

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Linda M. Smrkovsky
Member

Barbara L. Reedy
Member

John S. Sweetser
Member

Thursday, January 13, 2022

10:00 a.m.

Agenda

Regular Meeting

Luna County Courthouse

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

1. **Call to Order:** Chair Reedy to commence meeting (At this time, please silence your cell phones and any other electronic devices) Pledge of Allegiance, State Pledge.

2. **Roll Call:**

3. **Elect 2022 Chairperson:**
MOTION AND VOTE

4. **Approval of Agenda:**

5. **Minutes:**

- a. Regular Meeting: December 9, 2021

MOTION AND VOTE

6. **Service Awards/ Retirement:**

- | | | |
|----------------------|----------|------------|
| • Janet Pacheco | Dispatch | 5 Years |
| • James McBurney | LCSC | 5 Years |
| • Dolores Gonzales | LCDC | 5 Years |
| • Mary Helen Allison | LCDC | Retirement |

Special Recognition Award: Betty Quiroz- LCDC

7. Presentations:

- Quarterly Restrictive Housing Unit Report: Lee Cook
- 9/11 Flag of Honor Presentation by: Teresa Aguilera
- Marker Volatility (Bond Refinancing): Mark Valenzuela

8. Elected Officials' Report:

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

9. County Manager's Report:

10. 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 January 13, 2022 \$13,678.33

MOTION AND VOTE

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

MOTION AND VOTE

11. Community Support Reports:

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

13. Consent Agenda:

- a. Accounts Payable: \$1,735,885.80
- b. Payroll: \$1,693,673.64
- c. Resolution 22-01: Notice of Meetings
- d. Resolution 22-02: Timely Payments
- e. Resolution 22-04: Depositories, Board of Finance, and Media Designation
- f. Resolution 22-05: Notice of Right to Inspect Public Records
- g. Resolution 22-06: CBDG Annual Certification and Commitments
- h. Resolution 22-07: Designating Treasurer to Require Collateralization
- i. Resolution 22-08: ADA Grievance Procedure

MOTION AND ROLL CALL VOTE

14. Old Business:

- a. Letter of interest for Marshall Memorial Library Board - Kelly Stimpson

MOTION AND ROLL CALL VOTE

15. New Business:

- a. Resolution 22-03: Notice of Fees

MOTION AND ROLL CALL VOTE

- b. Resolution 22-09 Budget Increase

MOTION AND ROLL CALL VOTE

- c. Resolution 22-10: Budget Transfers

MOTION AND ROLL CALL VOTE

16. Jail Inspection Report from June 2021:

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

NM Legislature NMC: Santa Fe- January 17-20, 2022

Special Meeting: January 24, 2022 at 9:00 a.m.

Work Session: January 24, 2022 at 10:00 a.m

Silver Spikes: Santa Fe- January 30, 2022-February 1, 2022

Regular Commission Meeting: February 10, 2022 at 10:00 a.m

18. Adjourn:

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, December 9, 2021**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, December 9, 2021 in the Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board. Due to the Covid-19 Pandemic and the Governor's Orders regarding social distancing, the commission meeting was also conducted via teleconference and webcasting.

The following staff and elected officials were present: County Manager Chris Brice, Assistant to the County Manager Yossie Nieblas, Deputy Clerk Pilar Salcido, Clerk Berenda McWright, Chief Deputy Clerk Leslie Nabours, Chief Deputy Assessor Isabelle Enciso, Sheriff Kelly Gannaway, Road Department Director David Bailey, IT Technician Joseph Apodaca, LCDC Interim Director Pablo Montoya, Economic Development & Community Director Christie Ann Harvey, Budget & Procurement Director Joanne Hethcox and County Attorney Charles Kretek. Other directors and elected officials were present virtually.

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

ROLL CALL: Deputy Clerk Pilar Salcido called roll. The following members of the Board constituting a quorum were present: Commissioner Linda M. Smrkovsky was present telephonically.

