LUNA COUNTY
BOARD OF COUNTY COMMISSIONERS

Linda M. Smrkovsky	Barbara L. Reedy	John S. Sweetser
Member	Chair	Member

Thursday, April 8, 2021
10:00 a.m.
Agenda
Regular Meeting
Luna County Courthouse

Meeting ID: https://meet.google.com/wcm-iczv-vnr To dial in: 1 414-909-4972 PIN: 939 182 389#

1. **Call to Order:** Chair Reedy 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. **Minutes:**

   a. Work Session March 11, 2021
   b. Regular Meeting March 11, 2021

MOTION AND ROLL CALL VOTE

4. **Presentations:**

   - LCDC Restrictive House Report by Pablo Montoya
   - American Magnesium Presentation by Carole Ness

5. **Elected Officials' Report:**

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

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

7. **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 8, 2021 $782.93
   MOTION AND VOTE
   d. Recess as Claims Board, Re-Convene as County Commission
   MOTION AND VOTE

8. **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.

9. **Public Hearing:**

   a. Ordinance 101: Procedure for accepting donations of real property; To establish procedures and controls for donated property.
   MOTION AND ROLL CALL VOTE
   b. Ordinance 102: Schedule of Fees; to repeal all fees established in the Luna County Code of Ordinances and establish by yearly resolution "Schedule of Fees".
   MOTION AND ROLL CALL VOTE
   c. Ordinance 103: Procedure for tax sale property Emancipation; Establishing internal procedures and plan to free land in long term tax delinquencies.
   MOTION AND ROLL CALL VOTE

10. **Consent Agenda:**

   a. Accounts Payable: $1,480,968.77
   b. Payroll: $1,061,769.32
   MOTION AND ROLL CALL VOTE

11. New Business:

a. Proclamation 21-03: May as Motorcycle Awareness Month
MOTION AND ROLL CALL VOTE
b. Resolution 21-29: Approving the Luna County Policy Governing Capital Assets
MOTION AND ROLL CALL VOTE
c. Resolution 21-30 Budget Increases
MOTION AND ROLL CALL VOTE
d. Resolution 21-31: Budget Transfers
MOTION AND ROLL CALL VOTE
e. Resolution 21-32: Adjusting Precinct Boundaries and Creating A New Precinct in Luna County
MOTION AND ROLL CALL VOTE
f. Resolution 21-33: Disposal of Assets
MOTION AND ROLL CALL VOTE

12. Executive Session:

Executive Session pursuant to Section 10-15-1H(7) NMSA 1978- discussion subject to attorney-client privilege pertaining to threatened or pending litigation in which Luna County is or may become a participant (McSherry, Hollister, TRD. Opioid, Thomas, Najera, Valencia, Ruiz, Aguirre, Punchall. Schmal, Caouette) ; AND Section 10-1-1H(5)NMSA 1978 to discuss bargaining strategy for collective bargaining sessions with AFSCME Local #1764 (LCSO) and AFSCME Local #2061 (LCDC)
MOTION AND ROLL CALL VOTE

13. Action/ No Action Taken:

a. Collective Bargaining Agreement for LCDC- AFSCME #2061
MOTION AND ROLL CALL VOTE
b. Collective Bargaining Agreement for LCSO - AFSCME #1764
MOTION AND ROLL CALL VOTE

14. Upcoming Meetings (unless otherwise specified):

Regular Commission Meeting: May 13, 2021 at 10:00 a.m.

15. Adjourn:

MINUTES
WORK SESSION
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Thursday, March 11, 2021

BE IT REMEMBERED that the Luna County Board of County Commissioners met at 9:00 a.m. on Thursday, March 11, 2021 in Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Work Session. Due to the Covid-19 Pandemic and the Governor's Orders regarding social distancing, the commission meeting was conducted via teleconference and webcasting with a minimum in attendance from the public and staff.

CALL TO ORDER: Chair Reedy called the meeting to order at 9:06 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, Chair, District 1
Linda M. Smrkovsky, District 2
John S. Sweetser, District 3

PRESENTATION: New Mexico Revenue and Expenditure Study: Chair Reedy introduced Eddy County Commissioner Ernie Carlson and Eddy County Community Administrative Services Director Wes Hooper. They explained in detail the State of New Mexico County-Level Revenue & Expenditure Analysis 2015-2019 report which was provided to the Board.

PUBLIC COMMENT: Chair Reedy opened the floor to public comment. No public comment was forthcoming.

COMMISSIONERS AND STAFF DISCUSSION ITEMS: The Luna County Board of County Commissioners presented the items for discussion by staff and attending members of the public. *(*Note: Items were presented for discussion only and no actions were taken.)* The following agenda items were discussed:

NEW BUSINESS:

a. **Drug and Alcohol Policy**: County Manager Chris Brice stated there have been controversies with this topic and they are trying to update the Drug and Alcohol Policy. He explained the many different possibilities that are being looked at. A copy of the Drug and Alcohol Policy was presented to the Board for their review in hopes that together a policy can be approved at the next Regular Commissioners meeting. The County is currently doing urinalysis testing on all pre-employment candidates which is costly. The County is also doing CDL random drug testing on the commercial drivers which is mandated for both drugs and alcohol. Mr. Brice explained the process for CDL random testing. This is done by a third party company who makes the random selections. The department heads are then notified of the selected employee, who are then sent to the

detention center for testing. Mr. Brice stated they are considering moving to a saliva test for pre-employment. The employment candidate will take a saliva test if no abnormalities are detected the testing will be complete. If anything is detected in the saliva test results, the next step would be to do a urinalysis test.

b. **Employee Award Recognition:** County Manager Chris Brice explained the County currently recognizes employees at their 5, 10, 15, and 20 years of service with pins, then nothing after that. He is looking to standardize employee's recognitions and is looking for ideas. He has an idea of doing employee of the quarter and those four employees selected within the year will go up for employee of the year. The County is not allowed to give bonuses or on the spot salary increases to recognize good employees. Mr. Brice said acknowledging good employees is certainly something we can and should do. Mr. Brice asked the Board to think of ideas on employee recognitions. Commissioner Smrkovsky stated employees should be recognized after the 20 year mark.

ADJOURN: Chair Reedy adjourned the meeting at 10:00 a.m.

ATTEST:

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

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Berenda McWright, Luna County Clerk

_____

Chair, 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
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Thursday, March 11, 2021

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, March 11, 2021 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. Due to the Covid-19 Pandemic and the Governor's Orders regarding social distancing, the commission meeting was also conducted via teleconference and webcasting with a minimum in attendance from the public and staff.

The following staff and elected officials were present: County Manager Chris Brice, Assistant to the County Manager Yossie Nieblas, IT Technician Eric Esguerra, Deputy Clerk Pilar Salcido, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Appraiser Associate Mary Perez, Treasurer Kristie Hobbs, Sheriff Kelly Gannaway, Captain Michael Brown, Road Department Director David Bailey, Community Development Director Premal Patel, County Attorney Charles Kretek, Emergency Manager Phillip Rodriguez, Dispatch Director Lauree Sanchez and Budget & Procurement Director Joanne Hethcox. Other directors and elected officials were present virtually.

CALL TO ORDER: Chair Reedy 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, Chair, District 1
Linda M. Smrkovsky, District 2
John S. Sweetser, District 3

MINUTES: Upon a motion made by Commissioner Smrkovsky and a second by Commissioner Sweetser the Minutes for the Regular Meeting of February 11, 2021 were unanimously approved.

SERVICE AWARDS: Assessor Michelle Holguin presented Mary Perez with her award for five years of service. Jesus Aude and Ruben Almanza from the Detention Center were not present to receive their award for ten years of service. Deputy Paul Sanchez was also not present to receive his award for ten years of service.

PRESENTATIONS: Luna County's 2019-2020 Fiscal Audit by Robert Gonzalez. Mr. Gonzalez presented the 2020 financial statement audit by zoom conference, he introduced himself as the principal partner on the field for the 2020 financial statement audit for Luna County.

ELECTED OFFICIALS REPORTS: Assessor Michelle Holguin reported the rendering period for personal property/livestock and manufactured homes has come to an end for 2021. Property owners can still sign up for their exemptions thru April 30, 2021, including a 65 and older or disabled limitation freeze. The online service has been down for a couple of weeks but is back up and running

now. Notice of Values will be sent out to the printer on March 18, 2021 and mailed out on April 1, 2021. The County Service Specialist staff are busy with their regular duties. The Appraisal staff are finishing up the final values for 2021 and the GIS/Floodplain/911 staff are getting ready to publish and update our maps for 2021. The partitions in the Assessor's office have been completed.

Treasurer Kristie Hobbs reported they have collected 1,458 tax payments in the month of February. They have processed thirty-one 2020 tax releases and have processed 351 credit card payments. The online tax payment system is currently not working. Ms. Hobbs reported to date, they have collected $9,207,592 in property taxes. She also reported they are currently working on demand letters for mobile homes and personal properties.

Probate Judge Dianna May-Diaz reported she has performed six marriages recently. Ms. Diaz also reported 10 new probates which makes the year to date total of probates at 29.

Sheriff Kelly Gannaway compared January to February statistics. There were no homicides or rapes reported in February. The assaults and burglaries are the same in February as in January. Larcenies' are down from January and vehicle theft are about the same. The overall totals are down for the criminal side. The non-criminal statistics are up. Paper service are up from last month, accidents are way up, fifteen compared to four in January. DWI is zero, overall totals are up for both criminal and non-criminal. Deputies Solano and Garcia are at the academy and they should be graduating in April. Two brand new units were picked up in Albuquerque and will be put out on patrol. The Sheriff's Department is looking to hire five Deputies. They are losing one Deputy to Dona Ana County and another one to Sandoval County.

Commissioner Smrkovsky reported that New Mexico Counties is working diligently on Bills currently being heard. One of them specifically is the Civils Rights Bill which was heard last night and will be heard on the floor today.

COUNTY MANAGER'S REPORT: County Manager Chris Brice reported:

- Dispatch: A total of 9,395/911 calls were received for the month, 261 warrants and 39 new protection orders. The staff that were involved in Officer Jarrot's shooting went through the crisis incident intervention for help dealing with that situation.
- LCDC: There were a total of 253 people booked and 150 released. The average daily population was 253 which is the largest in the State. The total of Marshall inmates is 147 and they continue to work with the Marshalls in an effort to increase the number.
- Road Department: They installed 32 cattle guards along Hermanas Road from New Frontier Road South for 15 miles out to Highway 9. A total of 2,684 tires were received. There were discussions with the Regional Manager for Universal Waste in trying to figure out where these tires are coming from. Pothole patching improvements have been done on Hermanas, Hermanas Grade, Solana and Ash Street. They are going to work on re chip sealing Ash Street in the future. There are two new projects coming up. The Keeler water project and Majestic View for the next Colonias. The garbage cans have been relocated from Akela and to the Florida Fire Station. The annual pipeline training has been completed.

