

# **LUNA COUNTY BOARD OF COUNTY COMMISSIONERS**

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

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

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

**Thursday, February 14, 2019**  
**10:00 a.m.**  
**Regular Meeting**  
**Luna County Courthouse**

1. **Call to Order:** Chair Smrkovsky to commence meeting (At this time, please silence your cell phones and any other electronic devices) Pledge of Allegiance, State Pledge.
2. **Roll Call:**
3. **Approval of Agenda:**
4. **Minutes:**
  - a. Special Meeting, Wednesday, December 26, 2018  
**MOTION AND VOTE**
  - b. Special Meeting, Thursday, December 27, 2018  
**MOTION AND VOTE**
  - c. Special Meeting, Friday, December 28, 2018  
**MOTION AND VOTE**
  - d. Special Meeting, Wednesday, January 2, 2019  
**MOTION AND VOTE**
  - e. Work Session, Thursday, January 10, 2019  
**MOTION AND VOTE**
  - f. Regular Meeting, Thursday, January 10, 2019  
**MOTION AND VOTE**
  - g. Special Meeting, Friday, January 18, 2019  
**MOTION AND VOTE**
5. **Elected Officials Report:**
6. **Interim 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 \$26,055.34
  - c. Consider Claims dated January 10, 2019  
**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. **Consent Agenda:**

- a. Accounts Payable: \$1,214,511.03
- b. Payroll: \$1,038,200.93
- c. Resolution 19-10 Approval to participate in the Local DWI Grant and Distribution Program
- d. Memorandum of Understanding between Luna County DWI and New Mexico Department of Finance and Administration/Local Government Division /Driving While Intoxicated Program
- e. Department of Health Assurances and Cooperative Agreement
- f. Statement of Assurances-Local DWI Grant and Distribution Program
- g. Resolution 19-11 Budget Increases
- h. Resolution 19-12 Budget Transfers

**MOTION AND ROLL CALL VOTE**

10. **New Business:**

- a. Voting Members for Multi-Line Membership Pool and Workers' Compensation Membership Fund.

**MOTION AND VOTE**

- b. Road Applications- Mike Bolton (Applicant)

**MOTION AND VOTE**

11. **Executive Session:**

Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to applicants of County Manager's Position

**MOTION AND ROLL CALL VOTE**

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

Work Session- March 14, 2019 at 9:00 a.m.

Regular Meeting- March 14, 2019 at 10:00 a.m.

13. **Adjourn:**

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

**MINUTES  
SPECIAL MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Wednesday, December 26, 2018**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in Special Session at 2:00 p.m. on Wednesday, December 26, 2018 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following staff and elected officials were present: Assistant Manager Glory Juarez, IT Technician Henry Bukurson, Deputy Clerk Pilar Salcido and Attorney Charles Kretek.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 2:03 p.m. and led the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

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

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

**APPROVAL OF AGENDA:** Commissioner Sweetser moved to approve the Agenda. The motion was seconded by Commissioner Reedy and approved unanimously.

**MINUTES:**

- a. **Special Meeting, November 5, 2018:** Upon a motion by Commissioner Reedy and a second by Commissioner Sweetser the minutes of the special meeting held on November 5, 2018 were approved.

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

**NEW BUSINESS:**

- a. **Amended 2019 Holiday Schedule:** Interim County Manager Glory Juarez explained that the dates for the Thanksgiving Holiday were corrected. Commissioner Reedy motioned to approve the amended 2019 Holiday Schedule. Commissioner Sweetser seconded and the motion which carried unanimously.

**EXECUTIVE SESSION:** Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the County Manager's interviews and selection process:

Chair Smrkovsky requested a motion to go into Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the County Manager's interviews and selection process. Commissioner Reedy motioned to go into Executive Session. Commissioner Sweetser seconded and the motion which carried unanimously following a roll call vote. The Board went into Executive Session at 2:06 p.m. and returned at 4:40 p.m.

Commissioner Reedy motioned to return from Executive Session where no other matters were discussed other than Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the County Manager's interviews and selection process. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

Commissioner Reedy motioned to select six of the nineteen applicants to interview for the position of County Manager and the interviews commence tomorrow at 8:30 am. The following applicants were selected for interviews, Chris Brice, Jessica Moreno, David McSherry, Angela Gonzalez, Gabriel Ramos and Bruce Swingle. Commissioner Sweetser seconded the motion carried unanimously following a roll call vote.

**ADJOURN:** Commissioner Sweetser motioned to adjourn. The motion was seconded by Commissioner Reedy and carried unanimously. Chair Smrkovsky adjourned the meeting at 4:43 p.m.

**ATTEST:**

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

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

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**BARBARA L. REEDY, DISTRICT 1**

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

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**LINDA M. SMRKOVSKY, DISTRICT 2**

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**JOHN S. SWEETSER, DISTRICT 3**

**DECEMBER 27, 2018**  
**MINUTES TO BE PROVIDED AT**  
**A LATER DATE**

**DECEMBER 28, 2018**  
**MINUTES TO BE PROVIDED AT**  
**A LATER DATE**

**MINUTES  
SPECIAL MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Wednesday, January 2, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in Special Session at 9:00 a.m. on Wednesday, January 2, 2019 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following staff and elected officials were present: Interim County Manager Glory Juarez, IT Technician Henry Bukurson, Attorney Charles Kretek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Treasurer Gloria Rodriguez, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Captain Michael Brown and Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 9:05 a.m. and led the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

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

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

**ELECT CHAIRPERSON 2019:** Chair Smrkovsky announced that she is interested in being the Chair again this year. Commissioner Reedy mentioned she is not interested in taking on the Chairperson roll at this point in time. Commissioner Sweetser nominated Chair Smrkovsky for the Chair position. Commissioner Reedy seconded the nomination which carried unanimously.

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

**NEW BUSINESS:**

- a. **Appoint NMC/NMCIA Multi-line Pool Voting Representative and Alternate:** Commissioner Reedy moved to table the Appointment of NMC/NMCIA Multi-line Pool Voting Representative and Alternate until a County Manager has been appointed. Commissioner Sweetser seconded the motion which carried unanimously.
- b. **Appoint NMC/NMCIA Worker's Compensation Pool Voting Representative and Alternate.** Commissioner Reedy moved to table the Appointment NMC/NMCIA Worker's

Compensation Pool Voting Representative and Alternate until a County Manager has been appointed. Commissioner Sweetser seconded the motion which carried unanimously.

c. **2019 Capital Outlay Request.** Interim County Manager Glory Juarez reported top five priorities are as follows:

1. Tire Shredder
2. Informational Tech Building
3. Health Complex Renovation
4. Comprehensive Plan
5. Berm Port of Entry Flood and Drainage Control Project

Ms. Juarez reported that a different funding source besides the Capital Outlay is being considered for the Berm Port of Entry Flood and Drainage Control project. She stated that both Senator Smith and Representative Sweetser have been supporting this project and at this time are looking at a different funding mechanism for this project.

Ms. Juarez also reported that they are still trying to obtain the waiver so that CDBG funding can be requested for the Comprehensive Plan. She stated that the Comprehensive plan may need to be delayed another year and she did not believe the plan should be considered for Capital Outlay right now. Ms. Juarez stated that funding is available in the Infrastructure Capital Improvement line item within the County which could possibly be used.

Ms. Juarez reported that the Health Complex Renovation is a huge endeavor that was on the ICIP for \$750,000. Currently other options are being considered possibly working with the State on some funding mechanisms for health related options. This project is an unfunded mandate from the State and will need to be a partnership with the City of Deming.

Ms. Juarez recommended going for Capital Outlay for the tire shredder and the renovation of the IT building. She recommended making the request flexible for the IT building to renovate or relocate. She recommended stating the top three priorities and grant her the authority to work with Senator, Representative, the Road Department and City of Deming to have the plan finalized prior to the NMAC Conference.

Commissioner Sweetser motioned to approve the 2019 Capital Outlay request of \$800,000 for the Tire Shredder, \$250,000 for the Informational Tech Building renovation and or the relocation, and Health Office renovations of \$750,000. The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote.

**EXECUTIVE SESSION: Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 pertaining to the County Manager's position:** Chair Smrkovsky requested a motion to go into Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 pertaining to the County Manager's position. Commissioner Reedy motioned to go into Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1



(H) (2) NMSA 1978 pertaining to the County Manager's position. Commissioner Sweetser seconded and the motion carried unanimously following a roll call vote. The Board went into Executive Session at 9:27 a.m. and returned at 11:10 a.m.

Commissioner Reedy motioned to return from Executive Session where no other matters were discussed other than Limited Personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 pertaining to the County Manager's position. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

Commissioner Reedy motioned to have Chair Smrkovsky in conjunction with Legal and HR to negotiate a contract with Bruce Swingle for the County Managers position. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

**ADJOURN:** Commissioner Sweetser motioned to adjourn. The motion was seconded by Commissioner Reedy and carried unanimously. Chair Smrkovsky adjourned the meeting at 11:18 a.m.

**ATTEST:**

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

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**ANDREA RODRIGUEZ, CLERK**

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**BARBARA L. REEDY, DISTRICT 1**

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

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**LINDA M. SMRKOVSKY, DISTRICT 2**

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**JOHN S. SWEETSER, DISTRICT 3**

**MINUTES  
WORK SESSION  
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS  
Thursday, January 10, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met at 9:00 a.m. on Thursday, January 10, 2019 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Work Session.

