

**MINUTES
PUBLIC WORK SESSION
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Thursday, February 8, 2024**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 9:30 a.m. on Thursday, February 8, 2024 in the Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

Call to Order: Chair Chandler Called the Meeting to order at 9:30 a.m. and led the Pledge of Allegiance and the salute to the flag of New Mexico.

Roll Call: Deputy Clerk Toni Esparza called Roll. The following Board Members constituting a quorum were present:

**Ray J. Trejo, District 1
Colette M. Chandler, Chair District 2
John S. Sweetser, District 3**

Public Comment: Chair Chandler opened the floor for any public comment. Leslie Bronkin was in attendance remotely and asked for the timeline of events leading up to increasing the Board of County Commissioners to five. There was no other public comment forthcoming.

(NOTE: Items were presented for discussion only and no actions were taken.)

Adjourn: Chair Chandler adjourned the Pubic work session at 9:35am

ATTEST:

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Berenda McWright, Luna County Clerk

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

Approved: _____

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

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

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, February 8, 2024**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, February 8, 2024, in the Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following staff and elected officials were present: County Manager Chris Brice, Executive Assistant to the County Manager Mayra Hernandez, County Attorney Charles Kretek, HR Director Rosa Porras, HR/Legal Malarie Carlos, Director of Public Safety Pablo Montoya, Clerk Berenda McWright, Chief Deputy Clerk Leslie Nabours, Administrative Assistant Senior Toni Esparza, Chief Deputy Assessor Isabelle Enciso, Treasurer Kristie Hobbs, Chief Deputy Treasurer Jonathan Richmond, Administrative Assistant Senior Lisa Maynes, County Service Specialist Senior Cynthia Grado, County Service Specialist Monica Juarez, Deputy Director of Grants Department Yossie Nieblas, Planning and Zoning Director Lupita Hernandez, Road Department Director David Bailey, Sheriff Mike Eby, LCDC Director Lee Cook, LCDC Deputy Warden Justin Porter, Administrative Assistant Aundrea Pena, Training Sgt. Fabian Chayrez, CPL Jose Gutierrez, Starmax Director Chad Troyer, IT Tech Joseph Apodaca.

CALL TO ORDER: Chair Chandler called the meeting to order at 10:00a.m. and led the Pledge of Allegiance and the salute to the flag of New Mexico.

ROLL CALL: Deputy Clerk Toni Esparza called roll. The following members of the Board constituting a quorum were present:

**Ray J. Trejo, District 1
Colette M. Chandler, District 2
John S. Sweetser, District 3**

MINUTES: Commissioner Sweetser motioned to approve the minutes for the Public Work Session and Regular Meetings of January 11, 2024, and the Special Meeting of January 19, 2024. The motion was seconded by Commissioner Trejo and unanimously approved following a roll call vote.

SERVICE AWARDS:

- LCDC Director Lee Cook Presented CPL Jose Gutierrez with his pin for five years of service.
- Valerie Tyler was not present to receive her pin for 10 years of service.
- County Manager Chris Brice presented Treasurer Kristie Hobbs with her pin for 15 years of service.

PRESENTATIONS:

- Kelly Ganaway was appointed by Municipal Judge Edgar Davalos to swear in four new detention officers.

- County Manager Chris Brice gave Gratitude of Completion of Edge Program to Chief Deputy Clerk Leslie Nabours for Certified Public Official Certification and Clerk Berenda McWright for Certified County Clerk Certification.
- Luna County's FY 2022-2023 Fiscal Year Audit Report by Robert Gonzales was to be presented remotely. Due to Technical difficulties the presentation has been postponed until the next Regular meeting of March 14, 2024.

CONSENT AGENDA:

- Accounts Payable: \$1,553,856.89
- Payroll: \$1,370,710.01
- Resolution 24-16: Budget Transfers
- Resolution 24-17: Disposal of Personal Property
- Oath of Office: Deputy Sheriff Sebastian Bustillos
- Oath of Office: Deputy Sheriff Juan Duran
- Oath of Office: Deputy Sheriff Eloy Marquez

Commissioner Trejo motioned to accept and approve the Consent Agenda items A-G as presented. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.

