community or another political subdivision;
- 4.17 Whether the proposed name is consistent with use or purpose of the subject property;
- 4.18 Whether the proposed name engenders a positive public image and is not unduly divisive or controversial; and
- 4.19 Whether the proposed name is free of religious symbols or connotations, partisan political symbols or connotations and racist or discriminatory symbols or connotations.

APPROVED AND ADOPTED THIS ____ DAY OF _____, 2022.

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

ATTEST:

Linda M. Smrkovsky, Chairperson
Commissioner, District 2

Berenda McWright
County Clerk

Barbara L. Reedy
Commissioner, District 1

John S. Sweetser
Commissioner, District 3

LCBCC Meeting April 14, 2022

Accounts Payable

03/03/2022	\$265642.65
03/03/2022	\$3526.23
03/10/2022	\$285423.38
03/10/2022	\$5035.15
03/22/2022	\$282805.79
03/22/2022	\$7518.97
03/25/2022	\$127374.82
03/25/2022	\$196.06

P-Cards

March 2022	\$147,433.83
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Total \$1,124,956.88

Luna County
Board of County Commissioners



Agenda 04/14/2022

PAYROLL

Date	Register	Amount
3/11/2022	20220013	\$557,240.58
3/11/2022	*20220014	\$28,735.17
3/25/2022	20220015	\$550,844.44
3/25/2022	*20220016	\$13,963.28

Total: \$1,150,783.47

* Special Assignment Pay

APPOINTMENT OF MANUEL MENDEZ

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

This is to certify that I have on this 9 day of March, 2022 A.D. appointed Manuel Mendez as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing him to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 9 DAY OF March, 2022 A.D.



SHERIFF, LUNA COUNTY, NEW MEXICO

OATH OF OFFICE

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

I, Manuel Mendez, having received the above appointment as DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, do solemnly swear that I will support the Constitution of the United States, and also the Constitution of the State of New Mexico, and that I will faithfully, impartially, and to the best of my ability discharge all the duties of said office and appointment.



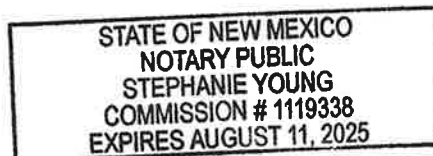
SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO
COUNTY OF LUNA

Subscribed and sworn before me by Kelly Gannaway,
Sheriff and Manuel Mendez, appointee.
This 9 day of March, 2022.



NOTARY



Approved this _____ day of _____ 2022 A.D., by the Board of County Commissioners, Luna County, New Mexico.

CHAIRMAN, BOARD OF LUNA COUNTY COMMISSIONERS

APPOINTMENT OF JUAN OCHOA

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

This is to certify that I have on this 9 day of March, 2022 A.D. appointed Juan Ochoa as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing him to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 9 DAY OF March, 2022 A.D.



SHERIFF, LUNA COUNTY, NEW MEXICO

OATH OF OFFICE

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss


I, Juan Ochoa, having received the above appointment as DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, do solemnly swear that I will support the Constitution of the United States, and also the Constitution of the State of New Mexico, and that I will faithfully, impartially, and to the best of my ability discharge all the duties of said office and appointment.



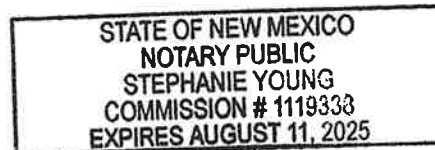
SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO
COUNTY OF LUNA

Subscribed and sworn before me by Kelly Gannaway,
Sheriff and Juan Ochoa, appointee.
This 9 day of March, 2022.



NOTARY



Approved this _____ day of _____ 2022 A.D., by the Board of County Commissioners, Luna County, New Mexico.

CHAIRMAN, BOARD OF LUNA COUNTY COMMISSIONERS

APPOINTMENT OF RAYMOND LAZOS

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

This is to certify that I have on this 9th day of March, 2022 A.D. appointed Raymond Lazos as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing him to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 9 DAY OF March, 2022 A.D.



SHERIFF, LUNA COUNTY, NEW MEXICO

OATH OF OFFICE

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

I, Raymond Lazos, having received the above appointment as DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, do solemnly swear that I will support the Constitution of the United States, and also the Constitution of the State of New Mexico, and that I will faithfully, impartially, and to the best of my ability discharge all the duties of said office and appointment.



SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO
COUNTY OF LUNA

Subscribed and sworn before me by Kelly Gannaway,
Sheriff and Raymond Lazos, appointee.
This 9 day of March, 2022.