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

**ROLL CALL:** Deputy Clerk Pilar Salcido called roll. The following Commissioners constituting a quorum were present:

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

**SERVICE AWARDS:** No Service Awards were presented.

**PUBLIC INPUT:** Executive Director CAP Entity Anthony Gutierrez reported on the Second Amendment of the Joint Powers Agreement. The agreement is directly related to the language in the Arizona Water Settlements Act to allow usage of the New Mexico Unit Fund for other water utilization alternatives. Part of the controversial portion of the AWSA in the joint powers agreement focuses on the New Mexico unit and the Second Amendment which was to enter into discussions with Freeport McMoRan Inc. for utilizing their infrastructure potentially bringing water across the Continental Divide for a potential recharge project. This Second Amendment after the Secretary of Internals Record of Decision can allow for other well utilization projects to come before the Interstates Extreme Commission Board as well as the New Mexico CAP Entity Board for application and approval. Because they have been able to plan the New Mexico unit around what is called the Construction Fund which is a second amount of funding in the AWSA it freed up most of the monies in the New Mexico Unit Fund. The NMUF is about \$54,000,000 there are still three subsequent payments to the State of New Mexico in \$9,000,000 increments so were looking at a total of \$81,000,000. They are unsure of what portion of the funds will become available, but the JPA will allow for other type projects to be applied for and subsequently get approved.

James Paltza expressed his concerns regarding the dumping of asphalt and other debris at Spring Canyon near the Florida Mountains.

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

- Resolution 18-50 Authorizing and Approving Application for Financial Assistance and Project Approval to NM Finance Authority for Colonias infrastructure Fund:** Joe Padilla reported that the amount agreed on was the larger amount indicated on the spreadsheet provided. Mr. Padilla mentioned that the Road Department Superintendent felt it would be more feasible to do the project all at once as opposed to breaking it down. Chair Smrkovsky mentioned that the original amount was for \$1,000,000 which was for the first phase only. After discussion with Wilson and Company the amount came down to \$865,118.61 which included all roads being done. Chair Smrkovsky has concerns with the 20% amount being charged by Wilson and Company. The standard is 6 to 12% so she feels Wilson and Company is charging too much. The grant for this project is due January 17<sup>th</sup>, so if this project isn't getting done now it will need to wait until next year. Road Department Director Martin Miller feels we need to move on and in the future we can discuss the cost further. Chair Smrkovsky asked if this resolution number should be reassigned to a 2019 number since this wasn't approved in 2018, as this resolution was tabled previously. Mr. Kretek said the resolution number can stay the same.
- Resolution 19-09 Designating Treasurer to Require Collateralization:** Chair Smrkovsky asked how this differs from what we had previously. Mr. Kretek explains that previously we had a collateralization of 100% the statute only requires 50%. As our deposits went from \$10,000,000 to \$20,000,000 the market for the approved surety for that is so limited that First New Mexico Bank didn't have the ability to receive it. They collateralized our initial \$10,000,000 which is what our restricted fund amount is and which is what is usually held by the bank. The new resolution reflects the statute requirement 100% up to \$10,000,000 anything above that should be in and out in at least 50%. Chair Smrkovsky asked if we can pull out the money to get more than 50% collateralization. Mr. Kretek responded that there is no market to collateralize at 100%. He also mentioned none of the approved local depository banks, Wells Fargo, First New Mexico and First Saving can collateralize it beyond the \$10,000,000 amount. Ms. Smrkovsky asked if we can put the rest in Mutual Funds to make it totally available. Mr. Kretek explained that certain funds which Mr. Pearson used can get higher yielding funds and of course State Investment Counsel which we have no control over but they have approved funds we can go into as well. Mr. Kretek indicated that he believed that the yield would change but not the collateralization.
- Animal Control Ordinance:** Chair Smrkovsky asked for the status regarding the Animal Control Ordinance. Mr. Kretek explained that he hadn't had the time to complete the Ordinance. He indicated that he simply wants to get the Ordinance right not fast. Mr. Kretek feels it would be appropriate to designate a Special Meeting specifically for the Animal Control Ordinance given the attendance with the last meeting. So as soon as the Ordinance has been written he will notify the Commission to schedule a Special Meeting. Ms. Smrkovsky mentioned that Joe Padilla can be of help and an asset in writing the Ordinance, if Mr. Kretek needed the help. Mr. Kretek agreed to use Mr. Padilla.
- Financials:** Chair Smrkovsky asked Joanne Hethcox for explanation regarding Operation Stone Garden, specifically professional contract services and the transfers from cash reserves in the amount of \$13,000 and \$49,000. Joanne explained that these amounts were on the original worksheets but the link got lost on the final budget. She only recently caught that error and needed to make that simple correction and added it. Chair Smrkovsky asked for explanation regarding Road CAP for 2018 of \$100,000. Ms. Hethcox

explained this is a new grant she had to put in the budget on the revenue and on the expenditure side. This grant is \$100,000 for planning, design and construction for the IT department. Chair Smrkovsky also asked for explanations regarding department transfers, specifically the \$2000 to allow for spending for the remainder of the fiscal year for Commissioners. Ms. Hethcox explained this is line item number 2491 which has already been expended to the maximum, she wanted to increase that line item so that it allows the Commission to spend without a negative line item balance.

**ADJOURN:** Upon motion made by Commissioner Sweetser and a second made by Commissioner Reedy. Chair Smrkovsky adjourned the meeting at 9:24 a.m.

**ATTEST:**

**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

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**Andrea Rodriguez, Luna County Clerk**

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**Barbara L. Reedy, District 1**

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

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

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**John S. Sweetser, District 3**

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Thursday, January 10, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, January 10, 2019 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following staff and elected officials were present: Attorney Charles C. Kretek, Administrative Assistant Erica Carlos, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Probate Judge Diana May-Diaz, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Gloria Rodriguez, Chief Deputy Treasurer Dora Madrid, Sheriff Kelly Gannaway, Community Projects Administrator Joe Padilla, Risk Director Mark Jasso, /Dispatch Director Lauree Sanchez, Detention Director Chris Brice, Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox, Road Department Director Marty Miller and IT Technician Henry Burkerson.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 10:02 a.m., and led the Pledge of Allegiance and the salute to the flag of New Mexico.

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

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

**APPROVAL OF AGENDA:** Chair Smrkovsky requested item k. (Resolution 19-09 Designating Treasurer to Require Collateralization) of the Consent Agenda be pulled for discussion and put in New Business item b. Commissioner Sweetser motioned to approve the amended agenda removing item k. Commissioner Reedy seconded the motion which carried unanimously.

**MINUTES:**

- **Work Session- December 13, 2018:** Upon a motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the December 13, 2018 Work Session were unanimously approved.
- **Regular Meeting- December 13, 2018:** Upon motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of the December 13, 2018 Regular Meeting were unanimously approved.

**ELECTED OFFICIALS REPORTS:** Probate Judge Diana May-Diaz thanked the Commissioners for restoring the heat in her office.

Appraiser Michelle Holguin introduced her Chief Deputy Assessor Isabelle Enciso. Ms. Holguin reported that the Livestock and Personal Property statements have been sent out. This is also time for exemptions which include veterans, homeowner and limitations to be brought in. Stickers for mobile homes are also available now. Individuals have until the end of February to request the exemptions or mobile home stickers. Ms. Holguin is looking forward to the New Year.

Treasurer Gloria Rodriguez reported that all is current in the Treasurer's Office, the financial report balanced and collections are up to 56% by the end of December. All other delinquent accounts are 95-98% collected.

Clerk Andrea Rodriguez reported that a Special all mail School Bond election has begun. All registered voters should be receiving their ballots soon if they haven't already done so. Ballots can be either brought in or mailed in to the Clerk's Office until February 5<sup>th</sup>.

Sheriff Gannaway reported the statistics for the month of December. He stated that assaults and larcenies are up, burglaries and vehicle thefts are down. The overall calls for the month of December are down. Non-Criminal and accidents are up a little, DWI's are down, non-criminals are down as well. Overall total for the month of December is similar to the numbers in 2017. Calls are up in the yearly numbers. Non civil accidents were up but everything else was down over the year. Overall total calls for service are down as well, but still busy. Chris Seats was promoted to Sargent Detective, he comes from State Police and brings a lot of experience with him. Looking to hiring one Court Security Officer and looking to fill two Deputy Positions as one Detective has recently resigned. On January 26<sup>th</sup> the Sherriff and the Road Department will be auctioning old vehicles. The Auction will be a Live Auction and taking place at the Road Department.

Chair Smrkovsky mentioned that the City/County Christmas Party was nice but she would have liked to see more participants from both the City and the County there.

**COUNTY MANAGER'S REPORT:** Interim County Manager Glory Juarez was unavailable to report.

- Chris Brice reported 2018 was a good year for the Detention Center. They opened the expansion which has gone very well. The good side of the expansion is that they've received more Marshalls and the down side of the expansion is that the detention center isn't equipped to handle the influx of Defense Attorney's that comes with more inmates. Mr. Brice also reported they continue to struggle with hiring quality individuals. In an effort to hire they are working on recruiting from Las Cruces High Schools, Cesar Chavez Charter Program and as far as Fort Bliss for some of their exiting members. CYFD inspection has just been completed they had some minor hits. Mr. Brice is looking to closing the juvenile side of the detention center. The Detention Center normally only houses one or two juveniles which is a 24 hour operation. Dona Ana holds over 50. LCDC is awaiting a couple of vehicles which are desperately needed. Chair Smrkovsky asked Mr. Brice about the inmates outside work program. Mr. Brice explained that with any outside work or any outside job function outside of the facility requires overtime pay to the officers. Mr. Brice mentioned that they are working with the City to get a contract in place to help them out and try to earn some money. LCDC can now hold 590 inmates, they are averaging 410 which is approximately 170 more inmates. This facility is the 4<sup>th</sup> largest Detention Center in the State of New Mexico.
- Dispatch Director Lauree Sanchez reported one dispatcher went to the Academy and was certified. The Dispatch department is down three employees. Call stats and call volumes are

the same and are averaging the same amount of warrants. They will be posting for the opened positions this week.

- Road Department Director Marty Miller reported they have seven to eight blades out working on roads, they can now see the light at the end of the tunnel. Currently there are only four road concerns which is better than it's been in a while. Chair Smrkovsky mentioned she will be scheduling her tour with the Road Department soon.