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

APPROVAL OF AGENDA: Chair Reedy entertained a motion to approve the agenda. Commissioner Sweetser moved to approve the agenda as submitted. Commissioner Smrkovsky seconded the motion which carried unanimously.

MINUTES: Upon a motion made by Commissioner Smrkovsky and a second by Commissioner Sweetser the Minutes for the Regular Meeting of November 10, 2021, were unanimously approved.

SERVICE AWARDS:

- Sheriff Kelly Gannaway presented to Paul Garcia, LCSO his 5 years of service award.
- County Manager Chris Brice presented to Ricardo Hidalgo, Maintenance his 10 years of service award.
- Director Lee Cook presented to Steven Aguilar, LCDC the Medal of Valor. Mr. Aguilar saved the life of a detainee who had no pulse and was unresponsive.

PRESENTATION:

- **Project Sea – Cassie Arias / Compass Manufacturing** – This presentation was tabled.
- **Colores United – Crystal Gonzales** – This presentation was tabled.

ELECTED OFFICIALS REPORTS: Chief Deputy Isabelle Enciso reported that Assessor Michelle Holguin submitted a brief report to the board. Ms. Enciso would like to add that the public website is still down but they are trying to work it out.

Clerk Berenda McWright provided the board with a report. Ms. McWright reported they are still working on the ongoing projects with the minute books and Leslie is making the changes to the precincts maps and commission district changes that were previously approved. She also stated they are catching up on voter registrations and they have a higher amount of extra phone calls due to the website being down.

Sheriff Kelly Gannaway reported for the month of November on the criminal side there were no homicides or rapes to report. Assaults and larcenies were down, burglaries were up, and there were no arsons and no robberies. The overall totals for the criminal side were up. On the non-criminal, paper service, accidents, and DWI were all down. The overall totals for non-criminal were down. Sheriff Gannaway stated he attended graduation in Santa Fe for Deputy Soledad, who is now a certified Law Enforcement Officer for the Luna County Sheriff's Department. They also received a new vehicle for Deputy Holguin and they have three more Durango vehicles ordered. They are still working on the Sargent's promotion and are currently looking to hire a School Resource Officer. Sheriff Gannaway stated they are still down three Deputies. The Shop with a Cop went well and they were able to help out a little over 300 kids. They have the Pre-Schools scheduled for next week and they still have the raffle going on. They will be doing that on December 24th at the Courthouse.

Commissioner Smrkovsky reported the Executive Committees met on Tuesday. At that time they reviewed the priorities for the Legislative Session. The committee supported an interest in the return to work PERA for all, not just law enforcement.

COUNTY MANAGER'S REPORT: Mr. Brice reported he has spent a lot of time in Santa Fe. Early this month he attended the County Managers Affiliate meeting. It was nice to get about 20-22 out of the 33 County Managers in the same room. It is always good to bounce ideas off each other. The most pressing thing that was discussed was the staffing issues, specifically in the detention centers. Mr. Brice stated that he met with the Secretary for the Department of Transportation and lobbied for some funding for the berm project in Columbus. The \$10 million project has to do with Hwy 11 and the raising of Hwy 11 for a bridge that the water will subsequently flow under once the berm project is complete. That was received very well. Pricilla will be entering their capital outlay this year and it will be solidified in the next week. Presentations for Silver Spikes will be done at the end of January. They requested \$2.5 million through the Water Trust Board for another portion of the Columbus Berm Flooding Project. They are on the list for approval, it just has to go through the House of Representatives and the Senate State-wide. As long as the Governor does not line item veto which is very rare for Luna County, we should see another \$2.5 million coming to the county. He also mentions they are working on the Personnel Ordinance which they will be calling for an ordinance. They have