OLD BUSINESS:

- **Resolution 22-67:** to adopt Ordinance 115: Increasing the size of the Board of County Commissioners to Five Members. Mr. Brice stated that the vote for this would be to get it off the books and could be revisited in the future. Mr. Brice stated that the resolution number had already been reassigned as well. Commissioner Trejo motioned to get Resolution 22-67 to adopt Ordinance 115: Increasing the size of the Board of County Commissioners to five members off of the books with the option to revisit this topic in the future. The motion was seconded by Chair Chandler and was unanimously approved following a roll call vote.
- **Resolution 23-39:** Call to amend Ordinance 29: Reestablishing Planning Commission. County attorney Charles Kretek stated that this call was issued in a Special Meeting on March 23, 2023, where this topic was discussed and a call to amend the ordinance was made on April 6, 2023. Mr. Kretek stated that there was no resolution that came of this in terms of what was wanted to be done, how to do it, and who was to be involved. Mr. Kretek stated that this resolution was brought up to see if the Commission Board wanted to move forward with it or just take it off the books as well. Mr. Kretek stated that there is a specific statute that allows for a Planning Commission and that acts as the Zoning Commission. Mr. Kretek stated that there is no zoning in the County and the Planning Commission votes on the two or three variances that come through their office in a year. Mr. Kretek stated that the Director of Planning handles variances by making a recommendation and bringing it to the Board of County Commissioners. Mr. Kretek stated that the Land use ordinance could be presented at a Work Session and the Commission can decide and include public input, etc. Commissioner Sweetser motioned to delete Resolution 23-39: Call to amend Ordinance 29: Reestablishing Planning Commission as it is. The motion was seconded by Commissioner Trejo. There was a unanimous vote of "no". Clerk Berenda McWright stated that if the motion was to delete the Resolution the Commissioners would have to vote "yes", therefore causing there to be a second roll call vote in which it was unanimously approved to delete Resolution 23-39: Call to amend Ordinance 29: Reestablishing Planning Commission.

NEW BUSINESS:

- **Resolution 24-18: Authorizing the purchase of Luna County Property (Farm Bureau):** Mr. Brice stated that the County received Capital Outlay Funding in 2023 in the amount of \$250,000.00 to start the design and the process of building a new DA's Office. Mr. Brice stated that it is incumbent on Counties to build and house both the District Court DA's and the Public Health Offices. Mr. Brice stated that \$250,000.00 was requested from the Capital Outlay, received, and had to be modified through 2024 because the County had not yet purchased land for this project. Mr. Brice stated that the approval for this modification was received and the County is moving forward with this project. Mr. Brice stated everything has already been approved with the Farm Bureau and now the only thing needed is the approval of the Commission Board. Mr. Brice stated that the new building would be the new location for the Community Justice Center, which will house DA's, JJCS, Casa, and the DWI Program. Mr. Brice stated that there is still some funding left and that is to be used to do necessary upgrades to the building. Commissioner Trejo motioned to approve Resolution 24-18: Authorizing the purchase of Luna County Property (Farm Bureau). The motion was seconded by Chair Chandler and was unanimously approved following a roll call vote.
- **Resolution 24-19: Authorizing the purchase of Luna County Property (DV Shelter Project):** Mr. Brice stated that this resolution is where about three years ago the Governor gave the County about \$1,000,000.00 in Capital Outlay to invest in domestic violence or homelessness in the Community. Mr. Brice stated that the County has been working with the city on homelessness, having looked into the Balboa Restaurant to do so. Mr. Brice stated that with this grant there is a lifespan where the money is to be used within a specific timeframe. Mr. Brice stated that in order not to lose this the County went back and requested the ability to purchase property through this Capital Outlay which was approved. Mr. Brice stated that the County is now working with Casa which manages the Domestic Violence Center, The Healing House. Mr. Brice stated that the County is purchasing six apartments off of Spruce Street to be used as Transitional Housing. Commissioner Trejo motioned to approve Resolution 24-19: Authorizing the purchase of Luna County Property (DV Shelter Project). The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Resolution 24-20: Authorizing the purchase of Luna County Property (Green Stream):** Mr. Brice stated that this resolution is part of the BERM project in Columbus. Mr. Brice stated that the County reached out to the State Land Office to confirm that they would be giving a 100-year lease on the property needed. Mr. Brice stated that the State Land Office indicated that the gentleman who had approved and agreed to the purchase a couple of years ago no longer works for the State and did not have the authority to approve the sale. Mr. Brice stated that he had gone to the State Land Office in Santa Fe met and talked with someone and was more than helpful and willing to work with the County. Mr. Brice stated that the BERM had been moved back about 300 ft or so to give about six more acres of usable property on the State Land. Mr. Brice Stated that with the purchase of all 120 acres it would help to speed up the BERM Project. Commissioner Trejo motioned to approve Resolution 24-20: Authorizing the purchase of Luna County Property (Green Stream). The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Resolution 24-21: Luna County SBR Project (Monte Vista):** Road Department Director David Bailey stated that the next three resolutions are being put into place to be able to obtain funding for road projects for 2025 in the specified areas. Mr. Bailey stated that this standard and done on a yearly basis. Commissioner Sweetser motioned to approve Resolution 24-21: Luna County SBR Project (Monte Vista). The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.