**INDIGENT CLAIMS REPORT:** Upon motion by Commissioner Reedy and a second by Commissioner Sweetser, 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 no claims received for the month of December. Total claims for 2018 were 128 in the amount of \$135,816.93, we had one denied claim of \$3627.14. The GRT collected for indigent for December was \$52,975.21 we have a balance in that fund of \$822,900.27, of that \$275,994.61 is currently encumbered. Chair Smrkovsky asked if the hospital is current on their billing. Ms. Hethcox responded that they are still a little bit behind, they have changed their process in making sure the individuals don't have any other means before coming to us. Chair Smrkovsky mentioned the hospital has a new manager coming in the first of February. Commissioner Sweetser motioned to approve the Indigent Claims Report. Commissioner Reedy seconded the motion which carried unanimously. Commissioner Reedy motioned to recess as a Claims Board and reconvene as a County Commission. Commissioner Sweetser seconded the motion which carried unanimously.

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

**CONSENT AGENDA:** Upon a motion by Commissioner Sweetser to move item k to new business for discussion and approval for items a-j and a second by Commissioner Reedy the following items of the Consent Agenda were unanimously approved following a roll call vote.

- a. Accounts Payable: \$830,964.91
- b. Payroll: \$1,072,725.00
- c. Resolution 19-01 Notice of Meetings
- d. Resolution 19-02 Timely Payments
- e. Resolution 19-03 Notice of Fees
- f. Resolution 19-04 Depositories, Board of Finance and Media Designation
- g. Resolution 19-05 Inspection of Public Records
- h. Resolution 19-06 CDBG Annual Certifications and Commitments
- i. Resolution 19-07 Budget Increases
- j. Resolution 19-08 Budget Transfers

**OLD BUSINESS: Resolution 18-50 Authorizing and Approving Application for Financial Assistance and Project Approval to NM Finance Authority for Colonias Infrastructure Fund:** Chair Smrkovsky announced that two corrections need to be made to Resolution 18-50. The document needs to read Luna County Rockhound Road instead of Luna County Rockhound Roadway. Commissioner Reedy motioned to approve Resolution 18-50 Authorizing and Approving Application for Financial Assistance and Project Approval to NM Finance Authority for Colonias Infrastructure Fund with the two corrections noted. Commissioner Sweetser seconded the motion and carried unanimously following a roll call vote.

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

- a. **Second Amended Joint Powers Agreement creating the NM CAP Entity.** Commissioner Sweetser motioned to approve the Second Amended Joint Powers Agreement creating the NM CAP Entity. Commissioner Reedy seconded the motion, which carried unanimously.
- b. **Resolution 19-09 Designating Treasurer to Require Collateralization:** Luna County Attorney Charles Kretek reported that originally 15-05 required 100% collateralization. Last January a meeting with the bank resulted in their concerns regarding collateralization of 100% on top of \$10,000,000. Back in April of 2018 the County passed Ordinance 18-18 which at that time we paid for the Surety Bonds. The only difference now is that under the Statue the County can do either Surety Bonds or 50% collateralization above the original \$10,000,000. Treasurer Gloria Rodriguez reported that she transferred funds to Morton Investments which is a money market, right now we are getting 100% collateralization with simple interest monthly. Commissioner Sweetser motioned to approve Resolution 19-09 Designating Treasurer to Require Collateralization. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

**EXECUTIVE SESSION: to discuss limited personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 pertaining to County Manager's Contract.** Commissioner Reedy motioned to go into Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 NMSA pertaining to County Manager's Contract. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote. The Commissioners went into Executive Session at 10:32am and returned from Executive Session at 11:58am.

Chair Smrkovsky entertained a motion to return from Executive Session. Commissioner Reedy motioned to return from Executive Session where no other matters were discussed other than what was stated in the motion for the Executive Session. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

Chair Smrkovsky motioned to hire Bruce Swingle as the Luna County Manager with the salary of \$125,000 and with an anticipated hire date of February 11, 2019. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

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

Work Session- February 14, 2019 at 9:00a.m.

Regular Meeting- February 14, 2019 at 10:00 a.m.

**ADJOURN:** Upon a motion made by Commissioner Sweetser and a second made by Commissioner Reedy the meeting was adjourned at 11:59 a.m.

**ATTEST:**

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**



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**ANDREA RODRIGUEZ, LUNA COUNTY CLERK**

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**BARBARA L. REEDY, DISTRICT 1**

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

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**LINDA M. SMRKOVSKY, DISTRICT 2**

\_\_\_\_\_  
**JOHN S. SWEETSER, DISTRICT 3**

**MINUTES  
SPECIAL MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Friday, January 18, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in Special Session at 10:00 a.m. on Friday, January 18, 2019 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following staff and elected officials were present: IT Technician Henry Bukurson, Attorney Charles Krettek, Clerk Andrea Rodriguez, Chief Deputy Assessor Isabelle Enciso, and Administrative Assistant Erica Carlos.

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

**ROLL CALL:** Clerk Andrea Rodriguez called roll. The following members of the Board constituting a quorum were present:

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

**Motion to add Public Comment to the Agenda:** Chair Smrkovsky requested a motion to add Public Comment to the Agenda. Commissioner Sweetser motioned to add Public Comment to the Agenda. Commissioner Reedy seconded the motion which carried unanimously.

**PUBLIC INPUT:** Chair Smrkovsky opened the floor for Public Comment. Michael O'Donnell asked the Commissioners to hire locally for the County Manager's position, he would like to see that the prior applicants get a second chance. Mr. O'Donnell said he loves Deming and would like to make Deming his hometown.

Edward Khanbabian is asking Commissioners to hire someone that currently lives in Deming for the County Manager position he also mentioned that in the past the Commission would hire relatives or people they personally knew.

**EXECUTIVE SESSION: Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 pertaining to the County Manager's position:** Chair Smrkovsky requested a motion to go into Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 pertaining to the County Manager's position. Commissioner Reedy motioned to go into Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 pertaining to the County Manager's position. Commissioner Sweetser seconded

and the motion carried unanimously following a roll call vote. The Board went into Executive Session at 10:17 a.m. and returned at 11:40 a.m.

Commissioner Reedy motioned to return from Executive Session where no other matters were discussed other than Limited Personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 pertaining to the County Manager's position. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

Commissioner Reedy motioned to continue the Luna County Manager's hiring process and take the next step which is to re-advertise to see if they can broaden the pool of candidates. Commissioner Reedy also mentioned that when the advertising period is over, they will meet again to take the next step. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

**ADJOURN:** Commissioner Sweetser motioned to adjourn. The motion was seconded by Commissioner Reedy and carried unanimously. Chair Smrkovsky adjourned the meeting at 11:45 a.m.

**ATTEST:**

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

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

\_\_\_\_\_  
**BARBARA L. REEDY, DISTRICT 1**

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

\_\_\_\_\_  
**LINDA M. SMRKOVSKY, DISTRICT 2**

\_\_\_\_\_  
**JOHN S. SWEETSER, DISTRICT 3**

# Indigent Hospital Claims Office

Glory Juarez, Interim County Manager

IHC Board Meeting February 14, 2019

Month	Number	Amount	Number	Denied
January	23	\$26,055.34	0	\$0.00
Feburary	0	\$0.00		
March	0	\$0.00		
April	0	\$0.00		
May	0	\$0.00		
June	0	\$0.00		
July	0	\$0.00		
August	0	\$0.00		
September	0	\$0.00		
October	0	\$0.00		
November	0	\$0.00		
December	0	\$0.00		
Total	23	\$26,055.34	0	\$0.00
This Month's Total	Mimbres Memorial Hospital			\$25,055.34
This Month's Total	Gila Regional Medical Center			\$0.00
This Month's Total	Memorial Medical Center			\$0.00
This Month's Total	Deming Fire Dept./EMS			\$1,000.00
This Month's Total	All Other Services			\$0.00
Total				\$26,055.34
Year to Date Total	Mimbres Memorial Hospital			\$25,055.34
Year to Date Total	All Other Hospitals			\$0.00
Year to Date Total	Deming Fire Dept./EMS			\$1,000.00
Year to Date Total	All Other Services			\$0.00
Total				\$26,055.34
Care of Prisoners This Month - Not including SNCP Funds				\$133,124.93
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$103,552.83
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$29,572.10
Care of Prisoners Year to Date Dr. Bills				\$0.00
Total Cost of Care of Prisoners Year to Date				\$133,124.93
Monies Received for January 2019				\$49,907.54
Balance in IHC Fund as of January 31, 2019				\$887,834.96
Encumbrances as of January 31, 2019				\$170,996.37
		Date	Amount Approved	Amount Denied
	Signatures	2/14/2019	\$26,055.34	\$0.00
Barbara L. Reedy				
Linda M. Smrkovsky				
John S. Sweetser				

## February 14, 2019

[illegible]

LCBCC Meeting February 14<sup>th</sup>, 2019

Accounts Payable

1/2/2019	\$9,166.66
1/3/2019	\$69,620.95
1/3/2019	\$6,859.50
1/3/2019	\$9,028.40
1/10/2019	\$108,592.69
1/10/2019	\$14,976.33
1/10/2019	\$9,268.92
1/14/2019	\$2,500.00
1/18/2019	\$66,104.76
1/18/2019	\$12,591.23
1/18/2019	\$4,909.77
1/24/2019	\$11,833.34
1/25/2019	\$137,129.41
1/25/2019	\$3,599.81
1/25/2019	\$3,706.09
1/31/2019	\$630,132.92
1/31/2019	\$4,348.88
1/31/2019	\$4,457.96
P-Cards	
December 2018	\$105,683.41
Total	\$1,214,511.03

*Luna County*  
*Board of County Commissioners*

**AGENDA 02/14/2019**

**PAYROLL**

01/04/2019	Register # 20190001	\$513,199.45
01/04/2019	*Register # 20190002	\$8,815.17
01/18/2019	Register # 20190003	\$501,712.13
01/18/2019	*Register # 20190004	\$14,474.18

**Total \$1,038,200.93**

\* Special

## LUNA COUNTY RESOLUTION

Resolution No. 19-10

**A RESOLUTION AUTHORIZING THE COUNTY TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION TO PARTICIPATE IN THE LOCAL DWI GRANT AND DISTRIBUTION PROGRAM AND DELEGATING AUTHORITY.**

**WHEREAS**, the Legislature enacted Section 11-6A-1 through 11-6A-6 NMSA 1978 as amended to address the serious problems of Driving While Intoxicated (DWI) in the State; and

**WHEREAS**, a program is established to make grant and distribution funding available to counties and municipalities for new, innovative or model programs, services or activities to prevent or reduce the incidence domestic abuse related to DWI, DWI, alcoholism and alcohol abuse; and

**WHEREAS**, the county DWI planning council and other governmental entities approval must be received in order to apply for grant and distribution funding; and

**WHEREAS**, the County along with participating agencies is making application to the Department of Finance and Administration, Local Government Division for program funding.

