

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L. Reedy
Member

Linda M. Smrkovsky
Chairperson

John S. Sweetser
Member

Thursday, February 8, 2018
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. Work Session- January 11, 2018
MOTION AND VOTE
 - b. Regular Meeting- January 11, 2018
MOTION AND VOTE
5. **Reports or Announcements from the Chair or other Commissioners:**
6. **Elected Officials Report:**
7. **County Manager's Report:**
8. **Indigent Claims Report:**
 - a. Recess as County Commission, Convene as Claims Board
MOTION AND VOTE
 - b. Presentation of Claims Report by Joanne Hethcox
 - c. Consider Claims dated February 8, 2018 in the amount of \$1,844.07
MOTION AND VOTE
 - d. Recess as Claims Board, Re-Convene as County Commission
MOTION AND VOTE

- 9. 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.

10. Consent Agenda:

- a. Accounts Payable: \$1,627,144.72
- b. Payroll: \$1,049,963.19
- c. Resolution 18-10 Budget Increases
- d. Resolution 18-11 Budget Transfers

MOTION AND VOTE

11. New Business:

- a. Presentation of FY 2017 Audit

DISCUSSION ONLY

- b. Freeholders Committee Recommendation

MOTION AND VOTE

- c. Resolution 18-09 DWI Grant and Distribution Program

MOTION AND VOTE

- d. Appointing a New Management Member of the Labor Relations Board

MOTION AND VOTE

- e. Appointment of Court Security Officer Ramon Garcia

MOTION AND VOTE

- f. Proclamation Honoring WNMU's Quasquicentennial

MOTION AND VOTE

- g. Approval to Issue an RFP for Representation in Litigation against Opioid Manufacturers, Distributors and other Appropriate Parties

MOTION AND VOTE

12. Upcoming Meetings:

Work Session- March 8, 2018 at 9:00 a.m.

Regular Meeting- March 8, 2018 at 10:00 a.m.

13. Adjourn:

STATE PLEDGE: I salute the flag of the State of New Mexico and the Zia symbol of perfect friendship among united cultures.

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

MINUTES
WORK SESSION
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Thursday, January 11, 2018

BE IT REMEMBERED that the Luna County Board of County Commissioners met at 9:00 a.m. on Thursday, January 11, 2018 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Work Session.

CALL TO ORDER: Chair Smrkovsky called the meeting to order at 9:01 a.m. and led the Pledge of Allegiance and the salute to the flag of New Mexico.

ROLL CALL: Deputy Clerk Myrna Duarte 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: Luna County Assistant County Manager Glory Juarez presented an award to Chief Deputy Clerk Berenda McWright for five years of service. Mrs. Juarez also announced the award for Dispatcher, Heidi Brown for five years of service, whom chose to have her service award in private at the Luna County Dispatch Center. Luna County Manager Ira Pearson presented Road Supervisor Mike Hatch an award for twenty years of service.

PRESENTATIONS: Luna County Attorney Charles C. Kretek, gave a presentation to the Commissioners regarding the Governmental Conduct Act, the Open Meetings Act and Parliamentary Procedures. Mr. Kretek informed the Commissioners of their responsibility to file a Financial Disclosure Statement and provided them with a form.

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 18-01 Notice of Meetings
- Resolution 18-06 CDBG Annual Certification and Commitments
- Resolution 18-08 Budget Transfers

PUBLIC INPUT: Mrs. Laurie Findley of the Deming Chamber of Commerce/Deming Mainstreet gave a brief update.

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

ATTEST:

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Andrea Rodriguez, Luna County Clerk

Barbara L. Reedy, District 1

Approved: _____

Chair, Linda M. Smrkovsky, District 2

John S. Sweetser, District 3

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, January 11, 2018**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, January 11, 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: County Manager Ira Pearson, Assistant County Manager Glory Juarez, County Attorney Charles C. Kretek, Chief Deputy Clerk Berenda McWright, Deputy Clerk Myrna Duarte, Assessor Delilah Rojo, Chief Appraiser Michelle Holguin, Sheriff Kelly Gannaway, Captain Michael Brown, Economic Development Community Projects Director Jessica Etcheverry, Human Resources Director Danny Gonzales, Road Supervisor Mike Hatch, Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox.

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

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

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

ELECT 2018 CHAIRMAN: Commissioner Sweetser motioned to approve the agenda. The motion was seconded by Commissioner Reedy, which carried unanimously. Commissioner Sweetser made a motion to nominate Commissioner Smrkovsky for 2018 Chairman. Commissioner Reedy seconded motion which was unanimously approved following a roll call vote.

ELECTED OFFICIALS REPORTS: Luna County Assessor Delilah Rojo announced the passing of Chief Deputy Clerk Barbara Cobos mother in-law. Mrs. Rojo thanked Luna County Attorney Charles K. Kretek for his support with the protests that were finalized on Tuesday January 2, 2018. Mrs. Rojo announced that she has not filled the vacant position in her department.

Luna County Clerk Chief Deputy Berenda McWright announced that the Clerk's Office is working on two elections. The School Board Bond Election which will be held on February 6, 2018 and the Municipal Election on March 6, 2018.

Sheriff Gannaway reported that burglaries and larcenies have increased for the month of December. Also, vehicle thefts have increased, accidents have decreased and DWI's have increased. The Sheriff's Department is in the process of hiring a new Deputy and has a new opening for a Court Security Officer, due to a CSO resigning.