- **Resolution 24-22: Luna County SP Project (Geranio):** Commissioner Sweetser motioned to approve Resolution 24-22: Luna County SP Project (Geranio). The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.
- **Resolution 24-23: Luna County CAP Project (Uvas Valley):** Mr. Bailey stated that in Uvas Valley from Hwy 26 to Stetson Rd where it turns into farmland and goes into the farms themselves. Mr. Bailey stated that this roadway is in a lot of disrepair due to all of the heavy trucks that drive through there. Mr. Bailey stated that this is also shared by BLM and State Land and there will be right-of-way permits when beginning the construction but not for planning purposes. Commissioner Trejo motioned to approve Resolution 24-23: Luna County CAP Project (Uvas Valley). The motioned was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Resolution 24-24: An application of an application for Financial Assistance from the New Mexico Colonias Infrastructure Board (People's Water Co-op).** Mr. Bailey stated that this request would be round three to apply for funding to do any kind of upgrades or construction. Mr. Bailey stated that last when applying for this funding it was denied not due to the quality of the project, but due to the amount of funding that was available. Mr. Bailey stated that they are in the pipeline with the Legislative Session for authorization for the Water Trust Board. Mr. Bailey stated that the funding cannot be obtained through the Water Trust Board then the County will go back to the Colonias Infrastructure Board, which would be for planning, designing, and construction to improve the quality of the well install hydrants in place to assist in fighting fires in that area. Commissioner Trejo motioned to approve Resolution 24-24: An application of an application for Financial Assistance from the New Mexico Colonias Infrastructure Board (People's Water Co-op). The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Resolution 24-25: An application of an application for Financial Assistance from the Colonias Infrastructure Board (Majestic View).** Mr. Bailey stated that there had been a prior grant request to do planning and designing to do a study of the Majestic View area. Mr. Bailey stated that this was the area between 8th Street and Solana. Mr. Bailey stated that the County was rewarded construction dollars to begin the Rockhound Project road refurbishments (drainage, roadway improvements, and possible ponding for retention of water.) Commissioner Trejo motioned to approve Resolution 24-25: An Application of an application for Financial Assistance from the Colonias Infrastructure Board (Majestic View). The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Resolution 24-26: Acceptance and Approval of the FY2023 Audit:** Commissioner Trejo motioned to table Resolution 24-26: Acceptance of the FY2023 Audit. The motion was seconded by Commissioner Sweetser and was unanimously tabled following a roll call vote.
- **Luna County 2024 Annual Certified Maintained Mileage Report.** Mr. Bailey stated that every year by State Statute, the Road Department is required to report the annual maintained

miles, paved or unpaved and is due by April 1 of every year. Mr. Bailey stated that he tries to complete the report by January to be presented to the Commission Board in February, which allows for any modifications. Mr. Bailey stated that the number of maintained miles has gone up about 322 miles. Mr. Bailey stated that the reason for the increase in miles is due to the new GIS Software that was put into place for more accuracy. Mr. Bailey stated that in the past 1,852 miles of maintained road were reported, and this year with the new software there will be a total of 2,174.8 miles for this fiscal year. Commissioner Sweetser motioned to approve Luna County 2024 Annual Certified Maintained Mileage Report. The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.

INDIGENT CLAIMS REPORT: INDIGENT CLAIMS REPORT: Commissioner Trejo motioned to recess as a County Commission and convene as a Claims Board. The motion was seconded by Commissioner Sweetser and was unanimously approved. Mr. Brice reported that for the month of January there were Indigent Claims in the amount of \$3,297.00 and that begins the new calendar year for the County. Mr. Brice reported that the ending balance as of January 31, 2024, in the Indigent Health Care Fund is \$2,178,228.86. Commissioner Sweetser motioned to consider the claims \$3,297.00 report as submitted. The motion was seconded by Commissioner Trejos and was unanimously approved. Commissioner Trejo motioned to recess as a Claims Board and re-convene as County Commission. The motion was seconded by Commissioner Sweetser and was unanimously approved.