**NOW THEREFORE, BE IT RESOLVED** by the governing body of the County of Luna that the County Chairperson, or designee on behalf of the County and all participating entities is authorized to submit an application for Distribution and/or Grant Fiscal Year 2020 program funding under the regulations established by the Local Government Division.

**APPROVED AND ADOPTED** by the governing body at its meeting of February 14th, 2019.

\_\_\_\_\_  
County Commission Chairperson/Designee

Attest:

\_\_\_\_\_  
DWI Planning Council Representative

\_\_\_\_\_  
County Clerk (SEAL)



## MEMORANDUM OF UNDERSTANDING

The Luna County DWI Program (hereinafter referred to as the "Program") and the New Mexico Department of Finance and Administration/Local Government Division/Driving While Intoxicated Program (hereinafter referred to as "Division") hereby exchange the following assurances and enter into the following Memorandum of Understanding (MOU):

The Division assures:

1. That Division is in full compliance with the provisions concerning security for records and research activities in accordance with Federal Confidentiality regulations, 42 CFR Part 2.16 and 2.52.
2. That client identifying information will not be re-disclosed except back to the Program from which the information was obtained, or according to the terms of this MOU.
3. That in receiving, storing, processing, or otherwise dealing with any information from the Program about the clients in the Program, the Division acknowledges it is bound by the provisions of the Federal confidentiality regulations, 42 CFR Part 2.
4. That the Division shall undertake to resist any effort to obtain access to information pertaining to patients otherwise than as expressly provided for in the Federal confidentiality regulations, 42 CFR Part 2.
5. That the Division is not a "covered entity" as defined by the Department of Health and Human Services Regulations entitled "Standards for Privacy of Individually Identifiable Health Information", 45 CFR Parts 160 and 164, implementing the Health Insurance Portability and Accountability Act of 1996 (HIPAA); (the HIPAA Regulations).
6. That the Division shall never possess treatment or maintain any "individually identifiable health information" or transmit "protected health information" as defined by the HIPAA Regulations and in the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act).

The Program agrees to:

1. Upon request, provide the Division or other parties authorized with client records for those clients provided services through the Local Government Division DWI Grant Program, for the purpose of conducting outcome

monitoring research activities, and evaluation of LDWI Program interventions.

2. If applicable, comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act) and the Department of Health and Human Services Regulation entitled "Standards for Privacy of Individually Identifiable Health Information", 45 CFR Parts 160 and 164, applicable to entities covered by HIPAA; (the HIPAA Regulations).
3. Report or transmit data to the Division that deletes and contains no "individually identifiable health information" or "protected health information" as defined by the HIPAA Regulations and the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act).

Linda M. Smrkovsky

County Commission Chairperson (or Designee)  
(Please Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_, Director  
Local Government Division

## **DOH ASSURANCES AND COOPERATIVE AGREEMENT**

The Luna County/Municipality DWI Program referred to as the "Program" and the New Mexico Department of Health (DOH), Epidemiology and Response Division (ERD) hereby receives the following assurances and enters into the following cooperative agreement, to carry out the requirements of the evaluation MOU between DOH and the Department of Finance and Administration:

The DOH:

1. Acknowledges that it is in full compliance with the provisions concerning research activities in accordance with Federal confidentiality regulations, 42 CFR 2.16 and 2.52, including:
  - a. That a research protocol is maintained in accordance with the security requirements of 42 CFR 2.16; and
  - b. That client identifying information will not be re-disclosed except back to the Program from which the information was obtained; and no individual client will be identified in any report resulting from any epidemiologic research; and
2. Acknowledges that in receiving, storing, processing, or otherwise dealing with any information from the Program about the clients in the Program, the ERD is fully bound by the provisions of the Federal confidentiality regulations, 42 CFR Part 2: and
3. Resists any effort to obtain access to information pertaining to patients otherwise than as expressly provided for in the Federal confidentiality regulations, 42 CFR Part 2.

The Program:

1. Agrees to allow the ERD access to client records from the web based client screening and tracking system for those clients provided services through the Local Government Division DWI Grant Program, for the purpose of conducting outcome monitoring research activities.

This agreement will become effective on July 1, 2019.

This agreement will expire on June 30, 2020.

Glory Juarez  
County Manager or other authorized official (Please Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Michael Landen, MD, MPH,  
State Epidemiologist and  
Director Epidemiology and Response Division  
New Mexico Department of Health  
Harold Runnels Building  
1190 St. Francis Drive  
Santa Fe, NM 87502

\_\_\_\_\_  
Date

## STATEMENT OF ASSURANCES

### Local DWI Grant and Distribution Program

Fiscal Year 2020: July 1, 2019 – June 30, 2020

The applicant hereby assures and certifies compliance with the following statutes, rules, regulations, and guidelines associated with the acceptance and use of funds under the New Mexico Local DWI Grant and Distribution Program:

1. Compliance with the provisions of the New Mexico Local DWI Grant Program Act, Sections 11-6A-1 through 11-6A-6 NMSA 1978 as amended, the NMAC Title 2, Chapter 110 Part 4 Regulations, and the approved LDWI Guidelines.
2. The applicant has the responsibility and legal authority to receive and expend funds as described in the grant and distribution project description, as well as to finance the grantee share (minimum 10%) of costs of the project, including all project overruns.
3. Compliance with the State Procurement Code, Sections 13-1-21 through 13-1-199, NMSA 1978 as amended, with the exception of Home Ruled Governments. All project-related services, activities or programs done through a service provider must be implemented through a professional services contract. Any project-related contract, subcontract, or agreement and related amendments, providing services to the grant or distribution program, must be submitted for administrative review by the Local Government Division prior to execution.
4. Adherence to all financial, accounting, and reporting requirements of the Department of Finance and Administration. Distribution programs will include the Exhibit F, the Local DWI Distribution Fund Financial Status Report. Grant programs will include the Local DWI Program Request for Payment/Financial Status Report, Exhibit D. The said reports shall include a narrative of successes and challenges, a detailed budget breakdown of expenditures to date, a summary of any fees collected and/or expended, the Screening and Tracking Report, the Managerial Data Set, Planning Council meeting agendas and minutes, and such other information following the objectives of the county's evaluation as may be of assistance to the Division in its evaluation.
5. Compliance with the requirement to not budget, nor expend, any of the grant amount awarded or the amount distributed for **indirect administrative costs** incurred during the grant or distribution fiscal period. Requests for payment or financial status reports shall document all direct program administrative expenditures and in-kind/match administrative expenditures.
6. Compliance with the requirement to not budget, nor expend, greater than **ten percent** of the grant amount awarded or the amount distributed for **capital purchases** incurred during the grant or distribution fiscal period. Requests for payment or financial status reports shall

specify all capital purchases. **The ten percent cap for capital purchases does not exist with detoxification funding grants.**

7. Compliance with all required reports, including but not limited to: the first quarter narrative and fiscal reports due on the last working day of October; the second quarter narrative and fiscal reports due on the last working day of January; and the third quarter narrative and fiscal reports due on the last working day of April; the fourth and the final quarter Grant Fiscal report due by the 10<sup>th</sup> of July and the fourth and final narrative and distribution fiscal reports for the fiscal year due the last working day of July. Annual protocols for the screening, treatment, and compliance monitoring components are due the last working day of July for the current fiscal year. The annual reports which include program evaluation are due the last working day of July for the prior fiscal year.
8. Compliance with the current Local DWI Grant Program Screening Guidelines. To avoid any conflict of interest, or appearance of conflict of interest, screeners should not be affiliated with any contracted treatment agency. Clients will be given options (a list of available providers) for alcohol related treatment and will not be *mandated* to a particular treatment agency.
9. If applicable to the applicant, compliance with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Department of Health and Human Services regulation entitled "Standards for Privacy of Individually Identifiable Health Information", 45 CFR Parts 160 and 164, applicable to entities covered by HIPAA; (the HIPAA Regulations).
10. Any distribution program under run amount for the fiscal year must be returned to the Local DWI Grant Fund by September 30 of the following fiscal year. Failure to remit an under run to the Local DWI Grant Fund will cause suspension of grant reimbursements and/or future distributions until the remittance is made.
11. Grant program under runs revert to the Local DWI Grant Fund.
12. Compliance with all applicable conditions and requirements prescribed by the Division in relation to receipt/accountability of state General Funds.
13. The grant applicant will follow the scope of work for the grant program, as negotiated with the Local Government Division, and in accordance with the local planning council's approved plan. The applicant will submit any proposed modifications/amendments to the scope of work to the Division for its approval, prior to execution.
14. The distribution program applicant will follow the local planning council's application as approved by DWI Grant Council in the application review process. The applicant will submit any proposed modifications/amendments to this proposal to the Division for its written approval, prior to execution of changes to programs.