ANNOUNCEMENTS: County Manager Ira Pearson announced Luna County Deputy Robert Nordof as Employee of the Year. Sheriff Gannaway accepted Plaque on behalf of Deputy Robert Nordof whom was not present at the meeting.

COUNTY MANAGER'S REPORT: County Manager Ira Pearson reported on the following items:

- a. **Dispatch:** New CAD system will go live February 6, 2018.
- b. **Detention Center: LCDC Daily average population for December:**

Population Analysis	Male	Female	Juvenile	Total
Number of Inmates Incarcerated	246	50	3	299
Number of Inmates Released	342	46	5	393
Inmate Daily Average Population	253	39	3	295
Inmate USMS Daily Average Population	152	17	2	171
Inmate Local Daily Average Population	55	20	1	76
Inmate Average Length of Stay	15	12	3	14.5

- Average Daily - Last Month - 322
 - USMS – Last Month - 200
 - Local – Last Month - 99
 - Inmate Average length of stay – Last Month – 48
 - Test Pilot Boot Camp starts January 29, 2018. The program is modeled off the Dona Ana County program. All new detention employees will be on a one year probationary term.
- c. **Road Department:** The department has completed all state projects for 2017 and now are working on the Apache Hills Ditch Project.
 - d. **Budget & Procurement:** Luna County Detention medical provider contract has been signed and Corr Values has started providing services effective January 1, 2018.
 - e. **Starmax:** December sales were \$140,030.
 - f. **Volunteer Fire:** Robert Acosta was appointed Chief at the Sunshine Station.

PUBLIC COMMENT: Chair Smrkovsky opened the floor to Public Comment. Mr. Edward Khanbaban expressed concerns about the new boot camp being implemented for the new detention center employees.

CONSIDER MINUTES: Upon a motion made by Commissioner Reedy, seconded by Commissioner Sweetser, the Minutes of the December 13, 2017 Work Session were unanimously approved. Upon a motion made by Commissioner Sweetser, seconded by Commissioner Reedy, the Minutes of the December 14, 2017 Work Session were unanimously approved. Upon a motion made by Commissioner Sweetser, seconded by Commissioner Reedy, the Minutes of the December 14, 2017 Regular Meeting were unanimously approved. Upon a motion made by Commissioner Reedy, seconded by Commissioner Sweetser, the Minutes of the December 18, 2017 Special Meeting were unanimously approved.

CONSENT AGENDA: Upon motion of Commissioner Reedy, seconded by Commissioner Sweetser, the following items on the Consent Agenda were unanimously approved following a roll call vote.

- a. **Accounts Payable: \$1,404,856.19**
- b. **Payroll: \$1,025,841.48**
- c. **Resolution 18-02 Timely Payments**
- d. **Resolution 18-03 Notice of Fees**
- e. **Resolution 18-04 Depositories, Board of Finance and Media Designation**
- f. **Resolution 18-05 Notice of Right to Inspect Public Records Designating Custodian of Public Records**
- g. **Resolution 18-06 CDBG Annual Certification And Commitments**
- h. **Resolution 18-07 Budget Increases**
- i. **Resolution 18-08 Budget Transfers**

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

- a. **Resolution 18-01 Notice of Meetings:** Commissioner Reedy motioned to approve Resolution 18-01 Notice of Meetings. Commissioner Sweetser seconded the motion which carried unanimously, following a roll call vote.

Acceptance of Late Submittal of Application to Request an Addition to the Luna County Road Maintenance System: Dove Rd, Crest Dr., Crescent Faith: Commissioner Sweetser recommended approval of the application. He stated that the road meets county standards and apologized for turning the application in late. He stated he was not aware of the deadline. Commissioner Sweetser also stated that if people cannot get their roads maintained it hurts property values. Commissioner Reedy stated that she felt it was important to stick to the deadline. Mr. Pearson explained that the County has to budget for additional roads. Road Supervisor Mike Hatch stated that the road was in good shape and the application could be held until the next year. Commissioner Sweetser motioned to approve the acceptance of late submittal of application to request an addition to the Luna County Road Maintenance System: Dove Rd, Crest Dr., Crescent Faith. The motion died due to lack of a second. Mr. Hatch explained the application process, for the Road Department and stated the application will be held until the next deadline.

- b. **Presentation of Application to Request an Addition to the Luna County Road Maintenance System: Dove Rd, Crest Dr., Crescent Faith:** This item was not considered by the Board due to the application being submitted late.

INDIGENT CLAIMS REPORT: Upon motion of 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 recommended approval of 11 claims dated January 11, 2017 totaling \$935.22. Total of Gross Tax Receipts collected was \$62,455.46 and the balance for Indigent claims fund totaled \$868,757.89, of that \$177,571.73 is encumbered. Commissioner Sweetser motioned to approve the Indigent Claims Report as submitted. Commissioner Reedy seconded the motion which carried unanimously. Commissioner Reedy motioned to recess as a Claims Board and reconvene as a County Commission. The motion was seconded by Commissioner Sweetser and unanimously approved.

EXECUTIVE SESSION: 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 consideration of complaints or charges against public employee(s) and attorney-client privilege matters pursuant to §10-15-1 (H)(7) NMSA 1978 pertaining to threatened or pending litigation. The motion was seconded by Commissioner Sweetser and unanimously approved following a roll call vote. The Executive Session commenced at 11:07 a.m.