Community Support Reports: Executive Director of the Council Christie Ann Harvey stated that the County is going to be working on the lighting of the Starmax sign. Ms. Harvey stated that after years of work Mr. Brice and herself have finally gotten to point where Western New Mexico University has announced the actual start date of four new construction technical education programs. Ms. Harvey stated that these programs are destined to start on March 4, 2024, and run through May 2, 2024. Ms. Harvey stated that these programs will be offered at the Mimbres Valley Learning Center with two certified instructors to teach these programs, one of which is Anthony Labadee. Ms. Harvey stated that these classes will be taught on Monday, Tuesday, Wednesday, and Thursday evenings from 5:00pm to 8:00pm., and financial assistance is being finalized at this time. Ms. Harvey stated that these programs are 13 credit hours for students who successfully complete the courses, and can be used at the University should further construction programs that will be offered are taken. Ms. Harvey stated that the number of students that will be able to enroll is a minimum of 10 but the program will still run with four if need be. Ms. Harvey stated that there has been a push for advertising not only for the High School students, but for all members of the community to have the opportunity to take advantage of these courses and get a job with these skills. Ms. Harvey stated that she has reason to believe that there will be success in receiving that \$99,000.00 grant to hire Finley Engineering to pursue a B grant on behalf of the County in association with several of our ISP's. Ms. Harvey stated that a Department of Energy Grant was brought to her attention in which there are two phases, a letter of intent that Grant Writer Heather Lutz worked on for all of the County and submitted on behalf of the Council in the amount of \$2,000,000.00. Ms. Harvey stated that if this grant is obtained it will be used to construct the film studios.

Humane Society Director Sandy Foster stated that the shelter had been feeling so discouraged because there was grant money received and a lot of spay/neuter vouchers had been given out and no difference had been made. Ms. Foster stated that once she had started going through the books there have been about 400 fewer animals coming in in 2023 than the shelter had five years ago. Ms. Foster stated that last night she went through the animal shelter and counted about 77 animals in comparison to last January when there were 115 animals. Ms. Foster stated that the shelter has been awarded a \$7,000.00 spay/neuter grant through the Animal Sheltering Board.

Elected Officials' Report:

- **Assessor:** Chief Deputy Isabelle Enciso stated that their office is in the middle of the rendering period especially for manufactured homes. Ms. Enciso gave a quick reminder to the public that they have till the end of February to pick up stickers and they are free. Ms. Enciso stated that another option for the public is to drop off a self-addressed envelope and it will be mailed to them at the end of the month. Ms. Enciso stated that the deadline for filing to be head of household is the end of May. Ms. Enciso stated that the packages for the 65 and/or disabled value freeze are available in the Assessor's Office.
- **Clerk:** Clerk Berenda McWright reported that Candidate filing day is March 12, 2024.
- **Probate Judge:** No Report
- **Treasurer:** No Report
- **Sheriff:** Sheriff Eby reported that there were 8 assaults, 11 burglaries, 10 larcenies, 2 vehicle thefts, and 2 DWI's. Sheriff Eby reported 653 Calls, of which 603 were non-criminal/ civil, 31 were criminal, 17 were motor vehicle accidents.
- **Commissioners:** No Comments

County Manager's Report: County Manager Chris Brice reported.

- **Luna County Detention Center:** Mr. Brice reported that there were 253 inmates booked and 234 inmates released with an average daily population of 317 inmates. Mr. Brice stated that Marshall population has been at 199 which is lower than hoped. Mr. Brice stated that this population is tried to be kept at about 250. Mr. Brice stated that there were two officers that attended active shooter training in Columbus.
- **Central Dispatch:** Mr. Brice reported 6,376 calls received or sent.
 - Luna County Sheriff's Department generated 651 calls for service.
 - The Deming Police Department generated 1,613 calls for service.
 - The Deming Fire Department generated 355 calls for service.
 - The Volunteer Fire Department generated 12 calls for service.

Mr. Brice stated that Angela Lucero was selected as employee of the quarter.
- **GIS:** Mr. Brice stated that all the crime data for the year 2023 had been updated in working with the Sheriff's Department to find out where the majority of the crime is happening. Mr. Brice stated that working on addressing in the County has begun and it may not affect as many addresses anticipated. Mr. Brice stated that this will be to help with how addressing is done for emergency purposes. Mr. Brice stated that there are currently four openings for Dispatch.
- **CYFD JJAC/JJCS:** Mr. Brice stated that the Boys Council program is meeting on Wednesdays at Deming 1st, Girl's Circle contract was amended to add more money and conduct more classes in Deming and Columbus.
- **ADULT TREATMENT COURT:** Mr. Brice stated that at this time there are 11 clients with seven new clients admitted. Mr. Brice stated that there was a ceremony held at the District Court on Monday evening which the State Adult Treatment Court attended. Mr. Brice stated that representatives were here to present Bobby Brookhouser, District Court, The County and everyone who supports this program with the Gold Standard Award.
- **CASA:** Mr. Brice stated that the program has 48 kids in Luna, Hidalgo, and Grant Counties using 12 volunteers.
- **PAT:** Mr. Brice stated that this program has 184 families in Luna and Hidalgo Counties. Mr. Brice stated that the Parents as Teachers were just in Washington DC receiving an award.
- **GRANTS AND PROJECTS:** Mr. Brice stated that this department continues to stay busy by managing about \$80,000,000.00 in grants at this time. Mr. Brice stated that some of the bigger projects, being the BERM Project, Starmax inside remodel and expansion, the Armory turning to the EOC is on track, with fiber optic having been set and the work on the roof is ready to begin.