15. Compliance with conflict of interest prohibitions whereby no member, officer, or employee of the grant or the distribution program, or its designee or agents, no voting member of the local planning council or of the governing body of the locality in which the program is situated, and no other public official of such locality who exercises any functions or responsibilities with respect to the program during his/her tenure (or for one year thereafter) shall have any interest, direct or indirect, in any contract or subcontract for work to be performed in the program. The grant and/or the distribution program shall incorporate, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purposes of these stated provisions.
16. Compliance with the maintenance of records as will fully disclose the amount and disposition of the total funds from all sources budgeted for the grant or distribution agreement period, the purpose of undertaking for which such funds were used and the amount and nature of all contributions from other sources, and such other records as the Division shall prescribe. Such records shall be preserved for a period stated in the Local DWI Grant Fund Agreement following completion of all the conditions of the grant agreement and the distribution program administrative guidelines.
17. The applicant will provide access to authorized State officials and representatives of all books, accounts, records, reports, files, and other papers, things, or property pertaining to the project in order to make audits, examinations, excerpts and transcripts.
18. The applicant will provide DFA's auditor and evaluator timely access to all program records and information. Additionally, the applicant will assure that records of subcontractors working for the applicant are retained and made available to DFA's auditor and evaluator.

Linda M. Smrkovsky\_  
County Commission Chairperson (or Designee)      (Please Print)

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Signature

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Date

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**RESOLUTION NO. 19-11  
Proposed Inter/Intra Fund Budget Increases**

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

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

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

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

**NOW THEREFORE BE IT RESOLVED** that the Luna County Board of County Commissioners hereby adopts the changes to the County's Fiscal Year 107, July 1, 2018 through June 30, 2019 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 14<sup>th</sup> DAY OF FEBRUARY, 2019.**

LUNA COUNTY

\_\_\_\_\_  
Chairperson

ATTEST:

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



Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming NM on the 14th day of February, 2019, the following budget adjustments are proposed and entered of record.

SCHEDULE OF BUDGET ADJUSTMENTS				Budget Resolution Number 19-11 Proposed Inter/Intra FUND Budget Increase					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	Decrease	610/21800	Drug Investigations	610/21800	\$ 12,759.74	610-77-1272 (Revenue) Grants - Traffic Safety	\$ 12,759.74	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ (38,341.00)	\$ (25,581.26)
					\$ (12,759.74)	610-62-2005 Salaries - Overtime (Operation Buckledown)	\$ (414.00)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 414.00	\$ -
						610-62-2060 Match - Medicare 1.45%	\$ (6.00)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 6.00	\$ -
						610-64-2005 Salaries - Overtime (Traffic Safety-100 Days/Nights)	\$ (1,933.42)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 4,590.00	\$ 2,656.58
						610-64-2060 Match - Medicare 1.45%	\$ (27.62)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 66.56	\$ 38.94
						610-64-2064 Match - FICA 6.2%	\$ (128.44)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 128.44	\$ -
						610-65-2005 Salaries - Overtime (STEP)	\$ (7,150.56)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 13,735.00	\$ 6,584.44
						610-65-2060 Match - Medicare 1.45%	\$ (102.54)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 199.16	\$ 96.62
						610-65-2064 Match - FICA 6.2%	\$ (420.84)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 420.84	\$ -
						610-67-2005 Salaries - Overtime (ENDWI)	\$ (2,050.56)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 5,720.00	\$ 3,669.44
						610-67-2060 Match - Medicare 1.45%	\$ (28.70)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 82.94	\$ 54.24
						610-67-2064 Match - FICA 6.2%	\$ (497.06)	To clear out old grant that has been fully expended in preparation of entering new grant amounts.	\$ 497.06	\$ -
Two	Increase	610/21800	Drug Investigations	610/21800	\$ (28,830.00)	610-77-1272 (Revenue) Grants - Traffic Safety	\$ (28,830.00)	To enter new grant agreement amounts for expenditure through end of grant agreement.	\$ (25,581.26)	\$ (54,411.26)
					\$ 28,830.00	610-62-2005 Salaries - Overtime (Operation Buckledown)	\$ 414.00	To enter new grant agreement amounts for expenditure through end of grant agreement.	\$ -	\$ 414.00

ITEM NO	Adjustment Type	Fund/DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
						610-62-2060 Match - Medicare 1.45%	\$ 6.00	To enter new grant agreement amounts for expenditure through end of grant agreement.	\$ -	\$ 6.00
						610-65-2005 Salaries - Overtime (STEP)	\$ 18,837.00	To enter new grant agreement amounts for expenditure through end of grant agreement.	\$ 6,584.44	\$ 25,421.44
						610-65-2060 Match - Medicare 1.45%	\$ 273.00	To enter new grant agreement amounts for expenditure through end of grant agreement.	\$ 96.62	\$ 369.62
						610-67-2005 Salaries - Overtime (ENDWI)	\$ 9,167.00	To enter new grant agreement amounts for expenditure through end of grant agreement.	\$ 3,669.44	\$ 12,836.44
						610-67-2060 Match - Medicare 1.45%	\$ 133.00	To enter new grant agreement amounts for expenditure through end of grant agreement.	\$ 54.54	\$ 187.54
Three	Increase	401/11000	General Fund - Commission	401/11000	\$ 40,000.00	401-00-2067 Insurance/Prop Liability	\$ 40,000.00	To pay for the increases in insurance premiums that was unknown at budget preparation.	\$ 327,800.00	\$ 367,800.00
		402/20400	Road Department	402/20400	\$ 7,300.00	402/10/2067 Insurance/Prop Liability	\$ 7,300.00	To pay for the increases in insurance premiums that was unknown at budget preparation.	\$ 81,000.00	\$ 88,300.00
		609/22600	Adult Detention	609/22600	\$ 25,500.00	609-21-2067 Insurance/Prop Liability	\$ 25,500.00	To pay for the increases in insurance premiums that was unknown at budget preparation.	\$ 250,000.00	\$ 275,500.00
		609/22600	Adult Detention	609/22600	\$ (100,000.00)	609-77-1591 (Revenue) USMS Detention Revenue	\$ (100,000.00)	To adjust revenue for increase in USMS inmate population due to opening of new addition.	\$ (3,992,187.50)	\$ (4,092,187.50)
Four	Increase	507/40200	Entertainment Complex - 1/4 GRT	507/40200	\$ 15.25	507-00-2000 Annual Bond Payments	\$ 15.25	To adjust bond payment for rounding of interest.	\$ 520,593.75	\$ 520,609.00
Five	Increase	428/21800	CASA	428/21800	\$ (500.00)	428-77-1629 (Revenue) Other Revenue Sources	\$ (500.00)	To account for donation from FFCU to support Child Abuse Awareness Event in April 2019.	\$ -	\$ (500.00)
					\$ 500.00	428-54-2020 Supplies	\$ 500.00	To allow for expenditure of donation from FFCU to support Child Abuse Awareness Event in April 2019.	\$ 3,525.00	\$ 4,025.00
Six	Increase	401/11000	General Fund - Managers	401/11000	\$ 17,320.00	401-01-2002 Salaries - Full-Time	\$ 9,650.00	To fund Human Resources Assistant position through end of fiscal year. Position was not realized at final budget preparation. Position will be budgeted in next fiscal year.	\$ 596,298.67	\$ 605,948.67
						401-01-2060 Match - Medicare 1.45%	\$ 140.00	To fund Human Resources Assistant position through end of fiscal year. Position was not realized at final budget preparation. Position will be budgeted in next fiscal year.	\$ 8,936.33	\$ 9,076.33
						401-01-2063 Match - PERA 16.42%	\$ 1,585.00	To fund Human Resources Assistant position through end of fiscal year. Position was not realized at final budget preparation. Position will be budgeted in next fiscal year.	\$ 92,481.55	\$ 94,066.55

ITEM NO	Adjustment Type	Fund/DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
						401-01-2064 Match - FICA 6.2%	\$ 599.00	To fund Human Resources Assistant position through end of fiscal year. Position was not realized at final budget preparation. Position will be budgeted in next fiscal year.	\$ 38,210.52	\$ 38,809.52
						401-01-2065 Match - Group Insurance	\$ 5,150.00	To fund Human Resources Assistant position through end of fiscal year. Position was not realized at final budget preparation. Position will be budgeted in next fiscal year.	\$ 84,769.28	\$ 89,919.28
						401-01-2066 Workers' Compensation Assmnt	\$ 3.00	To fund Human Resources Assistant position through end of fiscal year. Position was not realized at final budget preparation. Position will be budgeted in next fiscal year.	\$ 110.40	\$ 113.40
						401-01-2070 Match - RHCA 2.0%	\$ 193.00	To fund Human Resources Assistant position through end of fiscal year. Position was not realized at final budget preparation. Position will be budgeted in next fiscal year.	\$ 11,487.49	\$ 11,680.49
					\$ (9,864.75)		\$ (9,864.75)		\$ (2,004,631.73)	\$ (2,014,496.48)

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

Done at Deming New Mexico this **Thursday the 14th day of February, 2019.**

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Andrea Rodriguez, Luna County Clerk

Entered By:

Date

Checked By:

Date

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**RESOLUTION NO. 19-12  
Proposed Intra/Inter Department Transfers**

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

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

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

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

**NOW THEREFORE BE IT RESOLVED** that the Luna County Board of County Commissioners hereby adopts the changes to the County's Fiscal Year 107, July 1, 2018 through June 30, 2019 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 14<sup>th</sup> DAY OF FEBRUARY, 2019.**

LUNA COUNTY

---

Chairperson

ATTEST:

---

Andrea Rodriguez, Luna County Clerk

Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming NM on the 14th day of February, 2019 the following budget adjustments are proposed and entered of record.