- Budget and Procurement: The gross receipt taxes received per Ms. Hethcox was again higher than expected. New Mexico was one of the States that did not experience a huge drop in gross receipt taxes (GRT). The Hazard Mitigation Plan project will be starting in the next few weeks, Mr. Brice believes BOLD is the name of Company selected to work on that project.
- Human Resources: New hires include two full time and two part time truck drivers. One part time truck driver was hired as seasonal just in case a need arises for possibly driving the detention buses to transport asylum seekers to Dona Ana or El Paso. Christy Ann Harvey has come on board as Community Development Director. She is currently working with the apartment developer at Starmax. She has already done a lot of work in the Columbus area. The County is pushing forward with Columbus becoming a destination spot for history and historic buildings. The Mayor is on board with this. Still searching for Detention Officers, cooks and bartenders for Starmax, and Deputies for the Sheriff's Office. An LCDC Corporal is currently being interviewed. They are trying to figure out what to do for the replacement of Program Manager Samantha Apodaca at the Healing House. Human Resources did receive a couple of good applicants for that position.
- Starmax: The sales for the month of February were zero. They are looking to open up the bowling area at 25% for seating as part of the bar and restaurant. The County is looking for a grant for shuttered venues, they will be applying for those grants.
- Emergency Management: Emergency Manager Phillip Rodriguez is busy monitoring the spread of Covid-19. Currently the Covid spread is 3.31% which is down from 15.71% in the beginning of February. Mr. Rodriguez is also monitoring the border situation as multiple calls a week are being received. Vaccination sites implemented for border patrol and law enforcement officers. The County has administered 120 vaccine doses for the month of February and almost 4,000 to date. Mr. Brice reported a Unified Area Command for border counties has been set up with Hidalgo, Dona Ana, and Luna Counties to plan for Asylum Seekers. They don't feel the State is involved enough in giving the border counties enough information. The Unified Area Command continue to have weekly meeting and looking to do them twice a week now so that the border counties are all same page with how the Asylum Seeker situation will be handled. The Emergency Operations Center (EOC) was activated in Columbus during the winter storms which help the Village. The contract for Hazard Mitigation Plan has been sent to BOLD for signatures.
- Safety Management: Safety Program Coordinator Joann Moorman continues to do Covid-19 tracking and reporting for all County employees. She is also managing RAP and the Road Ready training is ongoing, to date, 20% of employees have completed the training. The new alerting system for the County should be up and running very soon.
- Luna County Volunteer Fire Department: They responded to three structure fires and six brush fires. Brush trucks have been ordered and the volunteer fire fighter training continues on weekends with 15 to 20 volunteers attending that training.
- DWI: They are tracking 99 misdemeanor DWI offenders. The teen court program has 18 participants via phone and e-mail. They had 8 DWI arrests last month.
- Community Health and Well Being: Griselda Milo is Interim Program Manager at the Healing House. They have received a couple of very good candidates for the Managers position. CASA

is currently serving 42 kids in Luna, Hidalgo and Grant Counties. Parent as Teachers won the Deming/Luna County Chamber of Commerce free membership. They are currently serving 162 clients in Luna and Hidalgo Counties. Rosalba Lara from Parents as Teachers was panelist on the National Boston Children's Hospital webinar. They work with Colores United on food distributions.

- IT: IT had a total of 672 work orders with 615 completed. The County had 900 plus attacks on networks last month which is a never ending battle. There are many projects going on in IT.
- Planning: Premal has been working with the environmental department to assist Columbus with high nitrate levels. He is also working on multiple ordinances. The first draft of what the architects want to do at Starmax with respect to the batting cages and the skate park have been received.
- Maintenance/Projects: The floors at the Healing House building are being worked on. The final approval has been received on the electrical at Park Plaza. It is now time to finish the IT section. The pavilion project has just been wrapped up.

CALL FOR ORDINANCES:

- **Resolution 21-21: Call for Ordinance 101: Procedure for Accepting Donations of Real Property; to Establish Procedures and Controls for Donated Property.** Community Development Director Premal Patel explained "this is one of a few ordinances going back in history and coming into this position, finding out there is over 14,000 properties in tax delinquencies." We started developing multiple ordinances to handle different avenues of trying to keep properties out of tax delinquencies and trying to get properties out of the States hands that are delinquent in nature. Ordinance 101 gives us internal controls of when someone presents to us a donation of property here in Luna County. We do have the internal controls and it is basically at the Commission and the County Manager's approval. The requirement is that the taxes must be paid because the taxes stay with the property and it becomes a liability to the County at that point." Commissioner Smrkovsky motioned to approve Resolution 21-21: Call for Ordinance 101: Procedure for Accepting Donations of Real Property; to Establish Procedures and Controls for Donated Property. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

- **Resolution 21-22: Call for Ordinance 102: Schedule of Fees; to Repeal All Fees Established in the Luna County Code of Ordinances and Establish by Resolution a "Schedule of Fees".** Mr. Patel explained "what we are doing in this ordinance is repealing the fees in the ordinances and establishing a resolution establishing all the fees yearly. As we change our duties as the time goes on you will see more of this resolution being amended of the fees. However, this is basically stating in the ordinances that we are adopting it by resolution for the future". Commissioner Smrkovsky motioned to approve Resolution 21-22: Call for Ordinance 102: Schedule of Fees; to Repeal all Fees Established in the Luna County Code of Ordinance and Establish by Resolution a "Schedule of Fees". Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

- **Resolution 21-23: Call for Ordinance 103: Procedure of Tax Sale Property Emancipation; Establishing Internal Procedures and Plan to Free Land in Long Term Tax Delinquencies.** Mr. Patel explained "that this ordinance going back historically as I mentioned before there are over 14,000 properties in tax delinquencies. In working with Bureau Chief of the Property Tax Division, we went going back and forth with ideas. We tried obtaining tax liens for these properties. We brought out the idea of possibly freeing up some of these lands and selling them back out into the market and doing a cost split or a percentage where they can pay their taxes and we can start getting these properties activated. After multiple different ideas and hearing the no, they finally came up to one that they were somewhat receptive of. So were trying that and again this is going to be working with the State but this is our way of trying to get some of these properties out of tax delinquencies. Basically these are the internal controls of how we approve the properties to send to the State to put them out to bid. There is a non-competitive clause on it where we cannot bid other people there has to be a no bid on it before we try to obtain those properties. You will see on there in section (c.) the control setting is standard bid amount for that". Commissioner Smrkovsky motioned to approve Resolution 21-23: Call for Ordinance 103: Procedure of Tax Sale Property Emancipation; Establishing Internal Procedures and Plan to Free Land in Long Term Tax Delinquencies. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

INDIGENT CLAIMS REPORT: Upon a motion by Commissioner Sweetser 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 seven claims for the month of February. The total expenditures for the month of February was $21,048.89. The money received for the month of February $61,784.68 and the balance for the Indigent Claims Fund totaled $1,782,530.71, of that $337,017.86 is encumbered. Ms. Hethcox stated that a few more claims are ready to be processed, and they are needing some codes from the hospital to process them in March for the April Meeting. Commissioner Smrkovsky commented that she is curious that a claim would be exactly $10,000. Ms. Hethcox explained $10,000 is the maximum payment which the policy allows, and that none of these claims reported are for inmates at the detention center. Commissioner Smrkovsky motioned to approve the Indigent Claims Report as presented in the amount of $21,048.89. Commissioner Sweetser seconded the motion which carried unanimously.

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

PUBLIC COMMENT: Chair Reedy opened the floor to public comment. Christie Ann Harvey introduced Chelsey Evans her successor as Interim Executive Director at Mainstreet.

Chelsey Evans reported that she accepted the Interim position at Mainstreet. She stated that she completed the New Mexico grant writing training and they are working on multiple proposals for this year's grant cycle. She has also signed up for the fundraising training. She does have a meeting with one of the revitalization specialist toward the end of this month. Christy Ann and she met with Jessee and went over some design concepts for the Pavillion. Ms. Evans stated the first show for CashMob

will be next Thursday, March 18th at 6:00pm featuring The Yarn Emporium. This is Mainstreet's effort to promote local businesses.

Alberta Morgan went before the board to comment on the blowing dirt and the current drought conditions.

Carmen McDonald went before the board to recommend that a memorial be created in name of deceased Sam Baca at the City pool center.

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

a. Accounts Payable: $1,195,555.05
b. Payroll: $1,075,862.22

NEW BUSINESS:

a. **Proclamation 21-01: Proclaiming April as Child Abuse Awareness Month**. Chair Reedy read Proclamation 21-01: Proclaiming April as Child Abuse Awareness Month to all present. Commissioner Smrkovsky motioned to approve Proclamation 21-01 Proclaiming April as Child Abuse Awareness Month. The motion was seconded by Commissioner Sweetser and approved unanimously following a roll call vote.

b. **Proclamation 21-02: Proclaiming April as Fair Housing Month:** Chair Reedy read Proclamation 21-02: Proclaiming April as Fair Housing Month. Commissioner Smrkovsky motioned to approve Proclamation 21-02 Proclaiming April as Fair Housing Month. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

c. **Resolution 21-24 Budget Increase:** Budget & Procurement Director Joanne Hethcox explained the seven increases to this resolution in the amount of $186,537.67. She reported the two biggest increases are the $749,077 CDBG grant award for the Health Complex on Slate Street and the $450,000 which was appropriation for vehicles for Luna County. She reports the others are re-spending on monies collected like the Sheriff's Office has requested an increase from the gross receipts collected. Those monies will be used to revamp their weaponry. Commissioner Smrkovsky asked about the indigent burials expenses and where that money gets paid out of. Ms. Hethcox explained it comes out of the indigent fund. She offered to add burials to the indigent claims report. Ms. Hethcox stated each indigent burial cost $600 and there have been significantly more this year. Commissioner Smrkovsky motioned to approve Resolution 21-24 Budget Increase. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

d. **Resolution 21-25 Budget Transfers:** Budget & Procurement Director Joanne Hethcox explained these are line item transfers within budgets that need to satisfy expenditures that have come up to date. The biggest one is Starmax where we are moving money into that budget to continue on their capital improvement and they needed a new and improved bowling scoring system. Commissioner Smrkovsky asked about the $100,000 listed on the resolution. Ms. Hethcox stated that is for the Detention Center as they moved

money into building repairs over time and one other line item from salaries. Commissioner Sweetser motioned to approve Resolution 21-25 Budget Transfers. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.

e. **Resolution 21-26: Establishing Salaries for Chief Deputies:** Commissioner Smrkovsky commented that this resolution is to correct an error on the percentage amount awarded to the Chief Deputies salaries. County Manager Chris Brice explained this resolution will establish the 95% of Elected Officials salaries which was changed for some reason in 2016. Commissioner Smrkovsky motioned to approve Resolution 21-26; Establishing Salaries for Chief Deputies. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

f. **Resolution 21-27: Acceptance and Approval of 2019-2020 Luna County's Fiscal Audit:** Commissioner Smrkovsky motioned to approve Resolution 21-27 Acceptance and Approval of 2019-2020 Luna County's Fiscal Audit. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

g. **Resolution 21-28: Statutorily Authorized Additional Compensation:** County Manager Chris Brice explained the Statute allows for additional compensation to the Elected Assessor in the amount of $3,500 for holding an Appraiser Certificates. The Statute also allows $7,500 addition compensation for a qualified appraiser in the Assessor's office for holding an Appraiser Certificates. Commissioner Smrkovsky moved to approve Resolution 21-28 Statutorily Authorized Additional Compensation. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

h. **BID Award: Bid TY 109-01 Rockhound Roadway and Drainage Improvements:** Engineering Manager for Wilson & Company Eric Hamilton and Projects Engineer of Records Gabriel Vianueva recommended that the Rockhound Roadway and Drainage Improvements Project be awarded to Deming Excavating Inc. in the amount of $378,406.25 excluding NMGRT. Commissioner Sweetser asked if this completes the street paving. Mr. Vianueva explained the streets will be surfaced with a chip seal. Commissioner Sweetser motioned to approve the BID Award: Bid TY 109-01 Rockhound Roadway and Drainage Improvements to Deming Excavating Inc., motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

EXECUTIVE SESSION:

Executive Session pursuant to Section 10-15-1(H)(8) NMSA 1978 – for the purpose of discussing the potential purchase, acquisition and disposal of certain parcels of real property. Commissioner Smrkovsky motioned to go into Executive Session pursuant to Section 10-15-1(H)(8) NMSA 1978 – for the purpose of discussing the potential purchase, acquisition and disposal of certain parcels of real property. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

Commissioner Smrkovsky moved to return from Executive Session pursuant to Section 10-15-1(H)(8) NMSA 1978-for the purpose of discussing the potential purchase, acquisition and disposal of

certain parcels of real property. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

The Commissioners went into Executive Session at 11:32 a.m. and returned from Executive Session at 12:25 p.m.