- **LUNA COUNTY FIRE:** Mr. Brice stated that there have been 12 Volunteer Fire Department calls for service. Mr. Brice congratulated Devin Zamora and Danielle Wilkerson on completing their State Fire Certification 1& 2 in Socorro. Mr. Brice stated that the Water Project at Cook's Peak is done (well, water tank, and fire hydrant). Mr. Brice stated that there are no fire hydrants in the County and are working with the Fort Sill Apache Tribe near Akela in securing funding and the County is looking for Capital Outlay to build a Fire Station out in that area where water will be readily available to fill the trucks with.
- **SAFETY/RISK MANAGEMENT:** Mr. Brice stated that the County received an award for the Risk Awareness Program with 100% attendance on that.
- **PLANNING DEPARTMENT:** Mr. Brice stated that Andy Gilmore has been moved to the Planning Department to help identify and track some of the problem properties out in the County that are abandoned. Mr. Brice stated that if a hearing officer can be put into place, the County can site people who are not complying with County ordinances.
- **IT:** Mr. Brice stated that IT worked with Verizon and have installed GPS on a lot of the County vehicles. Mr. Brice stated that this program allows online access for mileage purposes. Mr. Brice stated that IT is also updating Firewalls at HIDTA, DTC, and is also getting to replace all the computers at the Detention Center.
- **STARMAX:** Mr. Brice reported a total revenue of \$82,603.00. Mr. Brice stated Starmax Director Chad Troyer moved the bar outside and has turned out to be a popular spot. Mr. Brice stated that he anticipates probably about June for all renovations and expansion to be completed.
- **HUMAN RESOURCES:** Mr. Brice stated that there are openings for Detention Officers, Truck Drivers (Road Department), Dispatcher, Camera Monitor which is a new position that opened at the Detention Center (no inmate contact position)
- **PROMOTIONS:** Mr. Brice stated that Alma Arias was promoted to Chief Appraiser and George Torres was promoted to Starmax Lead.
- **MISCELLANEOUS:** Mr. Brice stated that Lee Cook just interviewed for a position as an Officer at HIDTA.

Upcoming Meetings/Events (unless otherwise specified):

- Luna County Offices closed; President's Day: February 19, 2024
- Citizen's College: Luna County Capital Outlay, Grants and Special Funding: February 22, 2024, at 5:30pm.
- Public Input Work Session: March 14, 2024, from 9:30 am – 10:00am
- Regular Meeting: March 14, 2024, at 10:00am

Jail Inspection: Quorum adjourned at 1:55 pm from the Luna County Detention Center.

ADJOURN: Chair Chandler adjourned the meeting at 11:33am in the Chambers of the Luna County Courthouse.

ATTEST:

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Berenda McWright, Luna County Clerk

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

Approved:_____

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

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

LCBCC Meeting March 14, 2024

Accounts Payable

02/02/2024	\$6,233.44
02/02/2024	\$311,682.72
02/02/2024	\$15,957.92
02/09/2024	\$296,045.64
02/09/2024	\$20,812.25
02/09/2024	\$9,576.72
02/16/2024	\$401,816.68
02/16/2024	\$203,525.71
02/16/2024	\$5,310.94

P-Cards

January 2024	\$140,668.71
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Total \$1,411,630.73

Luna County
Board of County Commissioners



Agenda 3/14/2024

PAYROLL

Date	Register	Amount
2/01/2024	*20240006	\$3,979.06
2/09/2024	20240007	\$648,667.18
2/09/2024	*20240008	\$19,289.10
2/20/2024	*20240010	\$1,857.56
2/23/2024	20240011	\$652,184.14
2/23/2024	*20240012	\$28,591.50

Total: \$1,354,568.54

* Special Assignment Pay

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

RESOLUTION NO. 24-27
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 112, July 1, 2023 through June 30, 2024 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 14th DAY OF MARCH, 2024.

BOARD OF COUNTY
COMMISSIONERS OF LUNA
COUNTY

Ray J. Trejo, District One

Colette M. Chandler, District Two

ATTEST:

John S. Sweetser, District Three

Berenda L. McWright, Luna County Clerk

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 24-28 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 112, July 1, 2023 through June 30, 2024 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 14th DAY OF MARCH, 2024.