## Budget Resolution Number 19-12

### Proposed Intra/Inter Department Transfer

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	FROM Current Balance	Transfer amount	TO Line Number	Transfer Amount	Purpose
One	Transfer	801/5999	Entertainment Complex	801-80-2108 Film Rental Payments	\$74,244.52	\$11,000.00	801-80-2101 Professional/ Contract Services	\$6,000.00	To allow for spending through remainder of fiscal year.
				801-80-2002 Salaries - Full-Time	\$71,643.08	\$1,000.00	801-80-2106 Food Supplies	\$5,000.00	To allow for spending through remainder of fiscal year.
							801-80-2004 Salaries - Holiday Pay	\$1,000.00	To allow for spending through remainder of fiscal year.
Two	Transfer	401/11000	General Fund - Bureau of Elections	401-05-2008 Printing and Publishing	\$3,861.30	\$1,500.00			
				401-05-2018 Printing and Publishing - Spanish	\$4,434.27	\$1,500.00	401-05-2006 Postage	\$3,000.00	To cover costs of School Board Election and allow for spending through remainder of fiscal year.
Three	Transfer	401/11000	General Fund - Commission	401-00-2101 Professional/Contract Services	\$86,226.20	\$1,000.00	401-00-2491 Commissioner Expense	\$1,000.00	To allow for spending through remainder of fiscal year.
Four	Transfer	415/21800	Community Services - Juvenile Field Services	415-13-2017 - Rental - Office/ Building	\$2,400.00	\$2,400.00	415-13-2020 Supplies	\$2,400.00	To clean up line item and allow for spending through remainder of fiscal year.
Five	Transfer	402/20400	Road Department - Solid Waste	402-40-2075 Equip Operating Expense/ Repair	\$18,559.49	\$5,383.00	402-40-2005 Salaries - Overtime	\$5,000.00	To allow for spending through remainder of fiscal year.
							402-40-2060 Match - Medicare 1.45%	\$73.00	To allow for spending through remainder of fiscal year.
							402-40-2064 Match - FICA 6.2%	\$310.00	To allow for spending through remainder of fiscal year.
					\$261,368.86	\$23,783.00		\$23,783.00	

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

Done at Deming New Mexico this **Thursday the 14th day of February, 2019.**

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

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

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

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



ATTEST:

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

Entered By:

Date

Checked By:

Date

**2019 NMC/NMCIA Multi-Line Pool  
General Membership Meeting  
Voting Representative**

Annual Meeting Wednesday, January 16, 2019 8:00 a.m. Eldorado Hotel, Santa Fe, NM

Name	Title	County	Address	Phone #	Fax #	Alternate
Shirley Ragin	Deputy County Mgr.	Bernalillo	One Civic Plaza NW, 10th Fl., Albuquerque, NM 87111	468-7308	462-9813	Lisa Sedillo-White
Linda Cook	Deputy Manager	Catron	P.O. Box 507 Reserve, NM 87830	533-6423	533-6334	
Ron Lethgo	Deputy Assessor	Chaves	#1 St. Mary's Place, Ste.130,Roswell, NM 88203	624-6669	624-6647	Mark Willard
		Cibola	515 W High St. Grants, NM 87020	287-9431	285-5434	Debi Gomez
Landon Newton	Commissioner	Colfax	230 N. Third St., Raton, NM 87740	445-9661	445-2902	
Lance Pyle	Manager	Curry	417 Gidding, Suite 100, Clovis, NM 88101	763-6016	763-3656	Ben McDaniel
		DeBaca	P.O. Box 347, Fort Sumner, NM 88119	355-2601	355-2441	Rosalie Joiner
Isabella Solis	Commissioner	Doña Ana	845 N Motel Blvd, Las Cruces, NM 88007	525-5810	525-5952	
Rick Rudometkin	Manager	Eddy	101 W. Greene St., St.110,Carlsbad, NM 88220	887-9511	234-1835	Stella Davis
Charlene Webb	Manager	Grant	P.O. Box 898 Silver City, NM 88062	574-0001	574-0084	Brett Kasten
		Guadalupe	130 South 4th St., Santa Rosa, NM 88435	472-3306	472-3735	Patrick Martinez
		Harding	P.O. Box 1002 Mosquero, NM 87733	673-2927	673-2922	
Tisha Green	Asst. County Manager	Hidalgo	300 Shakespeare St., Lordsburg, NM 88045	542-9428	542-3414	Maria Sanchez
Dallas Draper	Commissioner	Lincoln	P.O. Box 711 Ruidoso, NM 88345	648-2385	648-4182	Tom Stewart
	Manager	Luna	700 S Silver Deming, NM 88030	546-0494	543-6515	Glory Juarez
Andrew Rodriguez	Risk Manager	McKinley	P.O. Box 984 Thoreau, NM 87323	722-3868	863-6362	
		Mora	P.O. Box 627 Mora, NM 87732	387-5279	387-9022	
		Otero	P.O. Box 634 Alamogordo, NM 88311	415-7062	437-4840	
Richard Primrose	County Manager	Quay	P.O. Box 1246 Tucumcari, NM 88401	461-2112	461-6208	Mike Cherry
Amber Hamilton	Manager	Roosevelt	109 W First St. Portales, NM 88130	575-356-5307	356-8307	Malin Parker
Dr. Vidal Martinez		San Miguel	500 W. National, Las Vegas, NM 87701	425-9333	425-7019	
Charles Martinez	Risk Manager	Sandoval	P.O. box 40, Bernalillo, NM 87004	867-7694	867-9365	Tina Tawater
Katherine Miller	Manager	Santa Fe	102 Grant Ave., Santa Fe, NM 87504	986-6200	995-2740	Ed Moreno
		Sierra	100 N Date St. T or C, NM 87901	894-6215	894-9548	Bruce Swingle
		Socorro	P.O. Box 1, Socorro, NM 87801	835-2461	835-4629	Delilah Walsh
Jim Fambro	Commissioner	Taos	105 Albright Street, Ste A, Taos, NM 87571	737-6300	737-6314	Tom Blakenhorn
		Torrance	P.O. Box 48 Estancia, NM 87016	246-4752	384-5294	
Angie Gonzales	Manager	Union	P.O. Box 430 Clayton, NM 88415	374-8896	374-2763	Justin Bennett
Danny Monette	Manager	Valencia	P.O. Box 1119 Los Lunas, NM 87031	866-2014	866-2424	

**2019 NMC/NMCIA Workers' Compensation Pool  
General Membership Meeting  
Voting Representative**

Special Meeting Wednesday, January 16, 2019 8:00 am, Eldorado Hotel, Santa Fe, NM

Name	Title	County	Address	Phone	Fax	Alternate
Lisa Sedillo-White	Deputy County Manager - General Services	Bernalillo	One Civic Plaza NW, 10th Floor Albuquerque, NM 87102	468-7013	468-7067	Andres Santiago
Linda Cook	Asst. County Manager	Catron	PO Box 507, Reserve, 87830	533-6423	533-6433	Susan Griffin
Ron Lethgo	Chief Deputy Assessor	Chaves	#1 St. Mary's Place, Roswell, NM 88203	624-6669	624-6659	Angelo Gurule
		Cibola	515 W. High St., Grants, 87020	287-9431	285-5434	
Mary Lou Kern	County Manager	Colfax	P.O. Box 392 Angel Fire, NM 87710	445-9661	445-2902	Philip Mendez
Lance Pyle	Manager	Curry	417 Gidding, Ste. 100, Clovis, NM 88101	763-6016	763-3656	Chet Spear
Amanda Lucero	HR Director	DeBaca	P.O. Box 5, Fort Sumner 88119	512-6654	355-2654	
Isabela Solis	County Commissioner	Dofia Ana	845 N. Motel Blvd., Las Cruces 88007	647-7200	525-5952	Blake Davenport
Rick Rudometkin	Manager	Eddy	101 W. Greene Street, Carlsbad, NM 88220	887-9511	234-1835	Stella Davis
Charlene Webb	Manager	Grant	P.O. Box 898 Silver City, NM 88062	574-0001	574-0073	Brett Kasten
		Guadalupe	348 S. 5th Street, Santa Rosa, NM 88435	472-3306	472-3735	Patrick Martinez
		Harding	PO Box 1002, Mosquero 87733	673-2927	673-2922	
Tisha Green	County Manager	Hidalgo	300 S Shakespeare, Lordsburg, NM 88045	542-9080	542-3414	Bob Hill
		Lea	100 N Main, Ste 5, Lovington 88260	396-8621	396-1078	
Tom Stewart	Commissioner	Lincoln	147 Dr. Alto, NM 88312	336-4831	648-4182	Nita Taylor
Charles Kretek	Luna County Attorney	Luna	2500 J Street SE, Deming, NM 88030	543-2703	543-0603	
Andrew Rodriguez	Risk Management Director	McKinley	P.O. Box 984, Thoreau 87323	722-3868	863-6362	Carol Bowman-Muskett
		Mora	PO Box 580, Mora 87732	387-5279	387-9022	Joanne Padilla-Salas
		Otero	1101 New York Ave., Rm. 102, Alamogordo,	437-7427	443-2904	
		Quay	3001 S. 3 <sup>rd</sup> St, Tucumcari 88401	461-2112	461-6208	Richard Primrose
Debbie Olds	HR Administrator	Roosevelt	109 W. 1 <sup>st</sup> Street, #B-6 Portales 88130	356-5307	356-8307	Shane Lee
		San Juan	305 S. Oliver Aztec, NM 87410	334-9481	334-3168	Joe Sawyer
		San Miguel	500 W. National Ave., Ste. 200, Las Vegas	425-9333	425-7019	
Charles Martinez	Risk Mgt. and Safety Coordinator	Sandoval	P.O. Box 40, Bernalillo, NM 87004	867-7694	867-9365	Tina Tawater
Katherine Miller	Commissioner	Santa Fe	949 W. Alameda, Santa Fe 87501-2117	992-6751	992-9895	Ed Moreno
Frances Luna	Commissioner	Sierra	855 Van Patten, T or C, NM 87901	894-6215	894-9548	Bruce Swingle
		Socorro	PO Box I, Socorro 87801	835-8589	835-4629	Delilah Walsh
Jim Fambro	Commissioner	Taos	105 Albright St., Ste. G, Taos, NM 87571	737-6300	737-6314	Tom Blankenhorn
Annette Ortiz	Deputy County Manager	Torrance	PO Box 48, Estancia 87016	920-0817	384-5294	Belinda Garland
Justin Bennett	Commissioner	Union	P.O. Box 430, Clayton, NM 88415	374-8896	374-9442	
Danny Monette	Manager	Valencia	PO Box 1119, Los Lunas 87031	866-2021	866-2424	



Rec'd  
12/12/17 10:15am  
Co

## LUNA COUNTY ROAD DEPARTMENT

### APPLICATION TO REQUEST AN ADDITION or DELETION TO THE COUNTY ROAD MAINTENANCE SYSTEM

#### DOVE MEADOW ESTATES

A SUBDIVISION OF ALL THAT PART OF THE N1/2 NW1/4 NW1/4,  
SE1/4 NW1/4 NW1/4, SW1/4 NW1/4 AND THE W1/2 SE1/4 NW1/4 OF  
SECTION 9, T. 24 S., R. 9 W., N.M.P.M., LUNA COUNTY, NEW MEXICO,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ROAD NAME AND/OR DESCRIPTION: \_\_\_\_\_

LEGAL DISCRIPTION: Township: 24S Range 9W Section 9

COUNTY ROAD DISTRICT: A \_\_\_\_\_ B \_\_\_\_\_ C ☒ D \_\_\_\_\_

TYPE OF ROAD: Gravel ☒ Oiled \_\_\_\_\_ Other \_\_\_\_\_

LENGTH OF ROAD: Dove St. 1/2 mile WIDTH OF ROAD BASE 32 ft.  
1 mile af for total of all streets, Crest Drive, Crescent Drive  
EASEMENT FOR PUBLIC ROAD AND UTILITY PURPOSES VERIFIED: yes ☒ no \_\_\_\_\_

☐ Attach a copy of local plat with clear identification of all the above information.