been modifying it and will be doing a work session soon as soon as they get it crafted the way they want. In the next couple of meetings, they will be putting that ordinance up for approval. They are doing the Farmers and Ranchers meeting on December 15th at 6:30 p.m. in the chambers. The County can only do so much, but there are a lot of programs and grants that the County can guide them towards. In this meeting, they want to get to some of the top concerns and prioritize. Vehicles have become a huge problem as they are not available for a while. The \$145 million that they requested through Earmark through the US Senators are still waiting on the budget. If they do another continuing resolution at the federal level there is a really good chance they may not be able to get it at all as it is dependent on that budget being passed. So they are going to ask for it on capital outlay for emergency operations center anyway and hopefully it will cover their basis both ways. The tree lighting was a neat event. They finally received notice yesterday from the New Mexico Attorney General that they have agreed to get on board with the lawsuit of the opioid crisis.

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

Budget & Procurement Director Joanne Hethcox reported there were seven claims for the month of November in the amount of \$32,754.53. GRT collected for the month was \$89,356.11. The balance for the Indigent Claims Fund total was \$1,924,972.27, of that \$733,778.51 is encumbered. The claims were from citizens for Mimbres Memorial Hospital and Memorial Medical Center. The encumbered amount includes the contribution for the Safety Net Pool and the contract with the Detention Center Medical. Commissioner Smrkovsky motion to approve the indigent claims. The motion was seconded by Commissioner Sweetser which carried unanimously.

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

COMMUNITY SUPPORT REPORTS: Executive Director of the Chamber of Commerce Debbie Troyer reported on events

PUBLIC COMMENT: Chair Reedy opened the floor to public comment. Several members of the public went before the board with comments.

PUBLIC HEARING:

- a. **Ordinance 86: Adopting the Local Economic Development Plan to Implement the Authority Provided by the New Mexico Local Economic Development Act.** Chair Reedy opened the floor for a public hearing for Ordinance 86: Adopting the Local Economic Development Plan to Implement the Authority provided by the New Mexico Local Economic Development Act. No public comment was forthcoming. Commissioner Sweetser motioned to approve Ordinance 86: Adopting the Local Economic Development Plan to Implement the Authority provided by the New Mexico Local Economic Development Act. Commissioner Smrkovsky seconded the motion and carried unanimously following a roll call vote.

CALL FOR ORDINANCE:

- a. **Resolution 21-76: Call to amend Ordinance 23: Luna County Personnel Ordinance.** Commissioner Smrkovsky motioned to approve Resolution 21-76: Call to amend Ordinance 23; Luna County Personnel Ordinance. Commissioner Smrkovsky motioned to approve Resolution 21-76: Call to amend Ordinance 23: Luna County Personnel Ordinance. Commissioner Sweetser seconded the motion and carried unanimously following a roll call vote.

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

- a. Accounts Payable: \$853,528.62
- b. Payroll: \$1,131,500.02

NEW BUSINESS:

- a. **Resolution 21-77; Budget Increases:** Budget and Procurement Director Joanna Hethcox explained there were three budget increases. One of them is the \$100,000 sponsorship of the DA/Veterans treatment court initiative. The second one is to move some personnel around that they have been working on for the last couple of months and to clean up line items associated with those corresponding salaries. The third one is for a \$300,000 grant that the volunteer fire department has received from the State Fire Marshall for a new water system. Commissioner Smrkovsky motioned to approve Resolution 21-77: Budget Increases. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.
- b. **Resolution 21-78: Budget Transfers:** Ms. Hethcox explained they have four budget transfers this month. The first one is to move money from the professional services in the general fund to the Commissioners employee's incentives. The second one is the safety and risk assessment department. They needed to move a little money from supplies and equipment into mileage. The third one is in emergency management department moving some monies from supplies into uniforms to be recognizable on the field in the event of a disaster or an emergency. The fourth one is the detention center funds are being moved from capital improvement into professional services to be able to continue to pay for their services for the rest of the year. Commissioner Smrkovsky motion to approve Resolution 21-78: Budget Transfers. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.
- c. **Budget Request for the Veterans Treatment Court initiative from the DA's office.** Mr. Brice explained District Attorney Mike Renteria gave a detailed presentation at the last meeting. Mr. Brice explained the program briefly. Commissioner Sweetser motioned to approve the Budget Request for the Veterans Treatment Court initiative from the DA's office. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.
- d. **Oath of Office for Jesus Nunez for Deputy Sheriff:** Commissioner Smrkovsky motioned to approve the Oath of Office for Jesus Nunez for Deputy Sheriff. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