At 12:20 p.m. the Board returned from Executive Session. Chair Smrkovsky announced that no other matters were discussed other than limited personnel matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the consideration of complaints or charges against public employee(s) and attorney-client privilege matters pursuant to §10-15-1 (H)(7) NMSA 1978 pertaining to threatened or pending litigation and entertained a motion to go back into Regular Session. Commissioner Reedy so moved and Commissioner Sweetser seconded the motion.

ANNOUNCE NEXT MEETING: Chair Smrkovsky announced a Work Session will be held on February 8, 2018 at 9:00 a.m., followed by a Regular Meeting at 10:00 a.m.

ADJOURN: Upon a motion made by Commissioner Reedy and a second made by Commissioner Sweetser the meeting was adjourned at 12:22 p.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

ANDREA RODRIGUEZ, LUNA COUNTY CLERK

BARBARA L. REEDY, DISTRICT 1

APPROVED: _____

LINDA M. SMRKOVSKY, DISTRICT 2

JOHN S. SWEETSER, DISTRICT 3

Indigent Hospital Claims Office

Ira T. Pearson, County Manager

IHC Board Meeting February 8, 2018

Month	Number	Amount	Number	Denied
January	7	\$1,844.07	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	7	\$1,844.07	0	\$0.00
This Month's Total	Mimbres Memorial Hospital			\$1,844.07
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				\$1,844.07
Year to Date Total	Mimbres Memorial Hospital			\$1,844.07
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			\$0.00
Total				\$1,844.07
Care of Prisoners This Month - Not including SNCP Funds				\$47,229.00
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$30,701.15
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$12,835.47
Care of Prisoners Year to Date Dr. Bills				\$3,692.38
Total Cost of Care of Prisoners Year to Date				\$47,229.00
Monies Received for January 2018				\$53,197.71
Balance in IHC Fund as of January 31, 2018				\$891,254.45
Encumbrances as of January 31, 2018				\$468,730.99
	Amount	Signatures	Date	Denied
Barbara L. Reedy	\$1,844.07		2/8/2018	\$0.00
Linda M. Smrkovsky				
John S. Sweetser				

February 8, 2018

[illegible]

LCBCC Meeting February 8th, 2018

Accounts Payable

01/04/2018	\$175,864.88
01/04/2018	\$12,660.27
01/04/2018	\$20,787.29
01/10/2018	\$7,578.13
01/10/2018	\$9,223.76
01/10/2018	\$279,226.17
01/25/2018	\$9,322.38
01/25/2018	\$21,272.28
01/25/2018	\$764,997.54
01/31/2018	\$3,771.26
01/31/2018	\$5,185.09
01/31/2018	\$193,537.97

P-Cards

January 2018	\$123,717.70
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Total \$ 1,627,144.72

Luna County
Board of County Commissioners

AGENDA 02/08/18

PAYROLL

01/05/2018	Register#2018001	\$519,752.39
01/05/2018	Register#2018002	\$13,220.42*
01/19/2018	Register#2018003	\$501,746.95
01/22/2018	Register#2018004	\$15,243.43*

Total \$1,049,963.19

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 18-10
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 106, July 1, 2017 through June 30, 2018 Budget proposed by the County's management staff and attached hereto in spreadsheet form, as amendments to the previously adopted operating budget.

PASSED, APPROVED AND ADOPTED THIS 8th DAY OF FEBRUARY, 2018.

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 8th day of February, 2018, the following budget adjustments are proposed and entered of record.

SCHEDULE OF BUDGET ADJUSTMENTS			Budget Resolution Number 18-10 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	Increase	614/299	Treasury Acct SO	614/299	\$ 712.58	614-00-2051 US Treasury Fund	\$ 712.58	To allow for expenditure of fund through fiscal year.	\$ -	\$ 712.58
Two	Increase	401/101	General Fund - Commission	401/101	\$ 20,000.00	401-00-2067 Insurance Property/ Liability	\$ 20,000.00	To pay for multi-line and law enforcement pool contributions for 2018	\$ 327,800.00	\$ 347,800.00
		402/204	Road Department	402/204	\$ 4,161.20	402-10-2067 Insurance Property/ Liability	\$ 4,161.20	To pay for multi-line and law enforcement pool contributions for 2018	\$ 76,000.00	\$ 80,161.20
		609/226	Adult Detention	609/226	\$ 10,501.80	609-21-2067 Insurance Property/ Liability	\$ 10,501.80	To pay for multi-line and law enforcement pool contributions for 2018	\$ 250,000.00	\$ 260,501.80
Three	Increase	401/101	General Fund - Commission	401/101	\$ 1,000.00	401-00-2006 Postage	\$ 1,000.00	To pay for postage through remainder of fiscal year.	\$ 6,000.00	\$ 7,000.00
Four	Increase	408/223	DWI - Teen Court	408/223	\$ 5,136.31	408-32-2020 Teen Court - Supplies	\$ 5,136.31	To allow for expenditure of carryover funds from Buzz Free Prom fund raising.	\$ -	\$ 5,136.31
Five	Increase	508/299	GRT 1/8 County SO	508/299	\$ 34,700.00	508-00-2028 Capital Outlay	\$ 34,700.00	To purchase and equip vehicles for law enforcement (SO)	\$ 40,000.00	\$ 74,700.00
					\$ 76,211.89		\$ 76,211.89		\$ 699,800.00	\$ 776,011.89

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 8th day of February, 2018.