ACTION TAKEN: Commissioner Smrkovsky motioned to allow County Manager Chris Brice to pursue looking at multiple projects for consideration. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

UPCOMING MEETINGS: Chair Reedy announced the following upcoming meetings:

Regular Commission Meeting – April 8, 2021 @ 10 a.m.

ADJOURN: The meeting was adjourned by Chair Reedy at 12:27 p.m.

ATTEST:

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

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BERENDA MCWRIGHT, LUNA COUNTY CLERK

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CHAIR BARBARA L. REEDY, DISTRICT 1

APPROVED: _____

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LINDA M. SMRKOVSKY, DISTRICT 2

_____

JOHN S. SWEETSER, DISTRICT 3

Pablo Montoya
Interim Director
Luna County Detention Center
1700 E 4th St
Deming, NM 88030
Phone: (575) 543-6701
Fax: (575) 544-7272

April 1, 2021

From: Pablo Montoya, Deputy Director

To: Luna County Board of County Commissioners

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

This report is being submitted in accordance with HB 364, New Mexico's Restricted Housing Act's reporting requirements. During the period of January 1st, 2021 thru March 31st 2021, the Luna County Detention Center had three 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 26-year-old white male. The detainee was having seizures. Detainee was being monitored by medical personnel on a daily basis. It was requested by medical personnel that detainee be kept in a medical cell in order to observe and or prevent any further injuries.
2. A 47-year-old while male. The detainee tested positive for influenza. Medical instructed the detainee remained in quarantine for 10 days. Detainee was monitored by medical and mental health personnel. Detainee had shower and TV in his cell.
3. A 33-year-old white female. The detainee was being treated by medical staff for a condition which required medications. The medication caused detainee to have a variety of side effects. Medical recommended that the detainee remained in her cell and not to go to recreation time. Detainee was monitored by medical and mental health daily.

Very Respectfully,

Pablo Montoya, Interim Director

Indigent Hospital Claims Office

Chris A. Brice, County Manager

IHC Board Meeting April 8, 2021

Month	Number	Amount	Number	Denied
January	0	$0.00	0	$0.00
Feburary	7	$21,048.89	0	$0.00
March	2	$782.93		$0.00
April		$0.00		$0.00
May		$0.00		$0.00
June		$0.00		$0.00
July		$0.00		$0.00
August		$0.00		$0.00
September		$0.00		$0.00
October		$0.00		$0.00
November		$0.00		$0.00
December		$0.00		$0.00
Total	9	$21,831.82	0	$0.00

This Month's Total	Mimbres Memorial Hospital	$782.93
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		$782.93

Year to Date Total	Mimbres Memorial Hospital	$20,862.82
Year to Date Total	All Other Hospitals	$0.00
Year to Date Total	Deming Fire Dept./EMS	$0.00
Year to Date Total	All Other Services	$969.00
Total		$21,831.82

Care of Prisoners This Month - Not including SNCP Funds	$332,695.98
Care of Prisoners Year to Date Indigent - Not including SNCP Funds	$326,839.32
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds	$15,384.77
Care of Prisoners Year to Date Dr. Bills	$0.00
Total Cost of Care of Prisoners Year to Date	$342,224.09

Monies Received - March 2021	TBD
Balance in IHC Fund as of March 31, 2021	$1,669,624.47
Encumbrances as of March 31, 2021	$260,046.77

		Date	Amount Approved	Amount Denied
	Signatures	4/8/2021	$782.93	$0.00
Barbara L. Reedy				
Linda M. Smrkovsky				
John S. Sweetser				

IHC Board Meeting

April 8, 2021

Case Number	MMH	MMC	Gila Regional	MVRMC	Deming EMS	Elite Medical	Other Services		Comments	Denied Claims
8025	$687.64									
8026	$95.29									
	$782.93	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00		$0.00
	$782.93									

CASE #	LAST NAME	FIRST NAME	AMOUNT BILLED	AMOUNT APPROVED	AMOUNT DENIED	PATIENT #
8025	Villarreal	Christina	808.07	687.64	0	4781874
8026	Montano	Maria	319.12	95.29	0	4782925

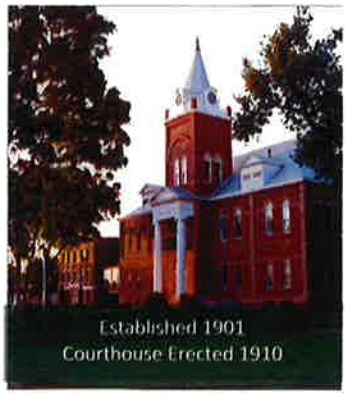
INDIGENT CLAIMS – MASTER LIST
APPROVED BY LCBCC AT MEETING APRIL 8, 2021

CASE #	LAST NAME	FIRST NAME	AMOUNT APP.	DATE	PATIENT #
8025	Villarreal	Christina	687.64	12/09/2020	4781874
8026	Montano	Maria	95.29	12/17/2020	4782925

INDIGENT CLAIMS – MIMBRES MEMORIAL HOSPITAL
APPROVED BY LCBCC AT MEETING APRIL 8, 2021

STATE OF NEW MEXICO
COUNTY OF LUNA
700 SOUTH SILVER AVENUE (88030)
P O DRAWER 551 DEMING, NEW MEXICO 88031-0551

Phone 575-543-6574 Fax No 575-543-6577
Email Joanne_hethcox@lunacountynm.us



LUNA COUNTY
Indigent Hospital Claims Fund
Information for Review Board

Date: 04/08/2021			
Case Number 8025			
Amount Billed $808.07	Amount Approved: $687.64	Amount Denied: $0	
Guarantor:	Address: 220 W. Locust st		
Patient Name: Christina Villarreal			
Phone Number: 575-494-3576	City: Deming	State: NM	Zip: 88030

Service Provider Information

Mimbres Memorial Hospital	Memorial Medical Center	Gila Regional	Deming EMS	Columbus Amb. Service	Other Services
$687.64	**$0**	**$0**	**$0**	**$0**	**$**
12/09/2020					
4781874					

Recommended Action:
Patient/Client meets the income and residency criteria to prove indigency. Recommendation is approved.

Commissioner			Amount Approved	Amount Denied	Date Approved/Denied
Barbara L. Reedy	Linda M. Smrkovsky	John S. Sweetser	$687.64	$0	04/08/2021

STATE OF NEW MEXICO
COUNTY OF LUNA
700 SOUTH SILVER AVENUE (88030)
P O DRAWER 551 DEMING, NEW MEXICO 88031-0551

Phone 575-543-6574 Fax No 575-543-6577
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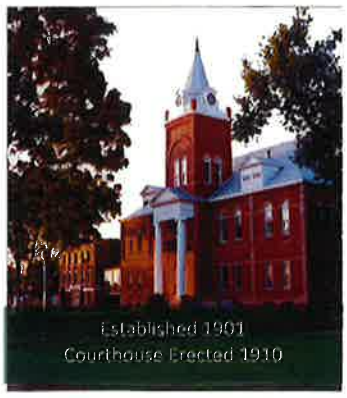

LUNA COUNTY
Indigent Hospital Claims Fund
Information for Review Board

Date: 04/08/2021			
Case Number 8026			
Amount Billed $319.12	Amount Approved: $95.29	Amount Denied: $0	
Guarantor:		Address: 305 Solana Rd SW	
Patient Name: Maria Montano			
Phone Number: 575-494-6406	City: Deming	State: NM	Zip: 88030

Service Provider Information					
Mimbres Memorial Hospital	**Memorial Medical Center**	**Gila Regional**	**Deming EMS**	**Columbus Amb. Service**	**Other Services**
$95.29	**$0**	**$0**	**$0**	**$0**	**$**
12/17/2020					
4782925					

Recommended Action:
Patient/Client meets the income and residency criteria to prove indigency. Recommendation is approved.

Commissioner			Amount Approved	Amount Denied	Date Approved/Denied
Barbara L. Reedy	Linda M. Smrkovsky	John S. Sweetser	$95.29	$0	04/08/2021

STATE OF NEW MEXICO
COUNTY OF LUNA
700 SOUTH SILVER AVENUE (88030)
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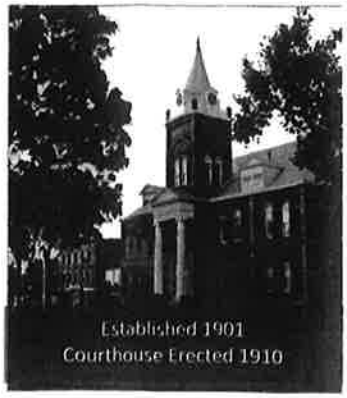

LUNA COUNTY
Indigent Hospital Claims Fund
Information for Review Board

Date: 04/08/2021			
Case Number 8025			
Amount Billed $808.07	Amount Approved: $687.64	Amount Denied: $0	
Guarantor:	Address: 220 W. Locust st		
Patient Name: Christina Villarreal			
Phone Number: 575-494-3576	City: Deming	State: NM	Zip: 88030

Service Provider Information

Mimbres Memorial Hospital	Memorial Medical Center	Gila Regional	Deming EMS	Columbus Amb. Service	Other Services
$687.64	**$0**	**$0**	**$0**	**$0**	**$**
12/09/2020					
4781874					

Recommended Action:
Patient/Client meets the income and residency criteria to prove indigency. Recommendation is approved.

Commissioner			Amount Approved	Amount Denied	Date Approved/Denied
Barbara L. Reedy	Linda M. Smrkovsky	John S. Sweetser	$687.64	$0	04/08/2021

STATE OF NEW MEXICO
COUNTY OF LUNA
700 SOUTH SILVER AVENUE (88030)
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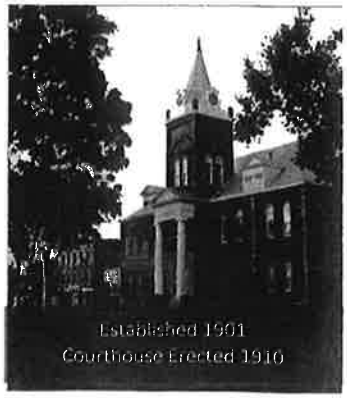

LUNA COUNTY
Indigent Hospital Claims Fund
Information for Review Board

Date: 04/08/2021			
Case Number 8026			
Amount Billed $319.12	Amount Approved: $95.29		Amount Denied: $0
Guarantor:		Address: 305 Solana Rd SW	
Patient Name: Maria Montano			
Phone Number: 575-494-6406	City: Deming	State: NM	Zip: 88030

Service Provider Information

Mimbres Memorial Hospital	Memorial Medical Center	Gila Regional	Deming EMS	Columbus Amb. Service	Other Services
$95.29	**$0**	**$0**	**$0**	**$0**	**$**
12/17/2020					
4782925					

Recommended Action:
Patient/Client meets the income and residency criteria to prove indigency. Recommendation is approved.