- e. **Letter of interest by Mimbres Memorial Library Board from Kellye Stimpson:** Mr. Brice recommended this item be tabled until further research. Commissioner Smrkovsky motioned to table this item. Commissioner Sweetser seconded the motion the table and carried unanimously following a roll call vote.
- f. **2022 Holiday Schedule:** Commissioner Smrkovsky motioned to approve the 2022 Holiday Schedule to reflect the same holiday schedule as 2021 with 13.5 days of holiday. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

UPCOMING MEETING: Chair Reedy announced the following upcoming meetings.

County offices will be closed on Friday, December 24th for Christmas Eve and December 25th for Christmas Day.

Regular Commission Meeting: January 13, 2022 at 10:00 a.m.

ADJOURN: The meeting was adjourned by Chair Reedy at 11:03 a.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

BERENDA MCWRIGHT, LUNA COUNTY CLERK

CHAIR BARBARA L. REEDY, DISTRICT 1

APPROVED: _____

LINDA M. SMRKOVSKY, DISTRICT 2

JOHN S. SWEETSER, DISTRICT 3



**Lee Cook
Detention Director**

**Pablo Montoya
Deputy Director**

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

January 1, 2022

To: Director Lee Cook

From: Wendy Arreola SMU Sergeant

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

This report is being submitted in accordance with HB 364, New Mexico Restricted Housing Act reporting requirements. During the period of October 01, 2021 thru December 31, 2021 Luna County Detention Center had 12 detainee who met the reporting requirements under this act. Please see attached report.

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

- 1. A -56-year -old white male. Detainee was being monitored by medical personnel on a daily basis. It was requested by medical personnel that detainee be kept in a medical cell in order to observe and or prevent any further issues.**
- 2. A- 61- year- old white male. Detainee was not let out for recreation time.**
- 3. A- 61-year old white male. Detainee was missing 30 minutes of recreation. Detainee has medical problems and requires the use of oxygen at all times. Detainee gets super tired and needs to lay down. Per medical recommendation detainee must have limited yard time.**
- 4. A-24-year- old white male. Detainee was let out for recreation for 1 hour. Detainee was missing recreation time.**
- 5. A-23-year-old white male. Detainee was let out for recreation for 1 hour. Detainee was missing recreation time.**
- 6. A-27-year-old white male. Detainee was not let out for recreation.**
- 7. A-24-year- old white male. Detainee was not let out for recreation. Facility was on lockdown due to critical emergency.**

Luna County Commission – Market Volatility



MARK VALENZUELA, MANAGING PRINCIPAL
BOSQUE ADVISORS, LLC
505.238.2421
MDNM@MAC.COM

WEDNESDAY, JANUARY 13, 2022

Existing Debt – StarMax and Judicial Complex

- StarMax theater bonds were refinanced in 2014 from tax-exempt to taxable bonds. Purpose was for the county to achieve savings from managing facility.
 - Bonds have call optionality in Feb. 2025.
 - Carry an interest rate of 3.05 percent.
- Series 2007 Judicial Complex bonds were refinanced in 2017.
 - Bonds have call optionality in July 2024
 - Carry an interest rate of 3.12 percent.