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

MEMO **To: County Manager/Commissioners**

From: Sheriff Kelly Gannaway

Department: Luna County Sheriff's Department

Date: January 30, 2018

Total of Request

**Re: Budget Request for a BUDGET TRANSFER []
 BUDGET INCREASE [X] \$712.58**

TRANSFER FROM:

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
614-77-1053	US Treasury Fund	712.58	712.58


TRANSFER TO:

Fund or Line Item number	Line Item Description	Current Line Balance	Proposed Transfer Amount
614-00-2051	US Treasury Fund	0.00	712.58

Purpose budget adjustment: (to pay for what?)

Spend these funds.

REASON FOR TRANSFER (why is current budget insufficient)

Department Head Signature:  _____

MEMO

To: County Manager/Commissioners
From: Joanne C. Hethcox
Department: Business Office
Date: 01/25/2018

Total of Request

Re: Budget Request for a BUDGET TRANSFER [] \$

BUDGET INCREASE [X] \$34,663.00

TRANSFER FROM

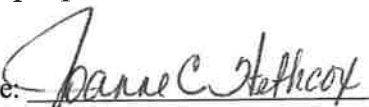
FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401	Cash Reserves		\$20,000.00
402	Cash Reserves		\$4,161.20
609	Cash Reserves		\$10,501.80

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401-00-2067	Insurance Property/Liability	\$325,671.84	\$20,000.00
402-10-2067	Insurance Property/Liability	\$76,000.00	\$4,161.20
609-21-2067	Insurance Property/Liability	\$250,000.00	\$10,501.80

Purpose budget adjustment: (to pay for what?) To pay for our Multi-Line and Law Enforcement pool contributions for insurance.

REASON FOR TRANSFER (why is current budget insufficient). Total increase in premium was not known during final budget preparation time.

Department Head Signature: 

MEMO

To: County Manager/Commissioners
From: Joanne C. Hethcox
Department: Business Office
Date: 01/25/2018

Total of Request

Re: Budget Request for a BUDGET TRANSFER [] \$

BUDGET INCREASE [] \$1,000.00

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401	Cash Reserves		\$1,000.00

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401-00-2006	Postage	\$-504.51	\$1,000.00

Purpose budget adjustment: (to pay for what?) To pay for postage through the remainder of the fiscal year.

REASON FOR TRANSFER (why is current budget insufficient). During the fiscal year we downloaded a larger amount for postage to meet our needs that was unforeseen during budget preparation.

Department Head Signature: 

MEMO

To: County Manager/Commissioners
From: Edith Vazquez
Department: DWI
Date: January 24, 2018

Total of Request

Re: Budget Request for a BUDGET TRANSFER []

BUDGET INCREASE [X] \$5,136.31

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
408- 77-1629	Other Revenue Sources <i>CASH RESERVES</i>	5,136.31	5,136.31
	<i>Carryover</i>		<i>5,136.31</i>

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
408-32-2020	Teen Court – Supplies	0	5,136.31

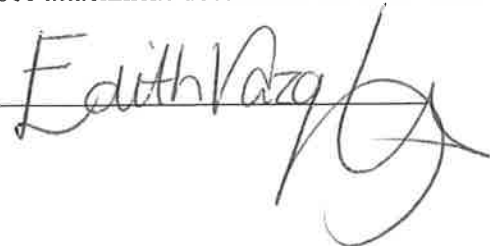
Purpose budget adjustment: (to pay for what?)

To host Buzz Free After Prom event on April 28, 2018, the requested amount will pay of door prizes, food and other expenses related with the event.

REASON FOR TRANSFER (why is current budget insufficient).

The requested amount was not enter on the final budget. The amount was carried over from donation collected by the DWI Program from the last two fiscal years. See attachment documents for more details.

Department Head Signature:



Donations Received FY2017		
DATE	NAME	AMOUNT
7/1/2016	Amount carried over from 2016	\$749.86
12/16/2016	Tinely Tee Tire	\$300.00
12/21/2016	Pepper's	\$300.00
12/21/2016	Moose	\$1,000.00
1/12/2017	Deming Orthodontics	\$300.00
1/12/2017	Elks	\$300.00
1/12/2017	Jr's Western Wear	\$300.00
1/31/2017	Luna Energy Facility	\$300.00
2/14/2017	Big O Tires	\$300.00
2/14/2017	Irma's Restaurant	\$300.00
2/15/2017	All Wireless	\$300.00
2/15/2017	Surface Tile	\$300.00
2/15/2017	State Farm	\$300.00
2/16/2017	Southwest Pediatrics	\$900.00
2/16/2017	Si Senior	\$300.00
2/17/2017	Elks	\$1,000.00
2/17/2017	Rosario's Rentals	\$300.00
2/22/2017	Solitaire	\$2,500.00
2/22/2017	Sisbarro	\$250.00
2/22/2017	Busy Bee Septic	\$400.00
2/23/2017	First Financial Credit	\$100.00
2/24/2017	RTS Foundation	\$150.00
2/28/2017	Columbus Eletric Coop.	\$200.00
3/2/2017	Three Chips Construction	\$300.00
3/3/2017	Yoya's Bar and Grill	\$300.00
3/9/2017	Luna County Employee Charity	\$150.00
4/11/2017	Car wash for the Month of March	\$10.00
7/1/2017	Amount carried from Teen Court	\$74.54
TOTAL		\$11,984.40