Commissioner			Amount Approved	Amount Denied	Date Approved/Denied
Barbara L. Reedy	Linda M. Smrkovsky	John S. Sweetser	$95.29	$0	04/08/2021

LUNA COUNTY, NEW MEXICO

ORDINANCE 101

PROCEDURE FOR ACCEPTING DONATIONS OF REAL PROPERTY

WHEREAS, pursuant to NMSA 1978 Section 4-38-1 (1884) the powers of a county as a body politic and corporate shall be exercised by a Board of County Commissioners; and,

WHEREAS, NMSA 1978, Section 4-38-13 (1953) provides that Board of County Commissioners shall have power at any session to make such orders concerning the property belonging to the county as they may deem expedient; and,

WHEREAS, Section 4-37-1 et seq. NMSA 1978 provides that counties may adopt those resolutions and ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

WHEREAS, Article 9 Section 14 of the New Mexico Constitution, referred to as the anti donation clause, which provides "[n]either the state, nor any county, school district, or municipality ... shall directly or indirectly lend or pledge its credit, or make any donation to or in aid of any person, association, or public or private corporation ...."; and,

WHEREAS, the ownership of real property and the management of such real property has the potential of imposing unacceptable risks and liabilities on the County of Luna if the property is remote, contains environmental hazards or has a clouded chain of title; and,

WHEREAS, the Board of County Commissioners of Luna County has determined that it is in the best interest of the County to adopt a resolution that embodies the policies and procedures to be employed by the County regarding the acceptance of gifts of real property in order to safeguard the County against accepting gifts of real property that are difficult to sell or are encumbered with defects that could put the County at risk once it is in the chain of title; and,

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Luna County that this Ordinance be enacted pursuant to New Mexico law and codified and to read as follows:

Title 9: Land Use Regulations
Chapter 5: Procedure to Accept Real Property Gifts

9.05.010 General
Luna County shall consider accepting title to real property as a gift if the donated real property can be sold to realize its cash value, if it can be held for future sale or if the property is located in an area where the real property may be used to meet the operational needs of the County Government.

Date___/____/____ County Clerk _____ Chair Board of County Commissioners_____

9.05.020 Procedure to Accept Real Property Gifts.

9.05.020.001 Establishing County Interest:

The process of establishing Luna County interest in accepting a gift of real estate shall begin once the following information is provided to the Luna County Manager:

The name, address, telephone number, e-mail address and signature of the proposed donor submitted on the Application & Checklist for Accepting Property Donations.

A statement of the reasons for the donor's desire to make the gift.

A general description of the property including the exact location, any structures (above and below ground), past uses of the property, location characteristics and/or pictures.

Proof of donor's ownership of the property in the form of a copy of the donor's deed to the real property. If the owner of record of the real property is deceased a copy of the Court's Appointment of the donor/applicant as Personal Representative/ Executor of the estate will be required.

A statement as to whether the contribution is of the donor's complete or partial interest in the property. Luna County will not accept as a gift a partial, fractional or minority interest in real property.

A list of any personal property to be included with the gift.

Copies of current property tax bills and special assessment bills. Applicants will be required to satisfy the tax debt on the real property. NMSA 1978 Section 7-38-37(1973) provides that taxes owed remain the personal obligation of the owner even after the owner sells or donated the property.

9.05.020.002 Review By County Departments

If based on the information obtained in Control 1 it is determined by the County Manager that the County will not benefit from the real property the County Manager shall inform the donor, in writing, that the County rejects the donation.

If the County Manager determines, based on the information obtained in Control 1 that the County may potentially benefit from this donation of real property, the following additional steps will be followed by County Departments before the donation is presented to the Board of County Commissioners "Board":

A recent legal description and survey of the property showing any easements and right of-ways, an up to date appraisal report, and a chain of title report, if necessary, will be provided by the Assessor's Office. A ten-year tax search will be provided by the Treasurer's Office.

Site inspection for potential environmental hazards by Code Enforcement Department.

A community development potential review by the Planning Department.

A health and safety risk and hazard evaluation by the Planning Department.

A road review evaluation performed by the Road Department or Planning Department.

The County Manager reserves the right to request additional information from the donor as determined necessary for the Administrative Review.

9.05.020.003 Administrative Review & Initial Acceptance

If after review, the County Manager finds that accepting the property would be in the County's best interest, the County Manager may, in his/her discretion, accept the real property on behalf of the Board.

Date___/____/____ County Clerk _____ Chair Board of County Commissioners_____

9.05.020.004 Control 4. Report
Within 10 days of initial acceptance by the County Manager, the Manager shall prepare a written report to the Board detailing why accepting the property was in the County's best interest. Manager shall explain why the real property is either beneficial for County Government use, in accordance with the Luna County Comprehensive Plan, or why the real property can be sold for its cash value either currently or in the future (including to be held for possible bundling with other properties for future sales).

Any member of the Commission may, within 10 days of receiving the report, request that a donation be considered by the entire Commission at the duly published meeting. In such case the Manager will not file the final received deed until further direction is given by the Board.

Upon the expiration of the 10 day review time detailed above or
acceptance by the Board the donation shall proceed to final acceptance.

9.05.030 Final Acceptance
9.05.030.001 If the County Manager or the Board accepts property, the donor must transfer the real property, by Warranty Deed to County of Luna within 90 days of the vote or the acceptance will be considered null and void. Luna County will not accept a Quit Claim Deed.

9.05.030.002 The donor is required to remit the current amount of the filing fee, checks or other instruments shall be made payable to the Luna County Clerk, with the executed final deed. This charge cannot be waived in accordance to Article 10 Section 14 of the New Mexico Constitution.
(C) If the County Manager or the Board elects not to accept the donation, the County Manager shall inform the donor, in writing, that the County rejects the donation.
(D) The donor is subject to and required to pay the taxes for the current year in which the transfer was completed. County of Luna will be responsible for the taxes for subsequent years.
(E) No real property shall be considered accepted or owned by the County of Luna unless it is formally accepted pursuant to this resolution or by other formal acceptance by the Board of County Commissioners.

9.05.040 Appeal
Upon the receipt of a letter of denial a potential donor may request the denial to be re-considered at a regular meeting of the Board of County Commissioners.

Date___/____/____ County Clerk _____ Chair Board of County Commissioners_____

APPROVED AND ADOPTED THIS 8th DAY OF APRIL, 2021.

BY THE BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

ATTEST:

_____
Barbara L. Reedy, Chairperson
Commissioner, District 1

_____
Berenda McWright,
County Clerk

_____
Linda M. Smrkovsky,
Commissioner, District 2

_____
John S. Sweetser,
Commissioner, District 3

REVIEWED FOR LEGAL SUFFICIENCY:

_____
Charles C. Kretek,
County Attorney

Date___/____/____ County Clerk _____ Chair Board of County Commissioners_____

LUNA COUNTY, NEW MEXICO

ORDINANCE 102

SCHEDULE OF FEES

WHEREAS, pursuant to NMSA 1978 Section 4-38-1 (1884) the powers of a county as a body politic and corporate shall be exercised by a Board of County Commissioners; and

WHEREAS, this ordinance repeals all fees established in the Luna County Code of Ordinances and establishes a "Schedule of Fees" as a supplement to the Luna County Code of Ordinances by resolution.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Luna County that this Ordinance be enacted pursuant to New Mexico law and codified and to read as follows:

Title 2: Administration Officers
Chapter 2: Fees

2.02.010 Adoption
All fees and charges are in effect as of the date of adoption by resolution of the "Schedule of Fees" and shall remain in effect unless otherwise modified.

2.02.020 Future Amendments
It is intended that the fees, charges, and rates will be reviewed periodically by the County Manager and the Board of County Commission. Accordingly, some or all of the provisions of the "Schedule of Fees" resolution may be amended from time to time. Each provision of the "Schedule of Fees" Resolution will remain in full force and effect unless otherwise expressly provided or expressly amended by subsequent resolution, in which case the amended provision will be immediately effective.

2.02.030 Savings Cause
Fees detailed in "Schedule of Fees" resolution repeals within the Luna County Code of Ordinances, are repealed but all other fees not specifically detailed in the Resolution shall remain in full force and effect unless specifically modified or repealed.

Date___/___/___County Clerk_____Chair of the Board of County Commissioners_____

APPROVED AND ADOPTED THIS 8TH DAY OF APRIL, 2021.

BY THE BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

ATTEST:

Barbara L. Reedy, Chairperson
Commissioner, District 1

Berenda McWright,
County Clerk

Linda M. Smrkovsky,
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3

REVIEWED FOR LEGAL SUFFICIENCY:

Charles C. Kretek,
County Attorney

Date___/___/___County Clerk_____Chair of the Board of County Commissioners_____

LUNA COUNTY NEW MEXICO

ORDINANCE 103

Tax Sale Property Emancipation

Title 9: Land Use Regulations
Chapter 6: Tax Sale Property Emancipation

9.06.010 General

Luna County shall consider bidding real property from the New Mexico Taxation and Revenue, Delinquent Property Tax Bureau, tax auction if it can be held for future sale or if the property is located in an area where the real property may be used to meet the operational needs of the County Government (including to be held for possible bundling with other properties for future sales).

9.06.020 Procedure for Purchasing at Tax Sale

Section A: Controls

(A) Control 1. Establishing County Interest:

The process of establishing Luna County interest is the development of an account of interested properties sent to New Mexico Taxation and Revenue, Delinquent Tax Bureau:

1. The account will be developed by a panel consisting of but not limited to a representative from the Luna County Assessor's Office and The Luna County Planning Department.
2. A greater number of parcels within the account should be localized within (1) one to (2) two: section, township, and range. Properties outside the selected section, township, and range may be purchased; however, should be minimized for administrative and planning purposes.
3. A general description of the property including the exact location, any structures (above and below ground), past uses of the property, location characteristics.
4. Copies of current property tax bills and special assessment bills.
5. Properties that have been inventoried by Taxation and Revenue, Delinquent Tax Bureau for auction may be purchased by the County by using the controls set forth.

(B) Control 2. Approval by County Manager

The account in Control 1 must be approved by the County Manager and the Budget & Procurement Director of The County of Luna.

(C) Control 3. Setting a Standard Bid Amount

The County of Luna is establishing a standard bid amount of 4% of taxable valuation set by the Assessor.

Section B: Request for Sale.

The account along with a request for sale will be forwarded to the New Mexico Taxation and Revenue, Delinquent Property Tax Bureau for future sale.

Section C: Non-Competition Clause.

The spirit of this policy is to emancipate properties within the financial means of Luna County. No other valid bids must be made on the property to validate the purchase made by the County of Luna.