(Note: If the road is in a Deming or Sunshine Valley Ranchette Unit, we require that each landowner must sign and be made aware and agreeable that they will be accessed a "road maintenance fee" per front footage on their tax bill).

NAME OF APPLICANT(S) The Valenzona's, The

(Can be one property owner, several owners, and/or a petition. Attach a list of owners and/or petition if applicable.)

CONTACT PERSON: Mike Bolton

TELEPHONE: Mike Bolton 575 546 6665

MAILING ADDRESS: (595) 1625 Dona Ana

CITY: Deming NM ZIP: 88030

JUSTIFICATION FOR ADDITION or DELETION: (Note number of families, vehicles, and normal activities of the area to be considered. List special considerations such as school bus, emergency vehicle and mail routes.)

No mail routes

No bus (school)

7 family homes currently in development

Has not been maintained for 7 years

Rec'd  
12/12/17 10:15am  
CW

## LUNA COUNTY ROAD DEPARTMENT

### APPLICATION TO REQUEST AN ADDITION or DELETION TO THE COUNTY ROAD MAINTENANCE SYSTEM

#### DOVE MEADOW ESTATES

A SUBDIVISION OF ALL THAT PART OF THE N1/2 NW1/4 NW1/4,  
SE1/4 NW1/4 NW1/4, SW1/4 NW1/4 AND THE W1/2 SE1/4 NW1/4 OF  
SECTION 9, T. 24 S., R. 9 W., N.M.P.M., LUNA COUNTY, NEW MEXICO.  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ROAD NAME AND/OR DESCRIPTION: \_\_\_\_\_

LEGAL DISCRIPTION: Township: 24S Range 9W Section 9

COUNTY ROAD DISTRICT: A \_\_\_\_\_ B \_\_\_\_\_ C ☒ D \_\_\_\_\_

TYPE OF ROAD: Gravel ☒ Oiled \_\_\_\_\_ Other \_\_\_\_\_

LENGTH OF ROAD: Dove St. 1/2 mile WIDTH OF ROAD BASE 32 ft.  
1 mile of for total of all streets, Crest Drive, Crescent Drive  
EASEMENT FOR PUBLIC ROAD AND UTILITY PURPOSES VERIFIED: yes ☒ no \_\_\_\_\_

[ ] Attach a copy of local plat with clear identification of all the above information.

(Note: If the road is in a Deming or Sunshine Valley Ranchette Unit, we require that each landowner must sign and be made aware and agreeable that they will be accessed a "road maintenance fee" per front footage on their tax bill).

NAME OF APPLICANT(S) The Valenzong's, The

(Can be one property owner, several owners, and/or a petition. Attach a list of owners and/or petition if applicable.)

CONTACT PERSON: Mike Bolton

TELEPHONE: Mike Bolton 575 546 0665

MAILING ADDRESS: (595) 1625 Dona Ana

CITY: Deming NM ZIP: 88030

JUSTIFICATION FOR ADDITION or DELETION: (Note number of families, vehicles, and normal activities of the area to be considered. List special considerations such as school bus, emergency vehicle and mail routes.)

No mail routes  
No bus (school)  
7 family homes currently in development  
Has not been maintained for 7 years

**LUNA COUNTY ROAD  
DEPARTMENT  
CONSTRUCTION SPECIFICATIONS FOR  
GRAVEL ROADS FOR ADDITIONS TO  
MAINTENANCE SYSTEM:**

1.     **ROAD WIDTH:**     Right of way easements to the County shall not be less than eighty (80) feet, the only exception shall be for pre-existing subdivisions providing not less than sixty (60) foot easement. The actual road base width shall not be less than thirty (30) feet. The applicant(s) shall be responsible for providing conclusive proof the applicant(s) own the area of underlying easement or can otherwise convey merchantable title to the area. For sub-divisions, a lawfully dedicated easement must be part of the approved sub-division.
  
2.     **SUBGRADE:**     This item consists of the dressing, scarfying, shaping, wetting and compacting as required. Subgrade will be four (4) inches above surrounding natural ground.
  
3.     **DITCHES:**       The term "ditches" shall be interpreted to mean all side ditches, inlet and outlet ditches, changes in channels or streams, to and from culverts and other structures, diversion ditches and other ditches in connection with surface drainage.
  
4.     **COMPACTION:**    Except, as otherwise specified, the degree of compaction and density for backfilling and subgrade shall be a minimum of ninety (90) percent.
  
5.     **BASE MATERIAL:**   Four (4) inches of pit-run gravel compacted to a minimum of ninety (90) percent.
  
6.     **UTILITIES:**       All underground utilities will be buried a minimum of forty-two (42) inches. Documentation proving all underground utilities, from each utility company, are buried a minimum of forty-two (42) inches.

ROAD NAME AND/OR DESCRIPTION: Dove Rd, Crest Dr., CREAGENT,  
Faith

PROCEDURE FOR CONSIDERATION:

1. Annual deadline for application is December 1st.
2. Each application will be reviewed and qualified by the Road Superintendent or designee prior to the January meeting of the Board of County Commissioners.
3. Shortly after the January meeting, the Commissioners and the Road Superintendent will inspect the site and determine the condition of the road. A water flow assessment will be performed to insure NO water flow diversion has been constructed.
4. If a road does not meet the County specifications, the property owners shall have an opportunity to make the required improvements no later than January of the same year.
5. The decision of the Board of County Commissioners will be announced at their regular meeting in February.

I, the undersigned contact person have received, read and understand the Luna County Road Department Construction Specifications for Gravel Roads.

I further understand these specifications serve as a guideline for new subdivisions, the building of new roads and the upgrade of existing private roads. The actual cost of the improvements is solely that of the property owners.

SIGNED: \_\_\_\_\_

Michael B. Bortz

DATED: \_\_\_\_\_

12-17-17

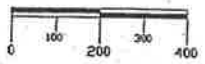
APPLICATIONS MAY BE MAILED TO:

Luna County Road Department  
P.O. Drawer 551  
Deming, NM 88031

N

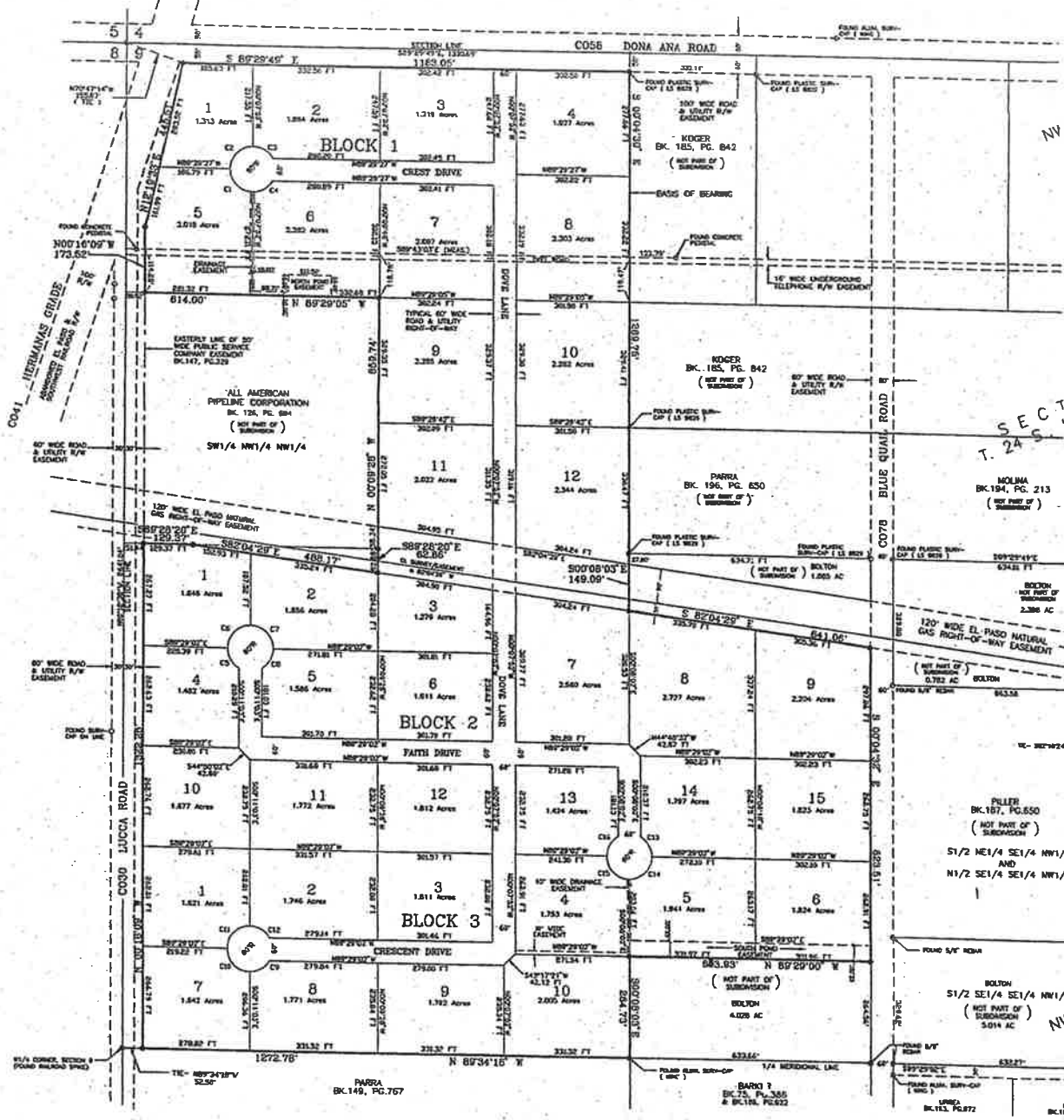


SCALE: 1" = 200 FT.