Expenditures FY2017		
DATE	NAME	AMOUNT
5/4/2017	Starmax Ck # 145781	\$1,870.00
4/6/2017	Rosario's Rentals	\$485.43
3/30/2017	Marie's Italian Grill Prom Dinner	\$440.00
3/31/2017	Walmart Door Prizes	\$3,073.33
3/31/2017	Walmart Gift Cards	\$400.00
3/31/2017	Walmart Gift Cards	\$60.00
3/31/2017	Walmart Gift Cards	\$460.00
3/17/2017	Little Caesars Pizza (Teen Court)	\$59.33
TOTAL		\$ 6,848.09

*Teen Court Donations and Expenses

PROGRAMS	DONATIONS RECEIVED	EXPENDITURES	BALANCE
Teen Court Program	\$84.54	\$59.33	\$ 25.21
Buzz Free Afterprom Event	\$11,899.86	\$6,788.76	\$ 5,111.10
	\$ 11,984.40	\$ 6,848.09	\$ 5,136.31

TOTAL AMOUNT CARRY-OVER	\$ 5,136.31
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Triadic Enterprises Inc

Finance Maintenance



General Ledger Number 408-77-1629

More Options (+)

Fund GRANT DWI Dept GENERAL
 Line OTHER REVENUE SOURCES

Show Transaction
 Detail

Show who did

Cancel

Prompt (!)

Return

From: Month Day Year Thru: Month Day Year
 July 1 2016 June 30 2017

Running Total

8,749.32-

Tran Id	Bk	Refer #	Name or G/L Desc	Description	Amount	Date
C/R	01	87431	DEPART OF FIN BA	OTHER REVENUE SOURCES	4595.89	072816
JR C/R	01	75258	ACH DWI CNTR 17-	ACH FMMB DWI PROGRAM	153.43	102416
C/R	01	88431	TINLEY TEE TIRE	OTHER REVENUE SOURCES	300.00	121216
C/R	01	88552	PEPPERS	OTHER REVENUE SOURCES	300.00	122116
C/R	01	88553	MOOSE LODGE	OTHER REVENUE SOURCES	1000.00	122116
C/R	01	88710	DENING ORHODONTI	OTHER REVENUE SOURCES	300.00	011217
C/R	01	88711	ELKS	OTHER REVENUE SOURCES	300.00	011217
C/R	01	88716	JR'S WESTERN WEA	OTHER REVENUE SOURCES	300.00	011217
C/R	01	88842	LUNA ENERGY FACI	OTHER REVENUE SOURCES	300.00	013117
C/R	01	88950	IRMA MARTINEZ	OTHER REVENUE SOURCES	300.00	021417
C/R	01	88951	816 O TIRES	OTHER REVENUE SOURCES	300.00	021417
C/R	01	88962	JUSTIN ALONZO	OTHER REVENUE SOURCES	300.00	021617
C/R	01	88963	SURFACE TILE	OTHER REVENUE SOURCES	300.00	021617

Triadic Enterprises Inc

Finance Maintenance



General Ledger Number 408-77-1629

More Options ()

Fund GRANT DWI Dept GENERAL
 Line OTHER REVENUE SOURCES

Enter

Show Transaction
 Detail

Show who did

Cancel

Prompt ()

Return

From: Month Day Year Thru: Month Day Year
 July 1 2016 June 30 2017

Running Total

19,561.57-

Trans-Id	Ref	Refer #	Name or G/J	Description	Amount	Date
C/R 01	88984		ALL WIRELESS LLC	OTHER REVENUE SOURCES	300.00	021817
C/R 01	88970		JOEL ROQUE	OTHER REVENUE SOURCES	900.00	021617
C/R 01	88971		SI SENG	OTHER REVENUE SOURCES	300.00	021617
C/R 01	88973		BENEVOLENT&PROTO	OTHER REVENUE SOURCES	1000.00	021717
C/R 01	88978		ROSARIO'S RENTAL	OTHER REVENUE SOURCES	300.00	021717
C/R 01	88999		SOLITAIRE	OTHER REVENUE SOURCES	2500.00	022217
C/R 01	89000		SISBARRO	OTHER REVENUE SOURCES	250.00	022217
C/R 01	89004		BUSY BEE	OTHER REVENUE SOURCES	400.00	022217
C/R 01	89016		FIRST FINANCIAL	OTHER REVENUE SOURCES	100.00	022417
C/R 01	89017		RTS FOUNDATION	OTHER REVENUE SOURCES	150.00	022417
JR JANL 01	76149		TO CORR JEH75071	TO CORR JEH75071	4112.25	022817
C/R 01	89072		COLUMBUS ELECTRAI	OTHER REVENUE SOURCES	200.00	022817
C/R 01	89102		THREEE CHIPS COM	OTHER REVENUE SOURCES	300.00	030217

< > ?

GENERAL LEDGER TRANSACTION HISTORY

Triadic Enterprises Inc

Finance Maintenance

General Ledger Number 408-77-1629

Fund GRANT DWI Depl GENERAL

Line OTHER REVENUE SOURCES

More Options () +

From: Month Day Year Thru: Month Day Year

From: July 1 2016 Thru: June 30 2017

Running Total 33,965.11-

Trans ID	Ref	Name or G/L	Description	Amount	Date
C/R 01	69110	YOYA'S BAR AND 6	OTHER REVENUE SOURCES	300.00	030317
C/R 01	69175	LUNA COUNTY ENPL	OTHER REVENUE SOURCES	150.00	030817
JR BUDG 01	76192	RESH 17-21-INCRE		10200.00	032117
C/R 01	69424	CAR WASH FOR WAR	OTHER REVENUE SOURCES	10.00	041117
C/R 01	69768	STATEOFNEWMEXICO	OTHER REVENUE SOURCES	3143.54	052317
**TOTAL					
End of History				33965.11-	

Enter

Show Transaction Detail

Show who did

Cancel

Prompt ()

Return

< > ?