APPROVED AND ADOPTED THIS 8th DAY OF APRIL, 2021.

By the Board of County Commissioners of Luna County

ATTEST:

Barbara L. Reedy, Chairperson
Commissioner, District 1

Berenda McWright,
County Clerk

Linda M. Smrkovsky,
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3

REVIEWED FOR LEGAL SUFFICIENCY:

Charles C. Kretek,
County Attorney

Date___/___/___County Clerk_____Chair Board of County Commission_____

LCBCC Meeting April 8, 2021
Accounts Payable

3/05/2021	$246,737.49
3/05/2021	$80.56
3/11/2021	$334,492.60
3/11/2021	$3,544.83
3/11/2021	$6,030.00
3/11/2021	$50.00
3/19/2021	$228,782.46
3/19/2021	$5,108.25
3/26/2021	$521,022.23
3/26/2021	$183.88

P-Cards
February 2021 $134.936.47

Total $1,480,968.77

Luna County

Board of County Commissioners

AGENDA 04/08/2021

PAYROLL

03/04/2021	*Register # 20210013	$ 2,281.70
03/12/2021	Register # 20210014	$ 508,300.62
03/12/2021	*Register # 20210015	$ 21,338.94
03/12/2021	*Register # 20210017	$ 909.67
03/26/2021	Register # 20210018	$ 505,981.66
03/26/2021	*Register # 20210019	$ 18,274.93
03/31/2021	*Register # 20210020	$ 4,681.80

Total $ 1,061,769.32

* Special

Proclamation 21-03

Motorcycle Awareness Month

The County of Luna recognizes that motorcycles are used as a regular means of transportation for commuting, touring and recreation in and around Luna County, New Mexico. The Luna County scenic roadways make our county a very popular destination for riders from around the country.

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. 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.

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 to help prevent accidents and most importantly, save lives.

The Board of County Commissioners of Luna County hereby proclaims the Month of May as "MOTORCYCLE AWARENESS MONTH" in Luna County, and urges our citizens to be observant, courteous and knowledgeable about motorcycle usage in our community.

Done at Deming NM this 8th day of April 2021

_____

Chris A. Brice, Manager

_____

Barbara L. Reedy, Chairperson; Commissioner, District 1

_____

Linda M. Smrkovsky, Commissioner, District 2

_____

John S. Sweetser, Commissioner, District 3

RESOLUTION NUMBER:
21-29

Approving the
LUNA COUNTY POLICY
Governing Capital Assets

WHEREAS, NMSA 1978, Section 12-6-10 (2005) requires that the County "at the end of each fiscal year, conduct a physical inventory of movable chattels and equipment costing more than Five Thousand Dollars ($5,000.00) under its control" and that its capital asset inventory list any item costing more than Five Thousand Dollars ($5,000.00), effective June 17, 2005; and,

WHEREAS, Section 2.20.1 of NMAC requires agencies to properly account for capital assets; and,

WHEREAS, Section 2.20.1.8 of NMAC describes the required capital asset accounting system; and,

WHEREAS, Section 2.20.1.15 of NMAC describes the proper controls over capital assets; and,

WHEREAS, Section 2.20.1.16 of NMAC describes the statutory annual inventory requirement; and,

WHEREAS, Section 2.20.1.18 of NMAC describes the requirement to follow the applicable statutes when disposing of capital assets; and,

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Luna County adopt the statutory capitalization limit for asset items costing Five Thousand Dollars ($5,000.00) or more that were acquired since June 17, 2005.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Board of County Commissioners of Luna County adopt the attached Capital Asset Policy.

PASSED, APPROVED AND ADOPTED THIS 8th DAY OF APRIL 2021.

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

_____

Barbara L. Reedy, District 1, Chairperson

ATTEST:

_____

Linda M. Smrkovsky, District 2

_____

Berenda McWright, Luna County Clerk

_____

John S. Sweetser, District 3

Contents

I. Purpose....4
II. Administrative Policies....4
a. Fiscal Responsibility....4
i. County Commission....4
ii. Finance Office....4
iii. Department Heads and Elected Officials....4
b. Assets....5
i. Recording....5
ii. Recording Land Improvements....5
iii. Recording Buildings....5
c. Costs....6
d. Accumulated Depreciation....6
e. Dollar Value and Life Expectancy Tests....6
f. Controllable Assets....7
g. Cancelable Lease Assets....7
h. Asset Ratio....7
i. Surplus Equipment....7
III. Accounting Policies....8
a. Capitalization and Depreciation....8
b. Tracking and Inventory....8
c. Capital Assets Useful Lives & Depreciation....8

I. Purpose

The purpose of this policy is to provide guidelines and regulations for the recording and depreciation of capital assets.

Capital assets include land, buildings and improvements, roads, machinery, vehicles and equipment, and construction in progress. The amount represented in the financial statements should be documented by an inventory listing supported with available detailed records of each asset maintained by the Finance Office.

It is also the county's responsibility to ensure proper accountability of certain other purchases made with funds that do not represent investment in general fixed assets.

This policy will encompass that responsibility as well.

II. Administrative Policies

a. Fiscal Responsibility

i. County Commission

1. Determine policy for proper disposal, transferal and depreciation of fixed assets and policy for notification to the State of New Mexico.
2. Review findings related to internal audits conducted by internal and external auditors.
3. Approve list of items declared surplus and suggested disposal methods pursuant to NMSA 1978, Section 13-6-1 (2007) (i.e., sale, scrap, etc.).

ii. Finance Office

Areas of responsibility are outlined below:

1. Provide Elected Officials/Department Heads with listings of inventory for which they are held accountable.
2. Maintain inventory listings of all assets determined to be tracked.
3. Copies of available documentation on all assets will be maintained in separate files for as long as the asset is actively on the books.
4. Tagging of all assets as determined by this policy and input of all relative information to the computer system.
5. Removal of tags and retirement of assets from computer records upon proper notification by appropriate departments.

iii. Department Heads and Elected Officials

Department heads and elected officials are responsible for the custody and maintenance of all assets purchased for or assigned to their office.

1. Report the theft or loss of property immediately to the

Finance Office by telephone to be followed by a letter or memorandum to the Finance Office. A police report should be obtained on all losses suspected of being stolen and submitted to the Manager's Office for insurance reporting.

2. Report to the Finance Office any assets deemed to be surplus and unneeded by this department so that transferal or disposal can proceed.
3. Any transferal or disposal of assets by department heads and/or elected officials shall be documented in writing to relieve that official of said responsibility.
4. Allow the Finance Office access to all records necessary to aid in the determining of proper disclosure of fixed assets for reporting purposes.
5. Designate person(s) for the custody and control of departmental property. The name of this person shall be submitted to the Finance Office for direct communication purposes. If a name is not submitted, the Department Head/Elected Official will serve in this role.
6. Notify the Finance Office of new asset acquisitions not currently tagged.
7. Reconcile and report differences between annual fixed asset inventory and actual physical inventory to the Finance Office.

b. Assets

i. Recording Land

Land is to be capitalized but not depreciated. It is recorded at actual cost, or a historical cost estimate if actual cost is unknown and remains at that cost until disposal.

ii. Recording Land Improvements

1. Non-Exhaustible - Expenditures for improvements that do not require maintenance expenditures include bringing land into the condition to commence erection of a structure, or land improvements not identified with structures. Expenditures for land improvements that do not deteriorate with use or passage of time are additions to the cost of land and are therefore not exhaustible and not depreciable.
2. Exhaustible - Other improvements that are part of a site, such as parking lots, landscaping, and fencing are depreciable.

iii. Recording Buildings

1. Recording Buildings. Buildings should be recorded at either their acquisition costs or construction costs. When improvements are made to major components, each building component (e.g., roof, air conditioner systems, etc.) may be

recorded separately when significant because these have different useful lives. If components are used, the value of each component will be determined and placed within its own category.

2. Recording Building Improvements. Building improvements that extend the useful life of a building and meet the capitalization threshold should be capitalized. (For retroactive recognition of site and facility improvements, only those projects completed within the last five years will be considered unless meaningful data is readily available for preceding years.)
3. Recording Construction in Progress. Construction in progress should be capitalized and not depreciated.
4. Recording Vehicles. Vehicles should be identified, inventoried, and, if applicable, depreciated.
5. Recording Furniture and Equipment. Assets such as furniture, machinery and equipment should be identified and inventoried. If they meet the threshold levels ($5,000.00 or more), they should be capitalized and depreciated.

c. Costs

Fixed assets shall be recorded at actual cost. If the actual cost is unknown, cost is estimated based on available information provided. Otherwise, estimated historical cost based on Marshall and Swift will be used where applicable. Donated fixed assets should be recorded at their estimated fair value at time received.

1. Actual Cost. This will include not only the purchase or construction cost (which can be obtained through invoice, purchase order, and paid check files) but also charges necessary to place the asset in its intended location. This includes costs such as freight and transportation, site preparation expenditures, interest costs, professional fees, and legal claims directly attributable to asset acquisition.
2. Estimated Cost. This will be based on as much documentary evidence that can be found to support the cost such as interviews with personnel and price level adjustments for each asset.
3. Donated Cost. These assets will be based on their estimated fair value at a time of acquisition. A determination as to be the fair value basis will be included with property records.

d. Accumulated Depreciation

Depreciation is a method for allocating the cost of buildings and equipment over their useful lives. Generally accepted accounting principles dictate that the value of capital assets must be written off as an expense over the life of the asset as an indirect cost. Annual depreciation expense will be calculated using the straight-line method and useful life schedules are attached.

e. Dollar Value and Life Expectancy Tests

Assets purchased with a dollar value of $5,000.00 or more and with a life expectancy of three years will be included in the inventory record. Items under this dollar value will not be presented in the financial statements. However, controllable assets will be tracked in inventory records for accountability purposes.

f. Controllable Assets

Controllable assets are assets which do not meet the criteria for a fixed asset but will be included in the inventory record for control purposes. Such property would include individual technology items, such as computers with a replacement dollar value of at least $500.00.

g. Cancelable Lease Assets

Capital assets leases, where the intent is to make a capital purchase at the end of the lease, will be included in the inventory record.

h. Asset Ratio

Assets no longer owned by or in the possession of the County shall be removed from the inventory record.

1. Sold and/or Retired. These assets will be removed from the inventory record upon formal notification from the responsible party of such disposition. Departments should be cautious about retiring assets still depreciating on the books. This will result in the County having to write off a loss in the year the asset was retired.
2. Obsolete. These assets will be removed from the inventory record upon formal notification and upon said determination by responsible party whether sold or not.
3. Transferred or Proprietary or Trust Fund. Assets in good working order may be removed from one department's responsibility and placed in storage for future use by other departments. These assets will be removed from the inventory record upon formal notification from responsible party.

iv. Missing Assets. Assets not seen for two consecutive annual inventories will be classified as missing and will be removed from the inventory record upon formal notification to the Finance Office. These assets will no longer be searched for in regular annual inventories. However, if an asset is located at some time in the future, it will be reactivated in the system. A list of missing assets by departments will be presented to the full County Commission.

i. Surplus Equipment

1. Each department may bid out or auction any surplus equipment upon approval by the Finance Office and County Commission. A complete accounting of the assets and any proceeds must be reported back to the Finance Office so that these items can be removed from the system. County employees will be prohibited from personally taking possession of any items declared surplus, other than those purchased through the sealed bid process or public auction.