NOTARY

STATE OF NEW MEXICO
NOTARY PUBLIC
STEPHANIE YOUNG
COMMISSION # 1119338
EXPIRES AUGUST 11, 2025

Approved this _____ day of _____ 2022 A.D., by the Board of County Commissioners, Luna County, New Mexico.

CHAIRMAN, BOARD OF LUNA COUNTY COMMISSIONERS

APPOINTMENT OF CHRIS RODRIGUEZ

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

This is to certify that I have on this 9 day of March, 2022 A.D. appointed Chris Rodriguez as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing him to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 9 DAY OF March, 2022 A.D.


SHERIFF LUNA COUNTY, NEW MEXICO

OATH OF OFFICE

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

I, Chris Rodriguez, having received the above appointment as DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, do solemnly swear that I will support the Constitution of the United States, and also the Constitution of the State of New Mexico, and that I will faithfully, impartially, and to the best of my ability discharge all the duties of said office and appointment.


SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO
COUNTY OF LUNA

Subscribed and sworn before me by Kelly Gannaway,
Sheriff and Chris Rodriguez, appointee.
This 9 day of March, 2022.


NOTARY

STATE OF NEW MEXICO
NOTARY PUBLIC
STEPHANIE YOUNG
COMMISSION # 1119338
EXPIRES AUGUST 11, 2025

Approved this _____ day of _____ 2022 A.D., by the Board of County Commissioners, Luna County, New Mexico.

CHAIRMAN, BOARD OF LUNA COUNTY COMMISSIONERS

Be it remembered that at a regular meeting of the Luna County Board of Commissioners in Deming, New Mexico on the 27th day of April 2022, the following preceding's were had and entered of record.

Resolution 22-24

County Predator Control Act

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 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.

THEREFORE; BE IT RESOLVED BY THE GOVERNING BODY OF LUNA COUNTY, NEW MEXICO:

1. A County Predator Control Program is established for cattle only within Luna County, New Mexico, to continue for the next period of (5) years.
2. That Joe Johnson, Shady Ward, and Ron Costa 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 1st of each year in which the tax is assessed to exclude those animals from the special assessment.

Approved this _____ Day of _____, 2022.

**Board of County Commissioners
Luna County, State of New Mexico**

Attest:

Linda M. Smrkovsky, Chairperson
Commissioner, District 2

Berenda McWright
County Clerk

Barbra L. Reedy,
Commissioner, District 1

John S. Sweetser,
Commissioner, District 3

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

RESOLUTION NO. 22-25
Proposed Inter/Intra Fund Budget Increases

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

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Luna County hereby adopts the changes to the County's Fiscal Year 110, July 1, 2021 through June 30, 2022 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 27th DAY OF APRIL 2022.

BOARD OF COUNTY
COMMISSIONERS OF LUNA
COUNTY

Barbara L. Reedy, District One

Linda M. Smrkovsky, District Two

ATTEST:

Berenda L. McWright, Luna County Clerk

John S. Sweetser, District Three

Be it remembered that at a Regular meeting of the Board of County Commissioners of Luna County in Deming NM on the 27th day of April, 2022, the following budget adjustments are proposed and entered of record.