11,160.00 Donations/

OK
Balanced
FV.



General Ledger Number 408-32-2020

More Options (+)

Fund GRANT DWI
Line SUPPLIES

Dept TEEN COURT

Enter

+ Show Transaction
Detail

+ Show who did

+ Cancel

+ Prompt (!)

+ Return

From: Month Day Year Thru: Month Day Year

From: July 1 2016 Thru: June 30 2017

Running Total

17,493.55

Trans id	Ref	Name or G/J	Description	Amount	Date
C/D	PC	10501 WAL-MART #5166	Door Prizes for Bike R	445.46	072016
JR	BU06	01 76192 RES# 17-21-INCRE		10200.00	032117
C/D	01	145487 ROSARIO ZAMORA D	ROSARIOS RENTALS FOR R	485.43	040617
C/D	PC	12067 LITTLE CAESARS	Pizza for Teen Court p	59.33	042517
C/D	01	145781 STANAX DEMING L	INVOICE: 4202017	1876.00	050417
C/D	PC	12274 MARIE'S ITALIAN	11 Gift certificates a	440.00	053017
C/D	PC	12216 WAL-MART #5166	Gift cards for Buzz Fr	400.00	053017
C/D	PC	12216 WAL-MART #5166	Gift card for Buzz Fr	80.00	053017
C/D	PC	12216 WAL-MART #5166	Door prizes give a way	3973.33	053017
C/D	PC	12216 WAL-MART #5166	Gift cards for Buzz Fr	480.00	053017
**TOTAL				End of History	17493.55

6,843.09 FY17 Expenditures

MEMO

To: County Manager/Commissioners

From: Sheriff Kelly Gannaway

Department: Luna County Sheriff's Department

Date: January 11, 2018

Total of Request

Re: Budget Request for a BUDGET TRANSFER []
BUDGET INCREASE [X] 34,700.00

TRANSFER FROM:

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
508-77-1009	GRT 1/8 for Sheriff Equipment	74,723.32	34,700.00

TRANSFER TO:

Fund or Line Item number	Line Item Description	Current Line Balance	Proposed Transfer Amount
508-00-2028	Capital Outlay	40,000.00	34,700.00

Purpose budget adjustment: (to pay for what?)

To Purchase and equip Vehicles for Law Enforcement use by Luna County Sheriff's Department.

REASON FOR TRANSFER (why is current budget insufficient)

Department Head Signature: 

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 18-11
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 106, July 1, 2017 through June 30, 2018 Budget proposed by the County's management staff and attached hereto in spreadsheet form, as amendments to the previously adopted operating budget.

PASSED, APPROVED AND ADOPTED THIS 8th DAY OF FEBRUARY, 2018.

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 8th day of February, 2018 the following budget adjustments are proposed and entered of record.

Budget Resolution Number 18-11

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	401/101	General Fund - Economic Development	401-58-2010 Mileage/ Per Diem	\$2,642.59	\$600.00	401-58-2011 Vehicle Expense	\$600.00	To allow for spending through remainder of fiscal year.
Two	Transfer	801/500	Starmax Entertainment Complex	801-80-2108 Film Rental Payments	\$98,060.52	\$800.00	801-80-2046 Janitorial Supplies	\$800.00	To allow for spending through remainder of fiscal year.
Three	Transfer	401/101	General Fund - Sheriff's Department	401-08-2036 Administrative Expense	\$2,854.68	\$200.00	401-08-2006 Postage	\$200.00	To clean up line item and allow for spending through remainder of fiscal year.
Four	Transfer	605/211	Law Enforcement Protection Fund	605-08-2010 Mileage/ Per Diem	\$16,314.57	\$8,000.00	605-08-2012 Equip/Supplies/ Mtn/Repairs	\$8,000.00	To purchase equipment through remainder of fiscal year.
Five	Transfer	415/218	Community Services - Partnerships for Success/YPAC	415-53-2020 Supplies	\$6,001.44	\$1,500.00	415-53-2010 Mileage/ Per Diem	\$1,500.00	To allow for spending through remainder of fiscal year.
					\$100,703.11	\$1,400.00		\$1,400.00	

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 8th day of February, 2018.

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Entered By:

Date

Andrea Rodriguez, Luna County Clerk

Checked By:

Date

MEMORANDUM

To: County Manager/Commissioners
From: Department: Community Projects

Date: 2/1/18

Total of Request
\$600.00

Re: Budget Request for a

BUDGET TRANSFER



BUDGET INCREASE



TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401-58-2010	Mileage Per Diem		\$600.00

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401-58-2011	Vehicle Expense		\$600.00

PURPOSE OF BUDGET ADJUSTMENT:

REASON FOR TRANSFER:

Estimation on the needed funds in vehicle expense was off. The transfer will not affect the needed amount of funds in the mileage and per diem for upcoming travel.