2. Be cautious of co-mingling County owned assets with other assets in possession of departments. A clear record must be kept of ownership.
    1. Items for which no bids are received or their salvage value is determined to be less than the cost of handling/advertising, and will create a negative cash flow, may be destroyed or sold as scrap. A list of these items must be forwarded to the Finance Office so they can be removed from the system.
    2. A list of surplus equipment removed from inventory record will be presented to the full County Commission.

III. ACCOUNTING POLICIES

a. Capitalization and Depreciation

The following items will be capitalized as listed:

1	Land	$1	Capitalize Only
2	Land Improvements	$25,000	Capitalize and Depreciate
3	Buildings	$50,000	Capitalize and Depreciate
4	Building Improvements	$50,000	Capitalize and Depreciate
5	Roads and Bridges	$250,000	Capitalize and Depreciate
6	Vehicles	$5,000	Capitalize and Depreciate
7	Machinery and Equipment	$5,000	Capitalize and Depreciate
8	**Furniture and Fixtures**	$5,000	Capitalize and Depreciate
9	**Construction in Progress**	$1	Capitalize Only

b. Tracking and Inventory

The following items will be tracked and inventoried:

1	Land	$1	
2	Land Improvements	$1	
3	Buildings	$1	
4	Building Improvements	$1	
5	Roads and Bridges	$50,000	Capitalize and Depreciate
6	Vehicles	$5,000	
7	Machinery and Equipment	$5,000	
8	**Furniture and Fixtures**	$5,000	
9	**Construction in Progress**	$1	

c. Capital Assets Useful Lives & Depreciation

All depreciation is straight-line depreciation. Useful life timetables will comply with GASB Statement 34 and attached default asset life tables.

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 21-30
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 109, July 1, 2020 through June 30, 2021 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 8th DAY OF APRIL 2021.

BOARD OF COUNTY
COMMISSIONERS OF LUNA
COUNTY

_____
Barbara L. Reedy, Chairperson

ATTEST:

_____
Berenda 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 8th day of April, 2021, the following budget adjustments are proposed and entered of record.

Budget Resolution Number 21-30

Proposed Inter/Intra FUND Budget Increase/Decrease

SCHEDULE OF BUDGET ADJUSTMENTS

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	406/22000	Indigent Claims Fund	406/22000	$ 500,000.00	406-19-2018 Inmate Medical	$ 500,000.00	To pay for inmate medical expenditures through the remainder of the fiscal year including Corrl health.	$ 400,000.00	$ 900,000.00
Two	Increase	412/21800	Keep Luna County Beautiful	412/21800	$ (6,900.00)	412-77-1315 (Revenue) NM Clean & Beautiful	$ (6,900.00)	Increase in grant award for FY 2021.	$ (35,300.00)	$ (42,200.00)
					$ 3,000.00	412-00-2315 Grants-NM Beautiful	$ 3,000.00	To account for bills that were paid in this fiscal year that were encumbered from last fiscal year.	$ 35,300.00	$ 38,300.00
					$ 6,900.00	412-00-2315 Grants-NM Beautiful	$ 6,900.00	Increase in grant award for FY 2021.	$ 38,300.00	$ 45,200.00
Three	Increase	421/21800	Domestic Violence Shelter	421/21800	$ (1,200.00)	421-77-1629 (Revenue) Other Revenue Sources	$ (1,200.00)	To account for CYFD approved additioanl funding through CARES Act.	$ (8,000.00)	$ (9,200.00)
					$ 1,200.00	421-00-2012 Equip/Supplies/ Mnt/Repairs	$ 1,200.00	To account for CYFD approved additioanl funding through CARES Act.	$ -	$ 1,200.00
Four	Increase	421/21800	Domestic Violence Shelter	421/21800	$ (13,000.00)	421-77-1629 (Revenue) Other Revenue Sources	$ (13,000.00)	To account for CYFD one-time funding for DVOTI program.	$ (9,200.00)	$ (22,200.00)
					$ 13,000.00	421-00-2002 Salaries - Full-Time	$ 3,600.00	To pay for contract and other expenses for DVOTI program as awarded by CYFD.	$ 141,086.40	$ 144,686.40
						421-00-2060 Match - Medicare 1.45%	$ 53.00	To pay for contract and other expenses for DVOTI program as awarded by CYFD.	$ 2,390.12	$ 2,443.12
						421-00-2064 Match - FICA 6.2%	$ 224.00	To pay for contract and other expenses for DVOTI program as awarded by CYFD.	$ 13,644.27	$ 13,868.27
						421-00-2327 DV Offenders Treatment Program	$ 9,123.00	To pay for contract and other expenses for DVOTI program as awarded by CYFD.	$ 3,872.99	$ 12,995.99
Five	Increase	610/21800	Drug Investigation - HIDTA	610/21800	$ (7,200.00)	610-77-1320 SWNM Task Force - HIDTA	$ (7,200.00)	HIDTA received supplemental funding for confidential informants.	$ (448,246.00)	$ (455,446.00)
					$ 7,200.00	610-43-2041 Confidential Informants	$ 7,200.00	HIDTA received supplemental funding for confidential informants.	$ 24,200.00	$ 31,400.00

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
Six	Increase	415/21800	Community Services - Teen Outreach Program	415/21800	$ 8,000.00	415-39-2020 Supplies	$ 8,000.00	To allow for spending of funds not originally budgeted to grant award.	$ 59,258.41	$ 67,258.41
					$ 503,000.00		$ 503,000.00		$ 158,047.78	$ 661,047.78

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 8th day of April 2021.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

Barbara L Reedy, District 1 | Linda M. Smukovsky, District 2 | John S. Sweetser, District 3

ATTEST:

Berenda McWright, Luna County Clerk

Entered By

Date

Checked By:

Date

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 21-31
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 109, July 1, 2020 through June 30, 2021 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 8th DAY OF APRIL 2021.

BOARD OF COUNTY
COMMISSIONERS OF LUNA
COUNTY

_____
Barbara L. Reedy, Chairperson

ATTEST:

_____
Berenda 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 8th day of April, 2021 the following budget adjustments are proposed and entered of record.

Budget Resolution Number 21-31

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 - Commission	401-00-2010 Mileage/Per Diem	$6,252.51	**$1,000.00**	401-00-2008 Printing and Publishing	**$1,000.00**	To clean up negative line item and allow for spending through remainder of fiscal year.
Two	Transfer	401/11000	General Fund - Treasurers	401-07-2012 Equip/Supplies Mtn/Repairs	$6,899.45	**$800.00**	401-07-2153 Bank Charges	**$800.00**	To clean up negative line item and allow for spending through remainder of fiscal year.
Three	Transfer	401/11000	General Fund - Data Processing	401-09-2084 Safety/Equip/ Supplies/Training	$17,976.50	**$5,000.00**	401-09-2007 Telephone	**$5,000.00**	To clean up negative line item and allow for spending through remainder of fiscal year.
Four	Transfer	421/21800	Domestic Violence Shelter	421-00-2002 Salaries - Full-Time	$46,011.20	**$5,000.00**	421-00-2005 Salaries - Overtime	**$5,000.00**	To cover extra shifts due to staffing shortage and allow for spending through remainder of fiscal year.
Five	Transfer	421/21800	Domestic Violence Shelter	421-00-2010 Mileage/Per Diem	$13,214.00	**$12,500.00**	421-00-2020 Supplies	**$12,500.00**	To purchase supplies as needed through remainder of fiscal year.
				421-00-2101 Professional/Contract Services	$6,415.40	**$6,000.00**	421-00-2020 Supplies	**$6,000.00**	To purchase supplies as needed through remainder of fiscal year.
Six	Transfer	609/22600	Adult Detention	609-21-2002 Salaries - Full-Time	$1,195,495.71	**$10,000.00**	609-21-2007 Telephone	**$10,000.00**	To clean up negative line item and allow for spending through remainder of fiscal year.
				609-21-2002 Salaries - Full-Time	$1,185,495.71	**$500.00**	609-21-2015 Exterminating	**$500.00**	To clean up negative line item and allow for spending through remainder of fiscal year.
Seven	Fund to Fund Transfer	411/21800	Community Maintenance & Improvements	411		**$17,597.77**	401	**$17,597.77**	To reimburse General Fund for EMPG Grant for 1st & 2nd Quarters of EM salary.
Eight	Transfer	415/21800	Community Services - Teen Outreach Program	415-39-2010 Mileage/Per Diem	$4,000.00	**$4,000.00**	415-39-2020 Supplies	**$4,000.00**	To allow for spending of grant funds towards programming.
					$2,481,760.48	$62,397.77		$62,397.77	

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 8th day of April 2021.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

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

ATTEST:

Berenda McWright, Luna County Clerk

Entered By:

Date

Checked By:

Date

Be it remembered that at a Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 8th day of April 2021, the following proceedings were had and entered of record.

RESOLUTION 21-32

ADJUSTING PRECINCT BOUNDARIES AND CREATING NEW PRECINCT

WHEREAS, Section 1-3-12C NMSA 1978 requires the respective Board of County Commissioners and the County Clerks to adjust all precinct boundaries upon receipt of the standard base maps from the Secretary of State.

WHEREAS, Section 1-3-12D NMSA 1978 states adjustments to the standard base maps submitted and as revised and approved by the Secretary of State pursuant to the provisions of the Precinct Boundary Adjustment Act shall become the official precincts of each county for the 2021 redistricting, and

WHEREAS, Section 1-3-1B(1) NMSA 1978 requires a precinct be divided or its boundaries adjusted if the precinct has had more than 750 votes cast based on the two most recent general elections or if the precinct has more than 2500 persons residing within the boundaries of the precinct, and

WHEREAS, Luna County, in Conjunction with the State of New Mexico's approved vendor, for technical support identified one precinct boundary split as defined in the attached Exhibit A in accordance with the Precinct Boundary Adjustment Act.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Luna County, pursuant to Section 1-3-5 NMSA 1978 amends the precinct boundaries as adjusted by the creation of a new Precinct 18 in Luna County as designated in the attached as Exhibit A and hereby adopts such changes for the purposes of the 2020 census and for redistricting in 2021.

BE IT FURTHER RESOLVED, pursuant to Section 1-3-8 NMSA 1978 that the Board of County Commissioners and the Office of the County Clerk shall send a certified copy of this resolution to the Secretary of State, to the county chairperson of each major political party, and publish this resolution once in the Deming Headlight.