SCHEDULE OF BUDGET ADJUSTMENTS				Budget Resolution Number 22-25 Proposed Inter/Intra FUND Budget Increase/Decrease					Entity Code DFA Resolution Number	
ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
One	Increase	401/11000	General Fund - Maintenance	401/11000	\$ 2,500.00	401-03-2087 (NEW) Pavilion Expenses	\$ 2,500.00	To allow for refunds and expenditures for the pavilion through remainder of fiscal year.	\$ -	\$ 2,500.00
Two	Increase	402/20400	Road Department	402/20400	\$ (203,163.34)	402-77-1301 (Revenue) FEMA 1301 Fund	\$ (203,163.34)	Per grant agreement number 2020- 058-COL-001 from NMDHSEM.	\$ -	\$ (203,163.34)
					\$ 270,884.45	402-10-2381 Grant - FEMA	\$ 203,163.34	State portion per grant agreement number 2020-058-COL-001 from NMDHSEM.	\$ -	\$ 203,163.34
						402-10-2205 Special Projects	\$ 67,721.11	Local match per grant agreement number 2020-058-COL-001 from NMDHSEM.	\$ -	\$ 67,721.11
Three	Increase	406/22000	Indigent Care Funds	406/22000	\$ 5,000.00	406-19-2270 Indigent Burials	\$ 5,000.00	To pay for indigent burials through remainder of fiscal year.	\$ 6,000.00	\$ 11,000.00
Four	Increase	415/21800	Community Services - Adult Drug Court	415/21800	\$ (1,500.00)	415-77-1627 City of Deming	\$ (1,500.00)	City of Deming sponsorship of ADC for Oct-Dec 2021	\$ -	\$ (1,500.00)
					\$ 1,500.00	415-72-2020 Supplies	\$ 1,500.00	Allow for spending of City of Deming sponsorship of ADC for Oct- Dec 2021	\$ 43,053.89	\$ 44,553.89
Five	Increase	421/21800	Domestic Violence Shelter	421/21800	\$ (7,000.00)	421-77-1623 CYFD	\$ (7,000.00)	Approved CYFD Funding for therapeutic supplies/activities.	\$ (273,433.00)	\$ (280,433.00)
					\$ 7,000.00	421-00-2020 Supplies	\$ 7,000.00	Allow for spending of approved CYFD Funding for therapeutic supplies/activities.	\$ 32,171.84	\$ 39,171.84
Six	Increase	421/21800	Domestic Violence Shelter	421/21800	\$ (2,000.00)	421-77-1629 (Revenue) Other Revenue Sources	\$ (2,000.00)	Donations received for client emergency needs.	\$ (6,000.00)	\$ (8,000.00)
					\$ 2,000.00	421-00-2020 Supplies	\$ 2,000.00	Allow for spending of donations received for client emergency needs.	\$ 39,171.84	\$ 41,171.84
Seven	Increase	608/79900	LCDC Commissary Fund	608/79900	\$ 200,000.00	608-21-2052 Commissary Fund	\$ 200,000.00	To allow for spending through remainder of fiscal year.	\$ 400,000.00	\$ 600,000.00
Eight	Increase	609/22600	Adult Detention	609/22600	\$ 22,000.00	609-21-2007 Telephone	\$ 20,000.00	To allow for spending through remainder of fiscal year.	\$ 21,200.00	\$ 41,200.00
						609-21-2015 Exterminating Services	\$ 2,000.00	To allow for spending through remainder of fiscal year.	\$ 2,500.00	\$ 4,500.00
Nine	Decrease	610/21800	Drug Investigation - Operation Stonegarden (ODD)	610/21800	\$ 154,849.99	610-77-1423 (Revenue) Operation Stonegarden	\$ 154,849.99	To decrease FY 2019 Operation Stonegarden grant and clear out line items.	\$ (1,263,041.52)	\$ (1,108,191.53)
					\$ (154,849.99)	610-76-2005 Salaries - Overtime	\$ (45,812.38)	To decrease FY 2019 Operation Stonegarden grant and clear out line items.	\$ 45,812.38	\$ -
						610-76-2011 Vehicle Expense	\$ (12,460.94)	To decrease FY 2019 Operation Stonegarden grant and clear out line items.	\$ 12,460.94	\$ -
						610-76-2012 Equip/Supplies/ Mtn/Repairs	\$ (38,568.00)	To decrease FY 2019 Operation Stonegarden grant and clear out line items.	\$ 38,568.00	\$ -

ITEM NO	Adjustment Type	Fund/DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
						610-76-2028 Capital Outlay	\$ (8,229.00)	To decrease FY 2019 Operation Stonegarden grant and clear out line items.	\$ 8,229.00	\$ -
						610-76-2060 Match - Medicare 1.45%	\$ (664.18)	To decrease FY 2019 Operation Stonegarden grant and clear out line items.	\$ 664.18	\$ -
						610-76-2101 Professional/Contract Services	\$ (46,736.32)	To decrease FY 2019 Operation Stonegarden grant and clear out line items.	\$ 46,736.32	\$ -
						610-76-2307 Stonegarden - Deming PD	\$ (1,896.70)	To decrease FY 2019 Operation Stonegarden grant and clear out line items.	\$ 1,896.70	\$ -
						610-76-2308 Stonegarden - NMSP - Luna	\$ (482.47)	To decrease FY 2019 Operation Stonegarden grant and clear out line items.	\$ 482.47	\$ -
Ten	Increase	610/21800	Drug Investigation - Operation Stonegarden (ODD)	610/21800	\$ (1,170,000.00)	610-77-1423 (Revenue) Operation Stonegarden	\$ (1,170,000.00)	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ (1,108,191.53)	\$ (2,278,191.53)
					\$ 1,170,000.00	610-76-2005 Salaries - Overtime	\$ 233,740.00	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ -	\$ 233,740.00
						610-76-2011 Vehicle Expense	\$ 38,988.27	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ -	\$ 38,988.27
						610-76-2012 Equip/Supplies/ Mtn/Repairs	\$ 26,796.00	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ -	\$ 26,796.00
						610-76-2028 Capital Outlay	\$ 49,640.55	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ -	\$ 49,640.55
						610-76-2060 Match - Medicare 1.45%	\$ 3,389.23	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ -	\$ 3,389.23
						610-76-2101 Professional/Contract Services	\$ 48,091.28	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ -	\$ 48,091.28
						610-76-2307 Stonegarden - Deming PD	\$ 195,161.48	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ -	\$ 195,161.48
						610-76-2308 Stonegarden - NMSP - Luna	\$ 312,983.00	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ -	\$ 312,983.00
						610-76-2322 (NEW) Stonegarden - Anthony PD	\$ 23,000.00	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ -	\$ 23,000.00
						610-76-2323 (NEW) Stonegarden - NMSP - Dona Ana	\$ 238,210.19	To increase budget and allow for spending of FY 2021 Operation Stonegarden grant.	\$ -	\$ 238,210.19
Eleven	Increase	709/20600	Ambulance Fund 1/8 GRT	709/20600	\$ 48,000.00	709-00-2028 Capital Outlay	\$ 48,000.00	To purchase a refurbished X Series Monitor/Defibrillator with Electrodes for Columbus EMS.	\$ 158,000.00	\$ 206,000.00
Twelve	Increase	801/59900	Starmax Entertainment Complex	801/59900	\$ 336,000.00	801-80-2029 Capital Improvement	\$ 336,000.00	To contract for replacement of draperies, carpets and wall coverings in theaters to meet SFM codes.	\$ 45,808.26	\$ 381,808.26