SECTION 8

SECTION 4



DRAINAGE & UTILITY  
EASEMENT DETAIL  
NOT TO SCALE

UNLESS SHOWN OTHERWISE, UTILITY EASEMENTS AS SHOWN ABOVE ARE DEDICATED TO COLLIERIES ELECTRIC COOPERATIVE, INC. FOR THE INSTALLATION AND MAINTENANCE OF DRAINAGE STRUCTURES AND WATER COURSES.

LOT DIVISIONS:

LOTS SHALL NOT BE FURTHER SUBDIVIDED WITHOUT THE CONSENT OF THE LUNA COUNTY COMMISSION.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF NEW MEXICO, AND THAT THIS PLAT WAS MADE BY ME OR UNDER MY SUPERVISION FROM NOTES OF AN ACTUAL FIELD SURVEY THAT MEETS THE MINIMUM REQUIREMENTS FOR LAND SURVEYS IN THE STATE OF NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JOHN R. SOSAY  
NMS No. 13473



TIERRA SURVEYING  
P.O. BOX 534  
BAYARD, NM. 88023  
PHONE: (505) 637-9604

NOTE: SET 1/2" REBAR WITH PLASTIC SURV-CAP, UNLESS NOTED OTHERWISE.

CURVE DATA				
CURVE #	RADIUS	DELTA	ARC	CHORD
001	80.00'	90°36'21"	84.99'	144.98'
002	80.00'	90°36'21"	84.99'	144.98'
003	80.00'	90°36'21"	84.99'	144.98'
004	80.00'	90°36'21"	84.99'	144.98'
005	80.00'	90°36'21"	84.99'	144.98'
006	80.00'	90°36'21"	84.99'	144.98'
007	80.00'	90°36'21"	84.99'	144.98'
008	80.00'	90°36'21"	84.99'	144.98'
009	80.00'	90°36'21"	84.99'	144.98'
010	80.00'	90°36'21"	84.99'	144.98'
011	80.00'	90°36'21"	84.99'	144.98'
012	80.00'	90°36'21"	84.99'	144.98'
013	80.00'	90°36'21"	84.99'	144.98'
014	80.00'	90°36'21"	84.99'	144.98'
015	80.00'	90°36'21"	84.99'	144.98'

# SURVEY PLAT OF DOVE MEADOW ESTATES

A SUBDIVISION OF ALL THAT PART OF THE N1/2 NW1/4 NW1/4,  
SE1/4 NW1/4 NW1/4, SW1/4 NW1/4 AND THE W1/2 SE1/4 NW1/4 OF  
SECTION 9, T. 24 S., R. 9 W., N.M.P.M., LUNA COUNTY, NEW MEXICO,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the Southwest corner of the tract herein described, a point on the Easterly line of the Public Service Company Easement lying East of County Road C030 (Lucca Road) as described in Book 147, Page 329, of the Office of the Luna County Clerk, WHENCE the West 1/4 corner of said Section 9, T.24 S., R.9 W., N.M.P.M. (a railroad spike found in place) bears N89°34'16"W a distance of 52.50 feet;

THENCE, from the point of beginning, N00°16'06"W along said Easterly line of the Public Service Company Easement a distance of 1322.26 feet to a point on the Southerly line of the SW1/4NW1/4NW1/4 of said Section 9;

THENCE, S 89°28'20" E along said Southerly line of the SW1/4 NW1/4 NW1/4 a distance of 129.37 feet to a point on the Southerly Right-of-way Easement line of the El Paso Natural Gas Easement as described in Book 9, Page 360 of the records of the Luna County Clerk;

THENCE, S 82°04'29" E along said Southerly Right-of-way easement line a distance of 488.17 feet to a point;

THENCE, N 00°06'28" W a distance of 62.66 feet to the Southeast corner of said SW1/4 NW1/4 NW1/4 of Section 9;

THENCE, N00°09'28" W a distance of 659.74 feet to the Northeast corner of said SW1/4NW1/4NW1/4;

THENCE, N89°29'05" W along the North line of said SW1/4NW1/4NW1/4 a distance of 614.00 feet to a point on the Easterly line of said Public Service Company Easement;

THENCE, N00°16'06" W along said Easterly easement line a distance of 173.52 feet to a point;

THENCE, N12°19'33" E a distance of 445.51 feet to a point on the Southerly right-of-way line of Luna County Road C058 (Dona Ana Road);

THENCE, S89°29'49" E along said Southerly right-of-way line of County Road C058 a distance of 1183.05 feet to a point on the Easterly line of the NW1/4NW1/4 of said Section 9 (a plastic surv-cap found in place);

THENCE, S00°04'30" E along said Easterly line of the NW1/4NW1/4 a distance of 1269.75 feet to the Southeast corner of said NW1/4NW1/4 (a plastic surv-cap found in place);

THENCE, S00°08'03" E a distance of 149.09 feet to a point on the Southerly Right-of-way Easement line of said El Paso Natural Gas Easement as described in Book 9, Page 360 of the records of the Luna County Clerk;

THENCE, S82°04'29" E along said Southerly Right-of-way Easement line a distance of 641.06 feet to a point on the Westerly right-of-way line of Luna County Road C078 (Blue Quail Road);

THENCE, S07°04'32" E along said Westerly right-of-way line of County Road C078 a distance of 823.51 feet to a point;

THENCE, N89°29'00" W a distance of 653.93 feet to a point;

THENCE, S00°08'03" E a distance of 264.73 feet to a point on the Southerly line of the NW1/4 of said Section 9;

THENCE, N89°34'18" W along said Southerly line of the NW1/4 of Section 9 a distance of 1272.78 feet to the point and place of beginning.

Containing 78.363 Acres, more or less.

SUBJECT to reservations, restrictions and easements of record.

## OWNER'S CERTIFICATION

The plot hereon shown and the foregoing subdivision of portions of the NW1/4 of Section 9, T.24 S., R.9 W., N.M.P.M., Luna County, State of New Mexico, as described in the caption of this plat, is made with the free consent and in accordance with the desire of the undersigned owners and proprietors of the land so subdivided.

*Michael B. Bolton*  
MICHAEL B. BOLTON  
P.O. BOX 1875  
DEMING, NM 88031

*Twila D. Bolton*  
TWILA D. BOLTON  
P.O. BOX 1875  
DEMING, NM 88031

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) SS

The above and foregoing instrument, statement of consent and desires to subdivide was acknowledged before me this 31<sup>st</sup> day of March, 2000.

*Debra H. Hargis*  
NOTARY PUBLIC

6/2/2001  
My commission expires

## BOARD OF LUNA COUNTY COMMISSIONERS APPROVAL

THIS PLAT IS HEREBY ACCEPTED FOR FILING BY THE LUNA COUNTY BOARD OF COUNTY COMMISSIONERS WITH THE UNDERSTANDING THAT LUNA COUNTY IS IN NO WAY RESPONSIBLE FOR THE DEVELOPMENT OR MAINTENANCE OF STREETS TO OR IN THE PLATTED AREA.

*U. Adams*  
COMMISSION CHAIRMAN  
ATTESTED: *Sharon Smith*  
LUNA COUNTY CLERK

4-18-00  
DATE:

## CITY OF DEMING, APPROVAL

IT IS HEREBY CERTIFIED THAT THIS SUBDIVISION COMPLIES WITH THE RULES AND REGULATIONS OF THE CITY OF DEMING PLANNING COMMISSION IN REGARDS TO THE DEMING-LUNA COUNTY EXTRA TERRITORIAL ZONING REGULATIONS AND IS HEREBY APPROVED. THE CITY OF DEMING IS IN NO WAY RESPONSIBLE FOR THE CONSTRUCTION OR MAINTENANCE OF STREETS TO OR IN THE PLATTED AREA.

ATTESTED: *Robert L. Loria*  
SECRETARY

*William C. Hethcote*  
CHAIRMAN

## DEMING CITY COUNCIL: Approved for filing

ATTESTED: *John P. Loria*  
CLERK

*San J. Lora*  
MAYOR

## APPROVAL FOR UTILITIES ACCESS

*U. Adams*  
COLUMBUS ELECTRIC COOPERATIVE, INC.

4/12/00  
DATE

*J. Deane*  
ENM GAS AND ELECTRIC

April 12 2000  
DATE

*J. M. Robinson*  
JUS WEST COMMUNICATIONS

4-12-00  
DATE

## FILING AND RECORDING

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) SS

FILED FOR RECORD THIS 9th DAY OF March, 2000  
AT 11:00 O'CLOCK A.M., AND RECORDED IN BOOK  
AT PAGE 19  
FEE: 10.00 RECEIPT No. 2000-02495  
*Natalia Pacheco* *Andrew Boring*  
COUNTY CLERK DEPUTY CLERK

## INDEXING INFORMATION FOR COUNTY CLERK

OWNER: MICHAEL & TWILA  
BOLTON

NW 1/4, SECTION 9  
T. 24 S., R. 9 W.,  
N.M.P.M.

LOCATION: LUNA COUNTY  
NEW MEXICO

TYPE II SUBDIVISION