Issuer:	Luna County, NM			
Type:	GRT - Starmax			
Series:	Series 2014			
Dated Date:	4/28/2014			
Original Par:	\$6,185,000			
Current Par:	\$3,480,000			
Terms Enhancement:	Tax Exempt, Callable 7/1/24			
Call Provisions:	7/1			
Due:	7/1			
Calendar Year	Principal	Coupon	Interest	Annual DS
2021	0	0.000%	0	0
2022	210,000	3.050%	53,070	263,070
2023	425,000	3.050%	99,735	524,735
2024	440,000	3.050%	86,773	526,773
2025	455,000	3.050%	73,353	528,353
2026	465,000	3.050%	59,475	524,475
2027	480,000	3.050%	45,293	525,293
2028	495,000	3.050%	30,653	525,653
2029	510,000	3.050%	15,555	525,555
2030	0	0%	0	0
2031	0	0%	0	0
2032	0	0%	0	0
2033	0	0%	0	0
Total:	\$3,480,000		\$463,905	\$3,943,905

Issuer:	Luna County, NM			
Type:	GRT - Judicial Complex			
Series:	Series 2017			
Dated Date:	4/28/2017			
Original Par:	\$3,245,000			
Current Par:	\$2,535,000			
Terms Enhancement:	Tax Exempt, Callable 7/1/24			
Call Provisions:	7/1			
Due:	7/1			
Calendar Year	Principal	Coupon	Interest	Annual DS
2021	0	0.000%		0
2022	200,000	3.120%	39,546	239,546
2023	200,000	3.120%	72,852	272,852
2024	210,000	3.120%	66,612	276,612
2025	220,000	3.120%	60,060	280,060
2026	220,000	3.120%	53,196	273,196
2027	230,000	3.120%	46,332	276,332
2028	235,000	3.120%	39,156	274,156
2029	245,000	3.120%	31,824	276,824
2030	250,000	3.120%	24,180	274,180
2031	255,000	3.120%	16,380	271,380
2032	270,000	3.120%	8,424	278,424
2033	0	0.000%	0	0
Total:	\$2,535,000		\$458,562	\$2,993,562

Existing Debt – StarMax – Interest Rate Change

- Simulating refinance to current market rates.
 - Must be a taxable rate.
 - May have a benefit to county, who could privatize operations.
- Only change is to taxable current market interest rates.
 - Par amount not changed (however, this is not real, only presented to show impact of rate change)
 - Must increase amount of bonds for defeasance and fee amounts.
 - Only an illustration of rate change.
- Achieves 6.2 percent NPV.

Issuer:	Luna County, NM				Luna County, NM						
Type:	GRT - Starmax				GRT - Starmax						
Series:	Series 2014				Series 2022 - Simulation						
Dated Date	4/28/2014				2/15/2022						
Original Par:	\$6,185,000				\$2,860,000						
Current Par:	\$3,480,000				\$3,480,000						
Terms	Tax Exempt, Callable 7/1/24				Taxable						
Enhancement:											
Call Provisions											
Due:	7/1										
Calendar Year	Principal	Coupon	Interest	Annual DS	Principal	Coupon	Interest	Annual DS	Refi minus existing	PV Factor	PV Value
2021	0	0.000%	0	0	-	0.000%	-	-			
2022	210,000	3.050%	53,070	263,070	210,000	0.290%	19,073	229,073	(33,997)	0.98	33,331
2023	425,000	3.050%	99,735	524,735	425,000	0.460%	37,537	462,537	(62,199)	0.96	59,783
2024	440,000	3.050%	86,773	526,773	440,000	0.670%	35,582	475,582	(51,191)	0.94	48,238
2025	455,000	3.050%	73,353	528,353	455,000	0.890%	32,634	487,634	(40,719)	0.92	37,618
2026	465,000	3.050%	59,475	524,475	465,000	1.110%	28,584	493,584	(30,891)	0.91	27,979
2027	480,000	3.050%	45,293	525,293	480,000	1.370%	23,423	503,423	(21,870)	0.89	19,420
2028	495,000	3.050%	30,653	525,653	495,000	1.590%	16,847	511,847	(13,806)	0.87	12,019
2029	510,000	3.050%	15,555	525,555	510,000	1.760%	8,976	518,976	(6,579)	0.85	5,615
2030	0	3.120%	0	0	-	1.870%	-	-	-	0.84	-
2031	0	3.120%	0	0	-	1.970%	-	-	-	0.82	-
2032	0	3.120%	0	0	-	2.210%	-	-	-	0.80	-
2033	0	0.000%	0	0	-	0.000%	-	-			
Total:	\$3,480,000		\$463,905	\$3,943,905	\$3,480,000		\$202,653	\$3,682,653	-\$261,252		\$244,003
Notes									6.2%		