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
					\$ 681,221.11		\$ 681,221.11		\$ (1,747,910.23)	\$ (1,066,689.12)

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

Done at Deming New Mexico this Thursday the 27th day of April 2022.

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Berenda L. McWright, Luna County Clerk

Entered By:

Date

Checked By:

Date

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

RESOLUTION NO. 22-26
Proposed Inter Department/Fund Transfers

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

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Luna County hereby adopts the changes to the County's Fiscal Year 110, July 1, 2021 through June 30, 2022 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 27th DAY OF APRIL, 2022.

BOARD OF COUNTY
COMMISSIONERS OF LUNA
COUNTY

Barbara L. Reedy, District One

Linda M. Smrkovsky, District Two

ATTEST:

John S. Sweetser, District Three

Berenda L. McWright, Luna County Clerk

Be it remembered that at a Regular meeting of the Board of County Commissioners of Luna County in Deming NM on the 27th day of April, 2022 the following budget adjustments are proposed and entered of record.

Budget Resolution Number 22-26

Proposed Inter Department Transfer

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	FROM Current Balance	Transfer amount	TO Line Number	Transfer Amount	Purpose
One	Transfer	401/11000	General Fund - Sheriffs	401-08-2065 Match - Group Insurance	\$114,544.88	\$30,000.00	401-08-2011 Vehicle Expense	\$30,000.00	To allow for spending where and as needed through remainder of fiscal year for fuel and vehicle expenses.
Two	Transfer	401/11000	General Fund - Planning	401-14-2008 Printing & Publishing	\$3,050.00	\$1,000.00	401-14-2027 Office Equipment	\$1,000.00	To allow for spending where and as needed through remainder of fiscal year.
Three	Transfer	401/11000	General Fund - Emergency Services	401-41-2084 Safety/Equip/ Supplies/Training	\$3,918.72	\$1,000.00	401-41-2011 Vehicle Expense	\$1,000.00	To allow for spending where and as needed through remainder of fiscal year for vehicle expenses.
Four	Transfer	408/22300	DWI	408-51-2002 Salaries - Full-Time	\$21,481.62	\$2,800.00	408-51-2003 Salaries - Part-Time	\$6,460.00	To pay for part-time salaries for Court Compliance Officer and to pay for Overtime salaries for LCSO for DWI enforcement.
				408-51-2020 Supplies	\$12,097.58	\$2,287.20	408-51-2005 Salaries - Overtime	\$4,000.00	To pay for part-time salaries for Court Compliance Officer and to pay for Overtime salaries for LCSO for DWI enforcement.
				408-51-2101 Professional/Contract Services	\$5,700.00	\$5,700.00	408-51-2060 Match - Medicare 1.45%	\$62.00	To pay for part-time salaries for Court Compliance Officer and to pay for Overtime salaries for LCSO for DWI enforcement.
							408-51-2064 Match - FICA 16.42%	\$265.20	To pay for part-time salaries for Court Compliance Officer and to pay for Overtime salaries for LCSO for DWI enforcement.
Five	Transfer	415/21800	Community Services - JJCS-CYFD Grant	415-56-2003 Salaries - Part-Time	\$8,462.84	\$4,723.70			
				415-56-2060 Mach - Medicare 1.45%	\$122.71	\$74.17			
				415-56-2064 Match - FICA 6.2%	\$524.70	\$317.13	415-56-2101 Professional/Contract Services	\$5,115.00	To pay for Strengthening Families Program Facilitator for remainder of fiscal year.
Six	Transfer	415/21800	Community Services - Adult Drug Court	415-72-2020 Supplies	\$20,757.80	\$15,000.00	415-72-2010 Mileage/Per Diem	\$15,000.00	To allow for attending to the National Association of Drug Court Professionals in Nashville TN in July 2022.
Seven	Transfer	609/22600	Adult Detention	609-21-2003 Salaries - Part-Time	\$17,000.00	\$12,000.00	609-21-2020 Supplies	\$10,000.00	To allow for spending where and as needed through remainder of fiscal year.
							609-21-2012 Equip/Supplies/ Mnt/Repairs	\$2,000.00	To allow for spending where and as needed through remainder of fiscal year.
Eight	Transfer	704/20900	Luna County VFD	704-00-2028 Capital Outlay	\$194,405.84	\$5,000.00	704-00-2011 Vehicle Expense	\$5,000.00	To allow for spending where and as needed through remainder of fiscal year.
Nine	Transfer	704/20900	Luna County VFD	704-00-2028 Capital Outlay	\$189,405.84	\$5,000.00	704-00-2084 Safety/Equip/Supplies/ Training	\$5,000.00	To allow for spending where and as needed through remainder of fiscal year.