DONE AT DEMING, NEW MEXICO THIS 8TH DAY OF APRIL, 2021

By the Board of County Commissioners of Luna County

ATTEST:

Barbara L. Reedy, Chairperson
Commissioner, District 1

Berenda McWright,
County Clerk

Reviewed for Legal Sufficiency:

Linda M. Smrkovsky,
Commissioner, District 2

Charles C. Kretek,
County Attorney

John S. Sweetser,
Commissioner, District 3

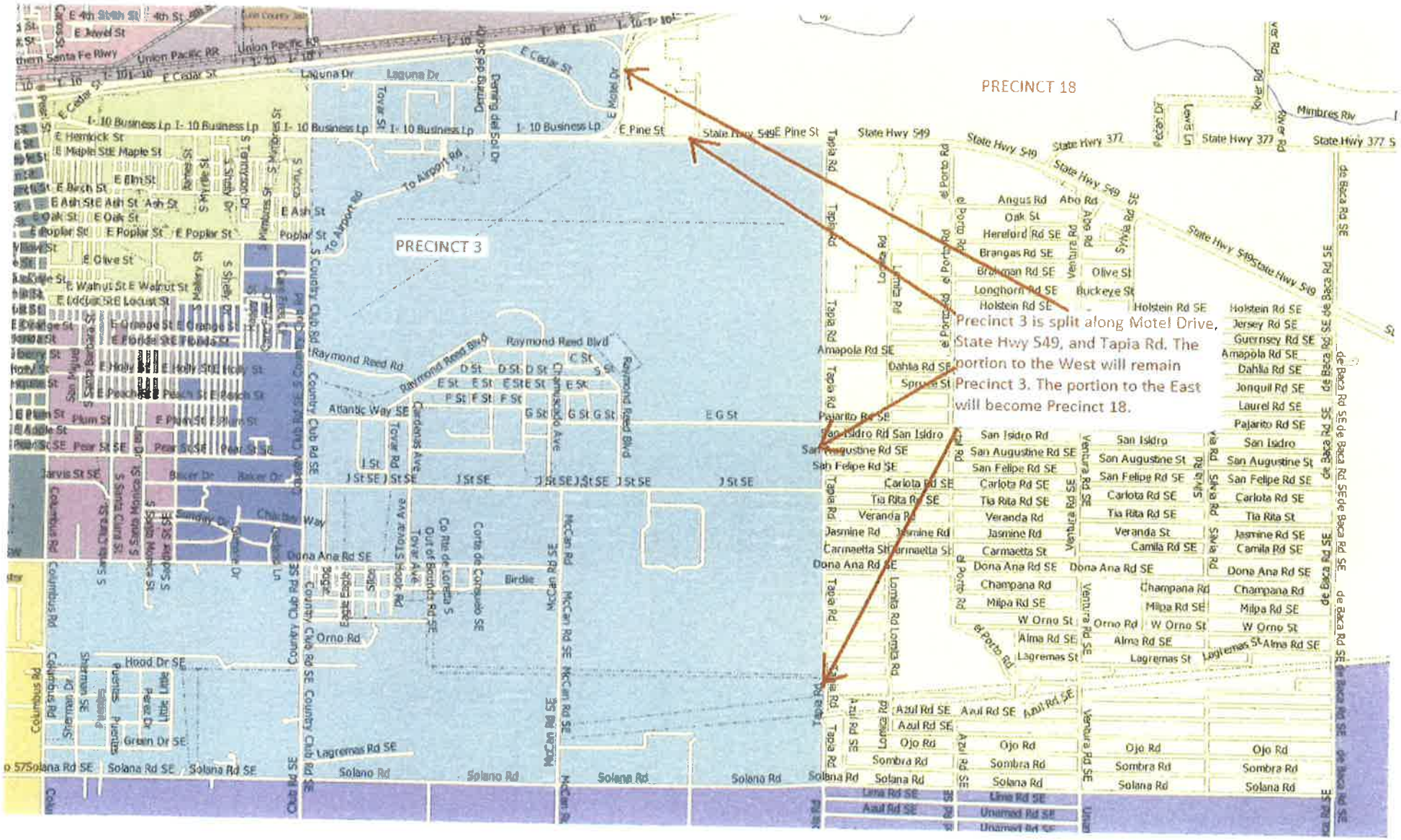
PRECINCT 18
PRECINCT 3
Precinct 3 is split along Motel Drive, State Hwy S49, and Tapia Rd. The portion to the West will remain Precinct 3. The portion to the East will become Precinct 18.

EXHIBIT A

Be it remembered that at a Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 8th day of April 2021, the following proceedings were had and entered of record.

LUNA COUNTY

RESOLUTION 21-33

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 them may deem expedient;

WHEREAS, Section 13-6-1, NMSA 1978 declares that a County may dispose of tangible personal property and delete if 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

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

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

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

Done at Deming, New Mexico this 8th day of April 2021.

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

ATTEST:

_____
Barbara L. Reedy
Commissioner, District 1

_____
Berenda McWright, County Clerk

_____
Linda M. Smrkovsky
Commissioner, District 2

_____
John S. Sweetser
Commissioner, District 3

STATE OF NEW MEXICO
County of Luna

Barbara L. Reedy
Commissioner, District 1

Linda M. Smrkovsky
Commissioner, District 2

Chris Brice
County Manager

John S. Sweetser, Chair
Commissioner, District 3

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

03/18/2021

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

Subj: Disposal of Assets

Asset	Make	Model	VIN	Inventory #	Mileage
One	DODGE	DAKOTA	1D7HW28P37S2	981296	70661
	MECHANICAL AND BODY ISSUES, ENGINE, SUSPENSION, ETC				
Two	Make	Model	VIN	Inventory #	Mileage
	CHEVROLET	TAHOE	1GNLC2E00DR3	982248	120672
	MECHANICAL AND BODY ISSUES,ENGINE, SUSPENSION ETC. HIGH MILEAGE				

JOSE MARTINEZ

JOSE MARTINEZ

STATE OF NEW MEXICO

County of Luna

Barbara L. Reedy
Commissioner, District 1

Chris Brice
County Manager

Linda M. Smrkovsky
Commissioner, District 2

John S. Sweetser, Chair
Commissioner, District 3

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03/18/2021

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

Subj: Disposal of Assets

Asset	Make	Model	VIN	Inventory #	Mileage
One	CHEVROLET	TAHOE	1GNUKAE06AR2	981739	155183
	MECHANICAL AND BODY ISSUES, ENGINE, SUSPENSION ETC/HIGH				
Two	**Make**	**Model**	**VIN**	**Inventory #**	**Mileage**
	DODGE	RAM	1C6RR7XT7FS76	982418	114879
	MECHANICAL AND BODY ISSUES, ENGINE, SUSPENSION ETC/HIGH MILEAGE				

eSigned via CearnlessDocs.com
JOSE MARTINEZ
Key: [illegible]

JOSE MARTINEZ

STATE OF NEW MEXICO
County of Luna

Barbara L. Reedy
Commissioner, District 1

Linda M. Smrkovsky
Commissioner, District 2

Chris Brice
County Manager

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03/18/2021

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

Subj: Disposal of Assets

Asset	Make	Model	VIN	Inventory #	Mileage
One	DODGE	CHARGER	2C3CDXAT4EH3	982369	86041
	MECHANICAL AND BODY ISSUES, ENGINE, TRANSMISSION,				
Two	Make	Model	VIN	Inventory #	Mileage
	CHEVROLET	SILVERADO	3GCPKSE31BG3	982021	143619
	MECHANICAL AND BODY ISSUES; ENGINE, SUSPENSION, ETC/HIGH MILEAGE				

JOSE MARTINEZ

STATE OF NEW MEXICO
County of Luna

Barbara L. Reedy
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Chris Brice
County Manager

Linda M. Smrkovsky
Commissioner, District 2

John S. Sweetser, Chair
Commissioner, District 3

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03/18/2021

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

Subj: Disposal of Assets

Asset	Make	Model	VIN	Inventory #	Mileage
One	CHEVROLET	TAHOE	1GNFC13057R2	982004	183382
	MECHANICAL AND BODY ISSUES; ENGINE, SUSPENSION, ETC/HIGH				
Two	Make	Model	VIN	Inventory #	Mileage
	CHEVROLET	CAPRICE	6G3NS5U29GL2	982457	101226
	MECHANICAL AND BODY ISSUES; ENGINE, SUSPENSION, ETC/HIGH MILEAGE				

JOSE MARTINEZ

STATE OF NEW MEXICO
County of Luna

Barbara L. Reedy
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Commissioner, District 2

Chris Brice
County Manager

John S. Sweetser, Chair
Commissioner, District 3

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04/05/2021

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

Subj: Disposal of Assets

Asset	Make	Model	VIN	Inventory #	Mileage
One	2008 Ford	Fusion	3FAHP08178R26 4023	981455	128,620
	Vehicle has multiple electrical issues, to include two windows not rolling up. We				
Two	Make	Model	VIN	Inventory #	Mileage

Viviana Silva

Viviana Silva

CASA
Court Appointed Special Advocates
FOR CHILDREN

CASA OF LUNA/HIDALGO/
GRANT COUNTIES

2 March 2020

From: Viviana Silva, CASA Director
To: Joanne Hethcox, Budget and Procurement Director
Via: Chris Brice, County Manager

Subj: Disposal of CASA Vehicle

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

Make	Model	VIN	Inventory #	Mileage
2008 Ford Fusion	Fusion	3FAHP08178R26 4023	981455	128,620
Vehicle has multiple electrical issues, to include two windows not rolling up. We were quoted at $453.34 in order to repair the window electrical issues. The windshield has to be replaced as				

CASA of Luna & Hidalgo
210 E. Poplar, Suite APh. 575-567-1186
Deming, NM 88030
casa@lunacountynm.us

LUNA COUNTY SHERIFF'S OFFICE; AUCTION INVENTORY LIST 3-16-2021					
MAKE/MODEL/YEAR	YEAR	VIN	PLATE	UNIT #	MILEAGE
DODGE; DAKOTA	2007	1D7 HW2 8P3 7S2 459 58	G 69430	981296	70661
CHEV; TAHOE	2013	1GN LC2 E00 DR3 098 73	G 88695	982248	120672
CHEV; TAHOE	2010	1GN UKA E06 AR2 129 03	G 88045	981739	155183
DODGE ; RAM	2015	1C6 RR7 XT7 FS7 604 53	G 96802	982418	114879
DODGE; CHARGER	2014	2C3 CDX AT4 EH3 584 99	G 94133	982369	86041
CHEV; SILVERADO	2011	3GC PKS E31 BG3 531 26	NM PLATE - 694RHT	982021	143619
CHEV; TAHOE	2007	1GN FC1 305 7R2 540 58	G 83446	982004	183382
CHEV; CAPRICE	2016	6G3 NS5 U29 GL2 185 07	G 99626	982457	101226

STATE OF NEW MEXICO
County of Luna

Barbara L. Reedy
Commissioner, District 1

Linda M. Smrkovsky
Commissioner, District 2

Chris Brice
County Manager

John S. Sweetser, Chair
Commissioner, District 3

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04/05/2021

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

Subj: Disposal of Assets

Asset	Make	Model	VIN	Inventory #	Mileage
One	Dodge	Dakota	1B7HG48N22S5 48859	980934	Uknown
	2002 Dodge not used any longer due to age and unreliability				
Two	Make	Model	VIN	Inventory #	Mileage

David Bailey

David Bailey

Inventory Maintenance

Update Prompt () Depreciation Detail Return Cancel

4/05/21 12:27:12

Month	Day	Year			Calc Depreciation Thru	
July	9	2004	INVT #	980934	0405	2021
			Type/Class #	DETENTION CENTER ASSETS		

If changing dept ck G/L # 401082028

Dept ROAD

Location Sub Loc

Source

Model

Sub"/Lic#

Serial #

Insurance #

Desc-1 DAKOTA PICKUO TRUCK

Desc-2

Desc-3

Desc-4

Est life in months 60

Physical 14 MACHINERY & EQUIPMENT

Financial 41 BUSINESS TYPE ACTIVITY

Override Depreciation

Roads

Land/Improvements

Delete

Purchase price	24,903.00
Added value	.00
Maint/Repair	.00
Other deduct	.00
Est full	24,903.00
Est deprec	24,903.00
Est net	.00
Sold/Traded	.00
Book Value	.00

Bank Number

Get Check

Federal Funds

Do not report

Replacement Invt & Month Day Year

Condition

Recovery/Salvage $

Est Replacement $

Monthly maint contract

STATE OF NEW MEXICO

County of Luna

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Linda M. Smrkovsky
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Chris Brice
County Manager

John S. Sweetser, Chair
Commissioner, District 3

700 South Silver Avenue · Post Office Box 551 · Deming, New Mexico 88031
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04/05/2021

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

Subj: Disposal of Assets

Asset	Make	Model	VIN	Inventory #	Mileage
One					
Two	Make	Model	VIN	Inventory #	Mileage
	1997 Ford	Taurus	1FALP517VG172	980212	Unknown
	VIN: 1FALP517VG172232 - Transmission is no longer working, will not start. Mechanically not economically repairable.				