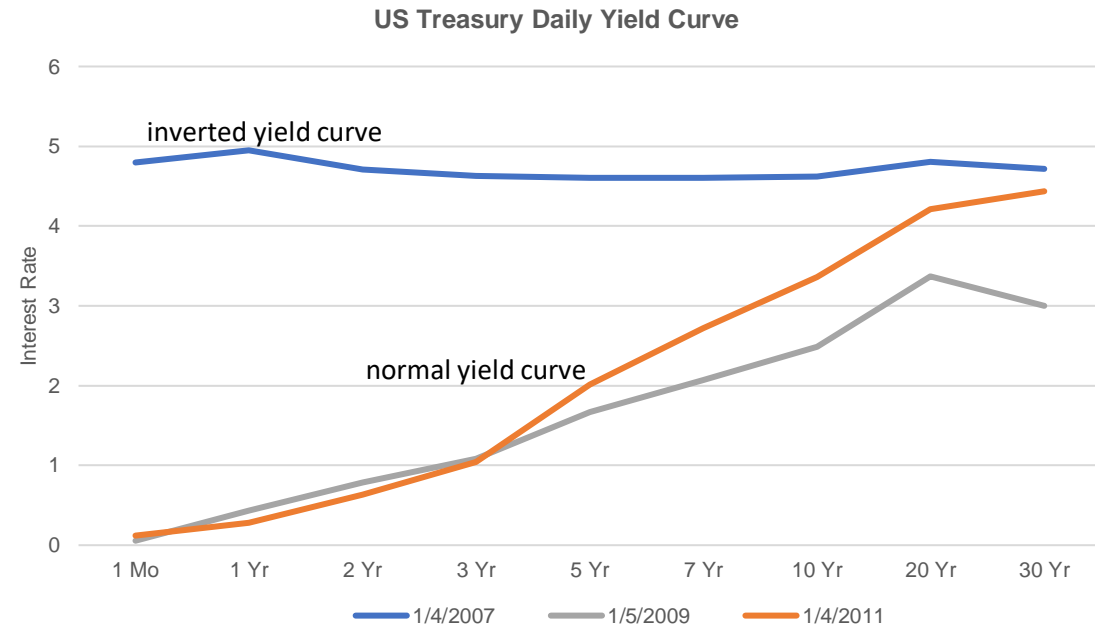
Existing Debt – StarMax – Interest Rate Change & Par

- Simulating refinance to current market rates with increased par amount
 - Payoff is ~\$3.7 million.
 - Fees ~ \$100,000 (estimated fees for all professionals required).
- Borrowing more money to carry out the transaction:
 - Deal become negative for County from a savings perspective. Savings is 1.6 percent negative NPV.
 - County would not be advised to carry out transaction under these terms.
- Not considered is the investment earnings on the escrow.