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	<i>FROM Current Balance</i>	Transfer amount	TO Line Number	Transfer Amount	Purpose
Ten	Transfer	411/21800	Community Improvements	411		\$8,867.00	401	\$8,867.00	Transfer monies for reimbursement of EMPG grant for Invoice #2.
					\$591,472.53	\$93,769.20		\$93,769.20	

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

Done at Deming New Mexico this **Thursday the 27th day of April 2022.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Entered By:

Date

Berenda L. McWright, Luna County Clerk

Checked By:

Date

RESOLUTION NO. 2022-27

**A RESOLUTION CONFIRMING LUNA COUNTY TO PARTICIPATE IN THE
NEW MEXICO DEPARTMENT OF TRANSPORTATION PROJECT FUND
CALL FOR PROJECTS**

WHEREAS, Luna County allocates from its General Fund, as its local 5% match to State Funds;

WHEREAS, Luna County will have available funds representing the 5% local match of \$11,250.00 for the proposed project which will be available when the agreement becomes effective, and;

WHEREAS, Attachment "A" indicates the scope and locations of the proposed work.

NOW, THEREFORE, BE IT RESOLVED THAT, The Governing Body of Luna County, New Mexico recommends that an application be filed with the New Mexico Department of Transportation for survey and design of roadway and drainage improvements on Camino Doce from Hermanas Rd to McCan Rd (excluding NM 11 ROW).

PASSED, APPROVED AND ADOPTED THIS 27th day of April 2022.