BOARD OF COUNTY
COMMISSIONERS OF LUNA
COUNTY

Ray J. Trejo, District One

Colette M. Chandler, District Two

ATTEST:

John S. Sweetser, District Three

Berenda L. McWright, Luna County Clerk

Proclamation 24-01

Child Abuse Awareness & Prevention Month

WHEREAS; The County of Luna recognizes that each child is a contribution to the community, and every child is entitled to be loved, cared for, nurtured, and feel free from verbal, sexual, emotional & physical abuse and neglect.

WHEREAS; Child abuse and neglect are a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone. Child abuse can have long-term psychological, emotional, and physical effects with lasting consequences for victims of abuse. Based on the latest data collected from the Child Maltreatment Report (FY22), it is found that child abuse and neglect is prevalent in the United States. There were **76.0%** of neglected victims reported, **16.0%** physically abused, **10.1%** sexually abused and **0.2%** are sex trafficked.

WHEREAS; Effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community, and faith-based organizations, businesses, law enforcement agencies, and families. We acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment.

THEREFORE; The Board of County Commissioners of Luna County hereby proclaims the Month of April as **“NATIONAL CHILD ABUSE& NEGLECT PREVENTION MONTH”** in Luna County and urges all citizens to recognize and acknowledge each child for their accomplishments and to dedicate yourselves to the task of improving the quality of life for all children and families.

DONE THIS 14TH DAY OF MARCH 2024
by the Board of County Commissioners of Luna County

ATTEST:

Ray J. Trejo,
Commissioner, District 1

Berenda McWright, County Clerk

Colette M. Chandler, Chairperson
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3

“April as Fair Housing Month”

Proclamation 24-02

Fair Housing Month

Whereas; The County of Luna Recognizes fair and equal housing is a right guaranteed to all Americans; the principle of fair and equal housing is a fundamental human entitlement.

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

Whereas; Luna County acknowledges the importance of assuring fair and equal treatment to all citizens;

Therefore; The Board of County Commissioners of Luna County hereby proclaims the month of April as **“FAIR HOUSING MONTH”** in Luna County.

DONE THIS 14TH DAY OF MARCH 2024

by the Board of County Commissioners of Luna County

ATTEST:

Ray J. Trejo,
Commissioner, District 1

Berenda McWright, County Clerk

Colette M. Chandler, Chairperson
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3

Be it remembered that at a Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 14th day of March 2024, the following proceedings were had and entered of record.

RESOLUTION 24-26

ACCEPTANCE AND APPROVAL OF THE FY2023 AUDIT

WHEREAS, the County of Luna is required by §12-6-3 NMSA 1978 to contract with an independent auditor to perform the required annual audit or agreed upon procedures for Fiscal Year 2023; and,

WHEREAS, the Luna County Board of County Commissioners has directed the accomplishment of the audit for FY2023 be completed; and,

WHEREAS, this audit has been completed and presented to the Luna County Board of County Commissioners at the Regular Meeting of March 14, 2024 as allowed per the January 10, 2024 Letter from the Statue Auditor authorizing release of the FY2023 audit; and

WHEREAS, NMAC 2.2.2.10 (M) (4) provides in pertinent part that “Once the audit report is officially released to the agency by the state auditor (by a release letter) and the required waiting period of five calendar days has passed, unless waived by the agency in writing, the audit report shall be presented by the IPA, to a quorum of the governing authority of the agency at a meeting held in accordance with the Open Meetings Act, if applicable;” and,

NOW THEREFORE, BE IT RESOLVED, that the Luna County Board of County Commissioners does hereby accept and approve the completed audit report and findings as presented.

Done at Deming, New Mexico this 14th day of March 2024.

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

ATTEST:

Ray J. Trejo
Commissioner, District 1

Berenda McWright, County Clerk

Colette M. Chandler
Commissioner, District 2

John S. Sweetser, Chair
Commissioner, District 3

Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 14th day of March 2024, the following proceedings were had and entered of record.

RESOLUTION 24-29

A RESOLUTION AUTHORIZING THE APPLICATION FOR RENEWAL OF RIGHT-OF-WAY FROM THE NEW MEXICO STATE LAND OFFICE

WHEREAS, Luna County, by and through the Board of County Commissioners, currently leases land from the New Mexico State Land Office (Lease R23536) over which a section of Hermanas Grade Road, SW was built;

WHEREAS, the Lease expires on February 20, 2024, and a Renewal Application has been prepared.

NOW THEREFORE, BE IT RESOLVED by signature of the Board of Commissioners of Luna County, it is agreed to authorize the County Manager to sign and submit, with the appropriate fees, an Application for Right-of-Way Easement, including necessary attachments such as the Cultural Properties Protection Acknowledgment Form, to the New Mexico State Land Office and to execute such other documents, pay such other fees and take all other action necessary for renewal of the Right-of-Way from the New Mexico State Land Office.