Department Head Signature:



MEMO

To: County Manager/Commissioners
From: Tom Long
Department: Starmax
Date: 1/31/2018

Total of Request

Re: Budget Request for a BUDGET TRANSFER [X] \$

BUDGET INCREASE [] \$

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
801-80-2108	Film Rental Payments	\$202,490.61	\$400

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
801-80-2046	Janitorial Supplies	\$7,375.25	\$400

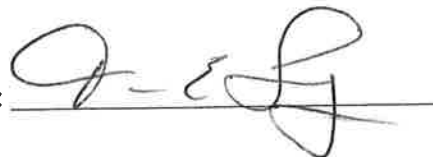
Purpose budget adjustment: (to pay for what?)

Align line items to allow for the adjustments to execute remainder of the operational year.

REASON FOR TRANSFER (why is current budget insufficient).

Adjust line items that were forecast in-accurately and unforeseen spending requirements in professional services for warranty extension on projector equipment.

Department Head Signature: _____



MEMO **To: County Manager/Commissioners**

From: Sheriff Kelly Gannaway

Department: Luna County Sheriff's Department

Date: January 25, 2018

Total of Request

**Re: Budget Request for a BUDGET TRANSFER ☒ 200.00
 BUDGET INCREASE ☐**

TRANSFER FROM:

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401-08-2036	Administrative Expense	7,669.50	200.00

TRANSFER TO:

Fund or Line Item number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401-08-2006	Postage	-52.20	200.00

Purpose budget adjustment: (to pay for what?)

Shipping and mailing for remainder of Fiscal year. Take line balance out of negative.

REASON FOR TRANSFER (why is current budget insufficient)

We did not anticipate enough for this line at budget time.

Department Head Signature: Kelly Gannaway

MEMO

To: County Manager/Commissioners

From: Sheriff Kelly Gannaway

Department: Luna County Sheriff's Department

Date: January 25, 2018

Total of Request

Re: Budget Request for a BUDGET TRANSFER [X] 8,000.00
BUDGET INCREASE []

TRANSFER FROM:

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
605-08-2010	Mileage Per Diem	22,368.84	8,000.00

TRANSFER TO:

Fund or Line Item number	Line Item Description	Current Line Balance	Proposed Transfer Amount
605-08-2012	Equip/Suppl Mnt/ Repairs	5,540.00	8,000.00

Purpose budget adjustment: (to pay for what?)

Equipment for field deputies such as flashlights, cameras, body armor.

REASON FOR TRANSFER (why is current budget insufficient)

DFA advised us that we cannot carry over any funds.

Department Head Signature: 

MEMO

To: County Manager/Commissioners

From: Jessica Jara

Department: Community Health & Well Being

Date: 1/22/2018

Total of Request

Re: Budget Request for a BUDGET TRANSFER [X] \$1,500.00

BUDGET INCREASE [] \$

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
415-53-2020	Supplies	6,931.44	1,500.00

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
415-53-2010	Mileage Per Diem	179.63	1,500.00

Purpose budget adjustment: (to pay for what?)

Trainings that are required for the grant need to be paid for.

REASON FOR TRANSFER (why is current budget insufficient).

Line item isn't in the negative.

Department Head Signature: 

MINUTES
LUNA COUNTY COMMISSION OF FREEHOLDERS
Tuesday, January 30, 2018

BE IT REMEMBERED that the Luna County Commission of Freeholders met at 1:30 p.m. on Tuesday, January 30, 2018 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of making a recommendation to the Luna County Board of County Commissioners regarding Flying Y Road.

The following staff and elected officials were present: County Manager Ira Pearson, Assistant County Manager Glory Juarez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Myrna Duarte, Road Department Director Martin Miller, and Road Supervisor Mike Hatch.

CALL TO ORDER: County Manager Ira Pearson called the meeting to order at 1:37 p.m.

ROLL CALL: Deputy Clerk Myrna Duarte called roll. The following members of the Commission of Freeholders constituting a quorum were present:

Raymond Viramontes
Robert Frosch
Don Hartman

STATEMENT OF FACTS: County Manager Ira Pearson stated that back in November of 2017 Mr. Tim Chapman requested the County stop maintaining Flying Y Road. The County found an older law stating the Luna County Board of Commissioners could appoint a Commission of Freeholders to review and investigate the issue and then make a recommendation to the Luna County Board of Commissioners whether or not Luna County Road Department should continue or discontinue maintaining Flying Y Road. Once the Luna County Board of Commissioners appointed three individuals, Mr. Pearson met up with each one individually and gave them a map and a brief history on Flying Y Road. Each member was asked to review the issue and not to discuss the issue with each other until they all met to make their recommendation.

OPEN DISCUSSION – FLYING Y ROAD: The Commission of Freeholders were in agreement that the road should be kept open, because it provides access to public land. Don Hartman suggested the Board read the New Mexico State Bar, for BLM Roads and issues, which clarifies the use since October 1976. Mr. Hartman questioned how far out on County Roads A024 and A025 did the road department maintain. Supervisor Mike Hatch advised Mr. Hartman County Road A025 went just past the home, and they only maintained out that far

if the owner requested. Mr. Hatch also stated that they contacted the BLM and the State regarding the issue and neither were willing to assist.

PUBLIC COMMENT: Luna County Manager Ira Pearson opened the floor to Public Comment. To which no one came forth.

NEW BUSINESS:

a. Freeholders Committee Recommendation: A motion was made by Don Hartman and seconded by Robert Frosch to recommend to the Luna County Board of County Commissioners to continue the maintenance of Flying Y Road and keep the road open. The motion was approved unanimously following a roll call vote.

ADJOURN: Luna County Manager Ira Pearson adjourned the meeting at 1:44 p.m.