by the Board of County Commissioners of Luna County

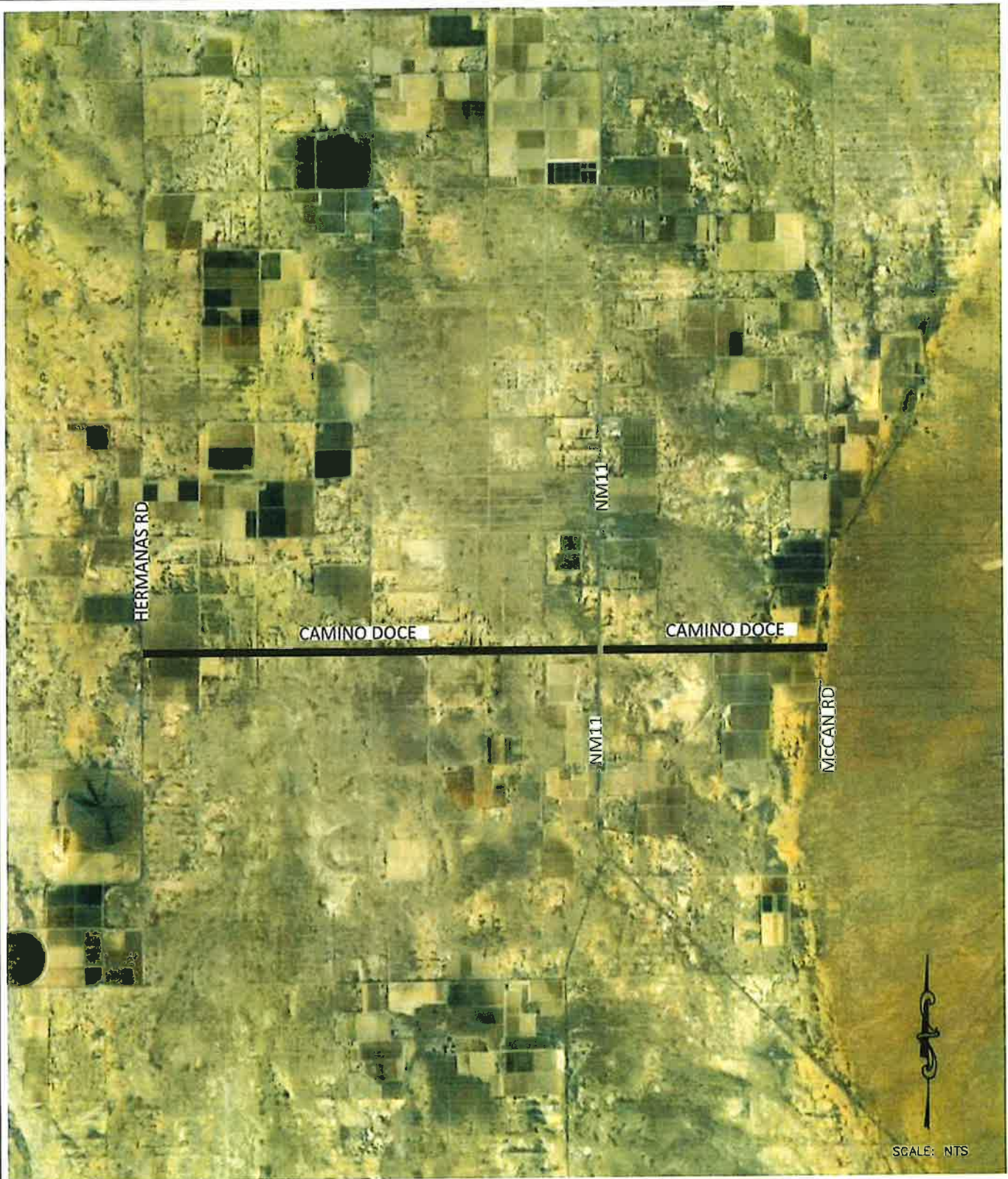
ATTEST:

Linda M. Smrkovsky, Chairperson
Commissioner, District 2

Berenda McWright,
County Clerk

Barbara L. Reedy
Commissioner, District 1

John S. Sweetser
Commissioner, District 3



PROJECT AREA



Stantec

3400 HIGHWAY 180 EAST SUITE A
SILVER CITY, NEW MEXICO 88061

(575) 538-5395 (OFFICE)
(575) 538-5410 (FAX)

REVISIONS

DATE

APR. 2022

DRAWING

PROJECT

CAMINO DOCE ROADWAY &
DRAINAGE IMPROVEMENTS

LUNA COUNTY
2023 NMDOT TPF APPLICATION

DWG BY: WOI

JOB #: HA

DATE: NA

SHEET

RESOLUTION NO. 2022-28
A RESOLUTION CONFIRMING LUNA COUNTY TO PARTICIPATE IN THE
NEW MEXICO DEPARTMENT OF TRANSPORTATION PROJECT FUND
CALL FOR PROJECTS

WHEREAS, Luna County allocates from its General Fund, as its local 5% match to State Funds;

WHEREAS, Luna County will have available funds representing the 5% local match of \$15,000.00 for the proposed project which will be available when the agreement becomes effective, and;

WHEREAS, Attachment "A" indicates the scope and locations of the proposed work.

NOW, THEREFORE, BE IT RESOLVED THAT, The Governing Body of Luna County, New Mexico recommends that an application be filed with the New Mexico Department of Transportation for Planning and Design of North Boundary Road, from Terra Road to San Diego Road (B005).

PASSED, APPROVED AND ADOPTED THIS 27th day of April 2022.

by the Board of County Commissioners of Luna County

ATTEST:

Linda M. Smrkovsky, Chairperson
Commissioner, District 2

Berenda McWright,
County Clerk

Barbara L. Reedy
Commissioner, District 1

John S. Sweetser
Commissioner, District 3

Attachment A
Scope of Work

Scope of work includes topographic survey and existing right of way determination, geotechnical investigation, pavement design, preliminary and final design, contract specifications, drainage analysis, and an Engineer's estimate.