Joanne C. Hethcox

Joanne C. Hethcox

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December 30, 2019

From: Desa Malina, Juvenile Justice Program Manager
To: Joanne Hethcox, Budget and Procurement Director
CC: Chris Brice, County Manager

Subj: Disposal of Adult Drug Court Vehicle

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

Make	Model	VIN	Inventory #	Mileage
1997 Ford	Taurus (Silver)	See attached	980212	
Vehicle has multiple issues and 2 shops have been unable to repair. The unit has not been in use in over a year and is beyond economical repair. Fuel pump has been replaced once, the transmission is not in working condition, ignition switch is bad, heater/air conditioner are not in working condition, the dash board is cracked and falling apart and all tires are worn and flat. The vehicle is parked in District Court's North side parking lot.				

Respectfully,

Desa Malina

Inventory Maintenance

Update Prompt () Depreciation Detail Return Cancel

4/05/21 12:17:00

Month	Day	Year	INVT #	980212
June	24	1997	Type/Class #	VEHICLES

Calc Depreciation Thru 0405 2021

If changing dept ck G/L # 401002028

Dept MANAGERS

Location MANAGER OFFICE Sub Loc

Source FORD

Model TAURUS

Sub"/Lic#

Serial # 1FALP51U7VG172232

Insurance #

Desc-1 1997 AUTOMOBILE

Desc-2 TRNS FROM DET CNT TO

Desc-3 ADULT DRUG COURT

Desc-4

Est life in months 60

Physical 13 OTHER IMPROVEMENTS

Financial 48 GOVT-GENERAL GOVERNMENT

Override Depreciation

Roads

Land/Improvements

Delete

Purchase price	15,234.00
Added value	.00
Maint/Repair	.00
Other deduct	.00
Est full	15,234.00
Est deprec	15,234.00
Est net	.00
Sold/Traded	.00
Book Value	.00

Bank Number

Get Check 01 41188

☐ Federal Funds

☐ Do not report

☐ Replacement Invt & Month Day Year

Condition

Recovery/Salvage $

Est Replacement $

Monthly maint contract

ADC

STATE OF NEW MEXICO
TAXATION & REVENUE DEPARTMENT
MOTOR VEHICLE DIVISION
CERTIFICATE OF VEHICLE REGISTRATION
MVD-10001 REV. 03/96

Y

Title Number: 97144534A050184

DIVISION USE ONLY 8482678

#980212
85-2659

Vehicle Identification Number	Year	Make	Model / Series	Number of Liens	Field Office Number
1FALP51U7VG172232	97	FORD	TRG	0	34A

Engine or Other ID Number	Wt./Wheels	First Year Reg.	Date of Issue	Type of Title (01 - First Time, 02 - Duplicate Title, 03 - Title Transfer, 05 - Filing or Release of Lien, 15 - Non-Negotiable)
01-017.00	03193	1997	07/25/97	03

Name and Address of Registered Owner(s)
LUNA COUNTY
PO DRAWER 551
DEMING NM 88031

DGVW	Cyls.	Body Type	Type of Fuel (1. Gasoline 2. Diesel 3. Liquified 4. Other)	Odometer *
06		4D	1	48

License Plate Number	Registration Sticker No.	Vehicle Class
G31841		PASSENGER

Previous Title No. and State: 97122319N638137 NM

Date Purchased:

Social Security or Employer Identification No.:

1st Reg. Owner D.O.B.:

N.M. Driver License No.:

N.M. Veteran Cert. No.: 00000000

FIRST LIEN HOLDER	File Date	Maturity Date	SECOND LIEN HOLDER	File Date	Maturity Date

Name and Address:

Name and Address:

Canceled Pil. No.	Dealer Lic. No.	Mobile Home Size	Cnty.	Approximate Location (Mobile Home)	Suspended By:
	0000000				

Trade-In VIN (If Applicable):

Mailing Address if Different Than Residence Address:

REGISTRATION EXPIRATION: Month DE Year RM

IMPORTANT REGISTRATION INFORMATION
YOUR REGISTRATION WILL EXPIRE ON THE LAST DAY OF THE MONTH AS INDICATED ABOVE AND ON YOUR LICENSE PLATE VALIDATION STICKER. THERE IS A PENALTY CHARGE FOR FAILING TO RENEW BY THIS DEADLINE.

Cleared By:

Sale Price: .00

Less Trade-In: .00

Net Difference: .00

Net Excise Tax: .00

Registration: .00

Late Reg. Penalty: .00

Vets. Allowance: .00

Net Registration: .00

Spec. Plate Fee: .00

Admin. Fee: .00

Transaction Fee:

Late Transfer Fee:

Duplicate Title Fee: .00

TOTAL FEES: $ .00

***ODOMETER DISCLOSURE STATEMENT**

FEDERAL AND STATE LAW REQUIRES THE TRANSFEROR (SELLER) OF A VEHICLE TO STATE THE ODOMETER MILEAGE UPON TRANSFER OF OWNERSHIP. ANYONE CONVICTED OF A FRAUDULENT ODOMETER STATEMENT WILL BE SUBJECT TO FINES AND / OR IMPRISONMENT.

I hereby certify that the ODOMETER READING of the vehicle described above is: _____ (no tenths) miles and that to the best of my knowledge stated mileage is (check one of the following):

Mileage Codes ☐ THE ACTUAL MILEAGE (AM) ☐ MILEAGE IN EXCESS OF MECHANICAL LIMITS (EL)* ☐ WARNING: NOT THE ACTUAL MILEAGE - ODOMETER DISCREPANCY (NM)*

Printed Name of Seller _____ X Signature of Seller _____ Date of Statement _____

Printed Name of Purchaser _____ X Signature of Purchaser _____ Date of Statement _____

SELLER'S / PURCHASER'S AFFIDAVIT: I(We) hereby certify that on the date shown above I (we) sold (purchased) the vehicle described above for the exact amount indicated and that all information contained herein is true and correct to the best of my (our) knowledge.

Signature(s) of Seller(s) or Purchaser(s): 1st _____ 2nd _____ Date: COUNTY VEH

THE DIVISION IS NOT RESPONSIBLE FOR FALSE OR FRAUDULENT STATEMENTS MADE IN CONNECTION WITH THIS APPLICATION OR HELD LIABLE FOR RECORDING ERRORS.

APPLICANT CERTIFICATION: I (We) hereby certify that the information given herein is true and correct to the best of my (our) knowledge.

Signature of 1st Registered Owner _____ Signature of 2nd Registered Owner _____

OWNER(S) AFFIRM THAT OWNER(S) ARE FINANCIALLY RESPONSIBLE AS DEFINED IN THE MANDATORY FINANCIAL RESPONSIBILITY ACT (See Reverse Side).

REMARKS
OFF

ACCEPTED BY: Signature of M.V.D. Employee: _____ Date: _____

VIN & ODOMETER INSPECTION: I certify that I have conducted a visual inspection of the vehicle described above, that the V.I.N. and odometer reading are as stated and that I am not involved in or responsible for any other activities or transactions related to this vehicle.

Vehicle Identification No. _____ Odometer Reading: _____

DO NOT accept application if VIN does not correspond.

Inspection Conducted By: _____

Title: _____ Inspection Date: _____

MVD VALIDATION ONLY .00

JNR 970725
NOFEE CORRECTION
971445 34A

REGISTERED OWNER COPY-*PLEASE READ IMPORTANT INFORMATION ON REVERSE SIDE*

STATE OF NEW MEXICO
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04/05/2021

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

Subj: Disposal of Assets

Asset	Make	Model	VIN	Inventory #	Mileage
One					
Two	Make	Model	VIN	Inventory #	Mileage
	2004 Ford	F-150	2FTRX17264CA5	981083	Unknown
	VIN: 2FTRX17264CA58435; truck was on loan with the Deming-Luna County Humane Society. Mechanically unsound and they have returned for auction.				

Joanne C. Hethcox

Joanne C. Hethcox

Help

Inventory Maintenance

Update | Prompt () | Depreciation Detail | Return | Cancel

4/05/21 12:45:32

Month	Day	Year	INVT #	981083	Calc Depreciation Thru	
March	30	2004	Type/Class #	VEHICLES	0405	2021

If changing dept ck G/L # 411002028

Dept: SHERIFFS
Location: SHERIFFS Sub Loc
Source: FORD
Model: 2004 F-150
Sub"/Lic#: 33314
Serial #: 2FTRX17264CA58435
Insurance #
Desc-1: 2004 FORD F-150 PICKUP
Desc-2: (BORROWED BY HUMANE SOCIETY
Desc-3: PER KELLY KUENSTLER)
Desc-4

Est life in months: 60

Physical: 13 OTHER IMPROVEMENTS
Financial: 46 GOVT-PUBLIC SAFETY

Override Depreciation
Roads
Land/Improvements
Delete

Purchase price	13,556.25
Added value	.00
Maint/Repair	.00
Other deduct	.00
Est full	13,556.25
Est deprec	13,556.25
Est net	.00
Sold/Traded	.00
Book Value	.00

Bank Number
Get Check 01 73994

☐ Federal Funds
☐ Do not report
☐ Replacement Invt & Month Day Year

Condition

Recovery/Salvage $
Est Replacement $
Monthly maint contract

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04/06/2021

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

Subj: Disposal of Assets

Asset	Make	Model	VIN	Inventory #	Mileage
One	Jackson	Avenger	ser.#11/267839	982040	N/A
	Item is non-functioning. Has been in Storage since 6/20				
Two	Make	Model	VIN	Inventory #	Mileage
	Taylor	339-33	ser.#J9102568	982043	N/A
	Soft Serve machine. Missing parts, no longer freezes. Was removed to storage approx. 3 years ago.				

Eric Roach

Eric Roach

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04/06/2021

To: Luna County Board of County Commissioners
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CC: Chris Brice, County Manager

Subj: Disposal of Assets

Asset	Make	Model	VIN	Inventory #	Mileage
One	1990	Fire Truck	1GDP7D1G1LV5	981852	Unknown
	Non functioning; VFD no longer needs				
Two	**Make**	**Model**	**VIN**	**Inventory #**	**Mileage**
	2005 Ford	F-250	1FTSW20535ED	981153	Unknown
	Non functioning; VFD no longer needs				

Joanne C. Hethcox

Joanne C. Hethcox