DONE THIS 14TH DAY OF MARCH 2024
by the Board of County Commissioners of Luna County

ATTEST:

Ray J. Trejo,
Commissioner, District 1

Berenda McWright, County Clerk

Colette M. Chandler, Chairperson
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3

Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 14th day of March 2024, the following proceedings were had and entered of record.

RESOLUTION 24-30

A RESOLUTION AUTHORIZING THE LEASE AND SALE OF CERTAIN PROPERTY

WHEREAS, Luna County, is the owner of certain property located at 3405 Stirrup Road, SE, Deming, New Mexico and said property consists of one sixty-acre lot, with two metal/industrial buildings, a single family home and both agricultural and commercial water rights attached to the property;

WHEREAS, the property was purchased as part of a Local Economic Development Act (LEDA) project approved by Ordinance 113 on September 19, 2022, for development as a beef processing plant;

WHEREAS, in furtherance of the LEDA project the County is proposing to enter into a Lease Agreement, with an option to purchase, for the property; and

WHEREAS, Luna County is committed to complying with the requirements imposed by the New Mexico State Board of Finance in order to obtain its approval for the effectiveness of this Lease Agreement.

WHEREAS, the Board of County Commissioners of Luna County hereby approved the Lease Agreement, with option to purchase, for the subject property subject to such additional conditions as may be imposed by the New Mexico State Board of Finance in order to authorize the Lease with Option to Purchase the real property described herein.

NOW THEREFORE, BE IT RESOLVED by signature of the Board of Commissioners of Luna County, it is agreed that the County Manager is hereby authorized and delegated to finalize the terms of such Lease Agreement, with option to purchase, consistent with the action of the New Mexico State Board of Finance.

DONE THIS 14TH DAY OF MARCH 2024

by the Board of County Commissioners of Luna County

ATTEST:

Ray J. Trejo,
Commissioner, District 1

Berenda McWright, County Clerk

Colette M. Chandler, Chairperson
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3

Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 14th day of March 2024, the following proceedings were had and entered of record.

RESOLUTION 24-31

APPROVING SETTLEMENT AND AUTHORIZING THE PURCHASE OF PROPERTY

WHEREAS, The Board of County Commissioners of Luna County, along with several other parties, was named as a Defendant in a lawsuit filed in the Sixth Judicial District Court, No. D-619-CV-2023-0018;

WHEREAS, the parties to the lawsuit, as well as the City of Deming, have proposed a mutually beneficial resolution to the matter; and

WHEREAS, it is in the best interests of the County to enter into the proposed resolution.

NOW THEREFORE, BE IT RESOLVED by signature of the Board of Commissioners of Luna County, it is agreed to approved the proposed resolution of the aforementioned lawsuit and to authorize the County Manager to negotiate terms and execute a Settlement Agreement and Release and to jointly purchase, with the City of Deming as part of an economic development project, the property recited therein in compliance with the laws of the State of New Mexico and Luna County Ordinances and Resolutions, policies and procedures, and take all other action necessary to fully and finally resolve the matter.

DONE THIS 14TH DAY OF MARCH 2024
by the Board of County Commissioners of Luna County

ATTEST:

Ray J. Trejo,
Commissioner, District 1

Berenda McWright, County Clerk

Colette M. Chandler, Chairperson
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3

Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 14th day of March 2024, the following proceedings were had and entered of record.

SECOND AMENDED RESOLUTION 23-33

Luna County SP Project

PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

WHEREAS, the County of Luna and the New Mexico Department of Transportation enter into a Cooperative Agreement.

WHEREAS, the total cost of the project will be \$217,128.00 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or \$162,846.00

And

- b. Luna County's proportional matching share shall be 25% or \$54,282.00

TOTAL PROJECT COST IS \$217,128.00

Luna County shall pay all costs, which exceed the total amount of \$217,128.00.

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

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

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

NOW therefore, be it resolved by the Luna County to enter the Cooperative Agreement Control Number HW2 L10555 to be determined with the New Mexico Department of Transportation for LGRF Project for year 2023–2024 to “Mill 10” existing chip seal, conform shoulders back to original condition, improve drainage, apply 1 lift PEP Prime and 2 lifts of chip seal, and apply safety striping and signage and will be changing the termini from Geranio Rd from NM 549 to EOP (1.1 miles), Ash St from NM 418 to Skyview (1.6) and Skyview Rd from the Frontage Rd to NM 418 (1.7 miles), excluding NM 549, NM 418 and the New Mexico Department of Transportation Right of Ways to Lucca Rd SW from Dona Ana Rd SW South and 8th St from Orno Rd South to EOP. This project is within the control of Luna County in Deming, Luna County, New Mexico.