RESOLUTION NO. 2022-29

**A RESOLUTION CONFIRMING LUNA COUNTY TO PARTICIPATE IN THE
NEW MEXICO DEPARTMENT OF TRANSPORTATION PROJECT FUND
CALL FOR PROJECTS**

WHEREAS, Luna County allocates from its General Fund, as its local 5% match to State Funds;

WHEREAS, Luna County will have available funds representing the 5% local match of \$196,500.00 for the proposed project which will be available when the agreement becomes effective, and;

WHEREAS, Attachment "A" indicates the scope and locations of the proposed work.

NOW, THEREFORE, BE IT RESOLVED THAT, The Governing Body of Luna County, New Mexico recommends that an application be filed with the New Mexico Department of Transportation for the Phase IC (environmental) through Phases II and III (design and construction) services for the International Industrial Park Gateway Phase II project.

PASSED, APPROVED AND ADOPTED THIS 27th day of April 2022.

by the Board of County Commissioners of Luna County

ATTEST:

Linda M. Smrkovsky, Chairperson
Commissioner, District 2

Berenda McWright,
County Clerk

Barbara L. Reedy
Commissioner, District 1

John S. Sweetser
Commissioner, District 3

Attachment A
Scope of Work

Scope of work includes topographic survey and existing right of way determination, geotechnical investigation, pavement design, preliminary and final design, contract specifications, (a.k.a Phase IC environmental through Phases II and III, design and construction, services) Engineer's estimate, letting/bidding, pre-construction activities, construction management and construction, and drainage analysis.



**LUNA COUNTY
OFFICE OF THE ASSESSOR**
700 S. Silver Ave.
Deming NM 88030
Phone (575)546-0404 Fax: (575)546-4580



RESOLUTION 22-30

APPOINTING & ACKNOWLEDGING MEMBERS OF THE COUNTY PROTEST BOARD

WHEREAS, the LUNA County Board of Commissioners met according to notice of meeting duly published at the Luna County Courthouse County Building located at 700 S Silver Ave., Deming NM 88030 on April 27, 2022 at 10:00 a.m. and,

WHEREAS, pursuant to NMSA 1978, Section 7-38-21 property owners have the right to protest the value or classification determined for their property for property taxation purposes, and;

WHEREAS, NMSA 1978, Section 7-38-25 provides in pertinent part that there shall be a county protest board in each county, to hear and decide protest of determinations made by county assessors & protested under Section 7-37-24 NMSA 1978, consisting of three voting members & three alternatives who shall not hold any elective public office during the term of their appointment nor shall any such member of alternate be employed by the state, a political subdivision or a school district during the term of his appointment, and;

WHEREAS, NMSA 1978, Section 7-38-25 further provides that "one member and one alternate shall be a qualified elector of the county and shall be appointed by the board of county commissioners for the term of two years; one member and one alternate shall be a qualified elector of the county, shall have demonstrated experience in the field of valuation of property and shall be appointed by the board of county commissioners for a term of two years; and one member and one alternate shall be a property appraisal officer employed by the department, assigned by the director and shall be the chairman of the board."

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners appoints the following members and their alternates pursuant to NMSA 1978, Section 7-38-25.

Qualified Elector of LUNA County:

Heather Wood
Member

Term Expiring On: January 1, 2024

David Baeza
Alternate

Term Expiring On: January 1, 2024

Qualified Elector of LUNA County with experience in the field
of valuation of property:

Kevin Zachek
Member

Term Expiring On: January 1, 2024

Merline Hensley
Alternate

Term Expiring On: January 1, 2024

APPROVED, ADOPTED, AND PASSED on this _____ day of _____.

*Linda Smrkovsky – County Commissioner
District 2 / Chairperson*

*Barbara Reedy – County Commissioner
District 1*

*John Sweetser – County Commissioner
District 3*

LUNA COUNTY COMMISSION, DEMING, NEW MEXICO
RESOLUTION NO. 22-31

**A RESOLUTION IN SUPPORT OF DEMING SOIL AND WATER CONSERVATION
DISTRICT LETTER OPPOSING THE REMOVAL OF THE FIVE EARTHEN DAMS IN
STARVATION DRAW**

WHEREAS, the Board of County Commissioners of Luna County, met in regular session on April 27, 2022, at 10:00 A.M. in the Luna County Courthouse, located at 700 S. Silver Ave., Deming, New Mexico 88030; and,

WHEREAS, Section 3-18-1-F, NMSA 1978 provides that municipalities have the power to, "protect generally the property of its municipality and its inhabitants"; and,