LUNA COUNTY RESOLUTION

Resolution No. 18-09

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 2019 program funding under the regulations established by the Local Government Division.

APPROVED AND ADOPTED by the governing body at its meeting of February 8th, 2018.

County Commission Chairperson/Designee

Attest:

DWI Planning Council Representative

County Clerk (SEAL)

MEMORANDUM OF UNDERSTANDING

The County/Municipality of Luna 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 the Division is in full compliance with the provisions concerning research activities in accordance with Federal confidentiality regulations, 42 CFR 2.16 and 2.25.
2. That the 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 not keep treatment information 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____.

Rick Lopez, Director
Local Government Division

STATEMENT OF ASSURANCES

Local DWI Grant and Distribution Program

Project Year FY19: July 1, 2018 – June 30, 2019

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 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 (if any) of costs of the project, including all project overruns.
3. Compliance with the State Procurement Code, with the exception of Home Ruled Governments, and submission of all related procurement documents to the Local Government Division for administrative review and approval, prior to execution, including, but not limited to: requests for professional services (RFPs); advertisements; minutes of pertinent meetings; contract selection and award criteria. 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 Division prior to execution.
4. Adherence to all financial, accounting, and reporting requirements of the Department of Finance and Administration. Distribution programs will include with each quarterly narrative progress report the Grant Fund Agreement Exhibit F, The Local DWI Distribution Program Financial Status Report. Grant programs will include with each quarterly narrative progress report the Local DWI Program Request for Payment/Financial Status Report, Exhibit D. The said reports shall contain narrative and/or bulleted highlights of accomplishments and/or problems and delays encountered to date, a detailed budget breakdown of expenditures to date, a summary of any fees collected and/or expended, 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 outlay expenditures** incurred during the grant or distribution fiscal period. Requests for payment or financial status reports shall specify all capital outlay expenditures. **The ten percent cap for capital outlay expenditures 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 narrative and fiscal reports for the fiscal year due the 15th of July; required screening, treatment, and compliance monitoring protocols; required evaluation plans; required fiscal reports; required screening and tracking managerial data reports; and required annual reports.
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 for treatment and will not be *mandated* to treatment with the same agency that does the screening.
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 of not less than six (6) years 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)

Signature

Date

DOH ASSURANCES AND COOPERATIVE AGREEMENT

The Luna County/City DWI Program referred to as the "Program" and the New Mexico Department of Health (DOH), Epidemiology and Response Division 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 2.25, 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
 - c. That the Epidemiology and Response Division has provided a satisfactory written statement that a group of three or more individuals who are independent of the research project has reviewed the protocol and determined that:
 - (i) The rights and welfare of clients will be adequately protected; and
 - (ii) The risks in disclosing client identifying information are outweighed by the potential benefits of the research.
2. Acknowledges that in receiving, storing, processing, or otherwise dealing with any information from the Program about the clients in the Program, the Epidemiology and Response Division 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 Epidemiology and Response Division 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, 2018.

This agreement will expire on June 30, 2019.

	Ira T. Pearson
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

APPOINTMENT OF Court Security Officer
STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

This is to certify that I have this 30 day of January, 20 18 A.D.
appointed Ramon Garcia as my CSO in and for the
County of Luna, State of New Mexico, hereby authorizing him to discharge all duties of
said appointment of CSO, according to the law.

WITNESS MY HAND THIS 30 DAY OF January, 20 18 A.D.

Kelly Gannaway
SHERIFF, LUNA COUNTY NEW MEXICO

OATH OF OFFICE

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

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

Ramon Garcia
SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO
COUNTY OF LUNA

Subscribed and sworn before me by Kelly Gannaway,
Sheriff and Ramon Garcia appointee.
This 30th day of January, 20 18.

F. Est
NOTARY

My Commission Expires 03-03-2019

Approved this _____ day of _____ 20 _____ A.D., by the Board of County Commissioners,
Luna County, New Mexico.

CHAIRMAN, BOARD OF LUNA COUNTY COMMISSIONERS

PROCLAMATION

Whereas, Western New Mexico University was founded on February 11, 1893, as a state normal school for the training of teachers in the thriving southwestern New Mexico mining communities; and

Whereas, for 125 years, Western New Mexico University has made important contributions to the State of New Mexico; and

Whereas, Western New Mexico University, situated in the shadows of the Gila National Forest, near the continental divide; and

Whereas, recognized today as the state of New Mexico's only public Applied Liberal Arts and Sciences-offering institution and has been continuously accredited since 1942 Higher Learning Commission; and

Whereas, a Hispanic-serving institution, Western New Mexico University has made enormous contributions to the state's cultural, intellectual, social and educational growth of its citizens while remaining firmly attached to its community roots; and

Whereas, Western New Mexico University continues to educate and train thousands of students and professionals in the region through a dedication to educational excellence, academic proficiency and a commitment to community that has been demonstrated for one hundred twenty-five years; and

Whereas, located in Silver City, New Mexico, Western New Mexico University has served the people of the State of New Mexico and its surrounding areas as a comprehensive, regional, rural, public university since 1893 and is committed to continuing this service toward a student population diverse in age, culture, language and ethnic background; and

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that 2018 be proclaimed "Western New Mexico University's Quasquicentennial" in the legislature to serve as an opportunity to reflect on the past, present, and future contributions of the university; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the Board of County Commissioners of Luna County and Western New Mexico University.

ATTEST:

LUNA COUNTY:

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Chair