DONE THIS 14TH DAY OF MARCH 2024.
by the Board of County Commissioners of Luna County

ATTEST:

Ray J. Trejo,
Commissioner, District 1

Berenda McWright, County Clerk

Colette M. Chandler, Chairperson
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3

Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 14th day of March 2024, the following proceedings were had and entered of record.

SECOND AMENDED RESOLUTION 23-35

Luna County CAP Project

PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

WHEREAS, the County of Luna and the New Mexico Department of Transportation enter into a Cooperative Agreement.

WHEREAS, the total cost of the project will be \$441,029.00 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or \$330,772.00

And

- b. Luna County's proportional matching share shall be 25% or \$110,257.00

TOTAL PROJECT COST IS \$441,029.00

Luna County shall pay all costs, which exceed the total amount of \$441,029.00

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

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

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

NOW therefore, be it resolved by the Luna County to enter into Cooperative Agreement Control Number HW2 L100579 to be determined with the New Mexico Department of Transportation for LGRF Project year 2023–2024 to “Mill 10” existing chip seal, construct a new roadway subgrade base and compact, apply 1 lift PEP prime and 2 lifts of chip seal, conform shoulders back to original condition, improve drainage, and apply safety striping and signage and will be changing the termini from Uvas Valley Rd NE from the intersection of New Mexico Hatch Hwy (State Road 26) south 6 miles to EOP, excluding NM 26 and the New Mexico Department of Transportation Right of Ways to Phase 2 of the McCan Rd E Extension Project to include Scotch Pine Rd SE, and McCan Rd SE South to Rockhound Rd SE (2 miles) to EOP. This project is within the control of Luna County in Deming, Luna County, New Mexico.

Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming NM on the 14th day of March, 2024 the following proceedings were had and entered of record.

AMENDED RESOLUTION #24-24

RESOLUTION AUTHORIZING FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE NEW MEXICO COLONIAS INFRASTRUCTURE BOARD

WHEREAS, Luna County, NM (“Governmental Unit”) seeks funding for:

Plan, design and construction funds to perform necessary upgrades to the People's Water Co-op distribution system; and

WHEREAS, Luna County, NM may apply for financial assistance from the New Mexico Colonias Infrastructure Board to fund this “project”; and

WHEREAS, Luna County, NM is eligible to apply for funding from the New Mexico Colonias Infrastructure Board.

NOW THEREFORE, LET IT BE RESOLVED BY THE GOVERNING BODY, of Luna County, New Mexico, that the filing of an application to the New Mexico Colonias Infrastructure Board for funding in the 2024 Colonias Infrastructure Project funding cycle is hereby authorized. The project falls under the Keeler Farm Colonias area proposing to make necessary upgrades to an existing water line resource of the People's Water Co-op as well as make additional roadway and drainage improvements. The financial assistance requested is in the amount of **\$603,355.90**.

BE IT FURTHER RESOLVED, that Luna County hereby pledges the required 10% local match in the amount of **\$60,336**; and

BE IT FURTHER RESOLVED, that the County Manager is hereby designated as Luna County’s representative to act on behalf of this application.

PASSED, APPROVED AND ADOPTED this 14th day of March, 2024.

Done at Deming, New Mexico this 14^h day of March 2024

LUNA COUNTY BOARD OF COMMISSIONERS

ATTEST:

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

Berenda McWright, County Clerk

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

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

Indigent Hospital Claims Office

Chris A. Brice, County Manager

IHC Board Meeting March 14 2024

Month	Number	Amount	Number	Denied
January	5	\$3,297.00	0	\$0.00
Feburary	16	\$50,034.50	3	\$5,099.85
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				
Total	21	\$50,034.50	3	\$5,099.85
This Month's Total	Mimbres Memorial Hospital			\$50,034.50
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				\$50,034.50
Year to Date Total	Mimbres Memorial Hospital			\$1,676.95
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			\$1,620.05
Total				\$3,297.00
Care of Prisoners This Month - Not including SNCP Funds				\$388,582.39
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$374,247.92
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$11,404.47
Care of Prisoners Year to Date Dr. Bills				\$2,930.00
Total Cost of Care of Prisoners Year to Date				\$388,582.39
Monies Received - February 2024				\$110,038.61
Balance in IHC Fund as of February 29, 2024				\$2,282,414.47
Encumbrances as of February 29, 2024				\$649,451.70
		Date	Amount Approved	Amount Denied
	Signatures	3/14/2024	\$50,034.50	
Ray J. Trejo				
Colette M. Chandler				
John S. Sweetser				

IHC Board Meeting
March 14, 2024

[illegible]