WHEREAS, the five dams constructed in Starvation Draw north of Deming, New Mexico 70 years ago have protected the municipality and inhabitants of Deming from flooding; and,

WHEREAS, there have been floods from Starvation Draw over the past decades, and in spite of those dams the flood waters still reached the City of Deming, and there were residents who were personally affected by that flooding; and,

WHEREAS, the Bureau of Land Management (BLM) in Las Cruces, New Mexico is currently drawing up designs to significantly reduce the size of the five dams in Starvation Draw; and,

WHEREAS, no data has been provided to the inhabitants downstream of these dams to show the consequences which would occur after a major storm event with the dams in the proposed, reduced state; and,

WHEREAS, the proposed reduction of the five dams once undertaken would place the City of Deming in a permanent state of risk of flooding from a major storm event; and,

WHEREAS, government officials, to include those in federal government, should be accountable to the inhabitants who they expose to greater risk; and,

NOW THEREFORE, BE IT RESOLVED, the Board of County Commissioners of Luna County in Deming, recognizing that the changes which Las Cruces BLM is undertaking will place the downstream portion of Luna County at greater risk to flooding in a major storm event, expresses its concern for the well-being of the of the inhabitants, insists the federal government officials who undertake the risky changes to the dams accept the liability of damages to the citizens, private companies, and government infrastructure which they place at risk, and calls upon state and federal legislative delegation to require that Las Cruces BLM leave the dams in Starvation Draw in their existing condition.

DONE THIS 27th DAY OF APRIL, 2021

by the Board of County Commissioners of Luna County

ATTEST:

Linda M. Smrkovsky, Chairperson
Commissioner, District 2

Berenda McWright,
County Clerk

Barbara L. Reedy,
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3

Proclamation 22-04
May Is Motorcycle Awareness Month

WHEREAS, motorcycles are used as a regular means of transportation for commuting, touring and

WHEREAS, the Luna County scenic roadways make motorcycling a very popular destination for riders from around the country; and

WHEREAS, the safe operation of a motorcycle requires the use of acquired skills developed through a combination of training and experience, the use of good judgement, and thorough knowledge of traffic laws and licensing requirements; and

WHEREAS, it is imperative that the residents of Luna County be aware, show consideration and share the road with motorcycles on the streets and highways and recognize the importance of motorcycle safety; and

WHEREAS, the National Highway Traffic Safety Administration has declared May as “Motorcycle Awareness Month”; it is the desire of this County Commission to join the NHTSA in raising awareness of the growing number of motorcyclists on Luna County’s roadways in order to help prevent accidents and most importantly, save lives.

NOW, THEREFORE, on behalf of the County Commission of Luna County, I do hereby proclaim the Month of May, 2022 to be:

MOTORCYCLE AWARENESS MONTH in Luna County, and urge our citizens to be observant, courteous and knowledgeable about motorcycle usage in our community.

Done this _____ Day of _____, 2022.

By the Board of County Commissioners of Luna County.

Linda M Smrkovsky, Chairperson
Commissioner, District 2

Berenda McWright
County Clerk

Barbara L. Reedy
Commissioner, District 1

John S. Sweetser
Commissioner, District 3



Proclamation 22-05

Local Great American Cleanup April 2022.

The Great American Cleanup® is the country's largest community improvement program that kicks off in more than 20,000 communities each spring. This national program engages more than 1.5 million volunteers and participants who take action in their communities every year to create positive change and lasting impact.

WHEREAS, Keep America Beautiful® is the nation's iconic community improvement nonprofit organization that envisions a country in which every community is a clean, green and beautiful place to live, and has established the Great American Cleanup as its signature national effort for involving American citizens in improving their community environment;

WHEREAS, Keep America Beautiful's Great American Cleanup is the nation's largest community improvement program, engaging more than 1.5 million volunteers and participants every year to create positive change and lasting impact in local communities;

WHEREAS, the County of Luna seeks to protect its natural resources and bring people together to transform public spaces into beautiful places;

WHEREAS, the Luna County Commission recognizes its commitment to engage citizens, civic and government officials, and business leaders to work together to End Littering, Improve Recycling, and Beautify America's Communities;

WHEREAS, Keep Luna County Beautiful and the Luna County Commission are committed to elevate the importance of volunteerism and motivate everyone in our community to become stewards of the environment;

THEREFORE, The Board of County Commissioners of Luna County hereby proclaim April as Keep America Beautiful Month/Great American Cleanup month, and call upon our citizens to join in activities that promote responsible environmental stewardship and help us renew our commitment to building a better world today and for future generations. So, declared on this day 27th of April, 2022.

Signature of Chairperson or Other Elected Official