Issuer:	Luna County, NM				Luna County, NM						
Type:	GRT - Starmax				GRT - Starmax						
Series:	Series 2014				Series 2022 - Simulation						
Dated Date	4/28/2014				2/15/2022						
Original Par:	\$6,185,000				\$2,860,000						
Current Par:	\$3,480,000				\$3,800,000						
Terms	Tax Exempt, Callable 7/1/24				Taxable						
Enhancement:											
Call Provisions											
Due:	7/1										
Calendar Year	Principal	Coupon	Interest	Annual DS	Principal	Coupon	Interest	Annual DS	Refi minus existing	PV Factor	PV Value
2021	0	0.000%	0	0	-	0.000%	-	-			
2022	210,000	3.050%	53,070	263,070	250,000	0.290%	20,422	270,422	7,352	0.98	(7,208)
2023	425,000	3.050%	99,735	524,735	490,000	0.460%	40,120	530,120	5,385	0.96	(5,175)
2024	440,000	3.050%	86,773	526,773	500,000	0.670%	37,866	537,866	11,093	0.94	(10,453)
2025	455,000	3.050%	73,353	528,353	505,000	0.890%	34,516	539,516	11,163	0.92	(10,313)
2026	465,000	3.050%	59,475	524,475	505,000	1.110%	30,021	535,021	10,546	0.91	(9,552)
2027	480,000	3.050%	45,293	525,293	510,000	1.370%	24,416	534,416	9,123	0.89	(8,101)
2028	495,000	3.050%	30,653	525,653	515,000	1.590%	17,429	532,429	6,776	0.87	(5,899)
2029	510,000	3.050%	15,555	525,555	525,000	1.760%	9,240	534,240	8,685	0.85	(7,413)
2030	0	3.120%	0	0	-	1.870%	-	-	-	0.84	-
2031	0	3.120%	0	0	-	1.970%	-	-	-	0.82	-
2032	0	3.120%	0	0	-	2.210%	-	-	-	0.80	-
2033	0	0.000%	0	0	-	0.000%	-	-			
Total:	\$3,480,000		\$463,905	\$3,943,905	\$3,800,000		\$214,028	\$4,014,028	\$70,123		-\$64,114
Notes											

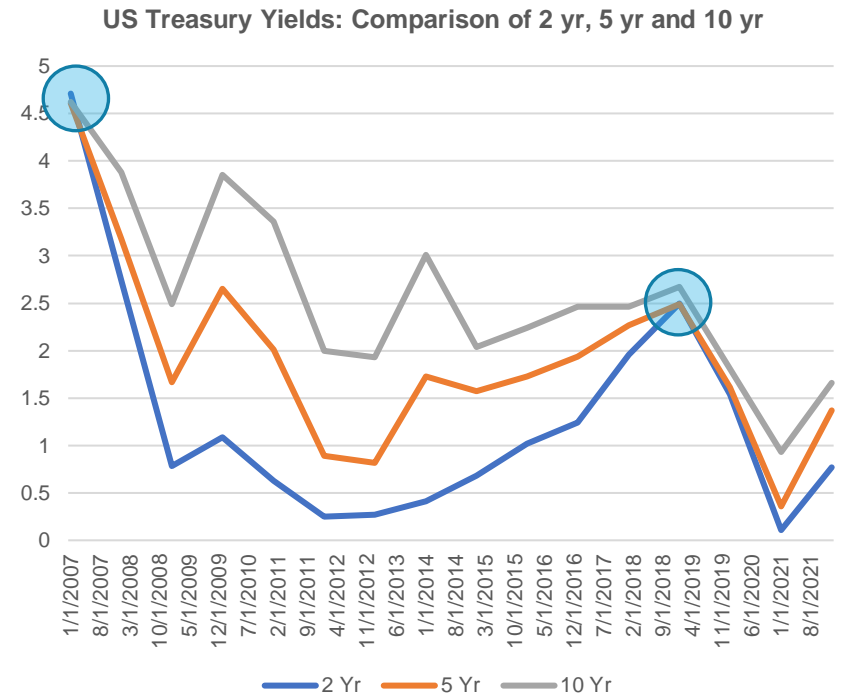
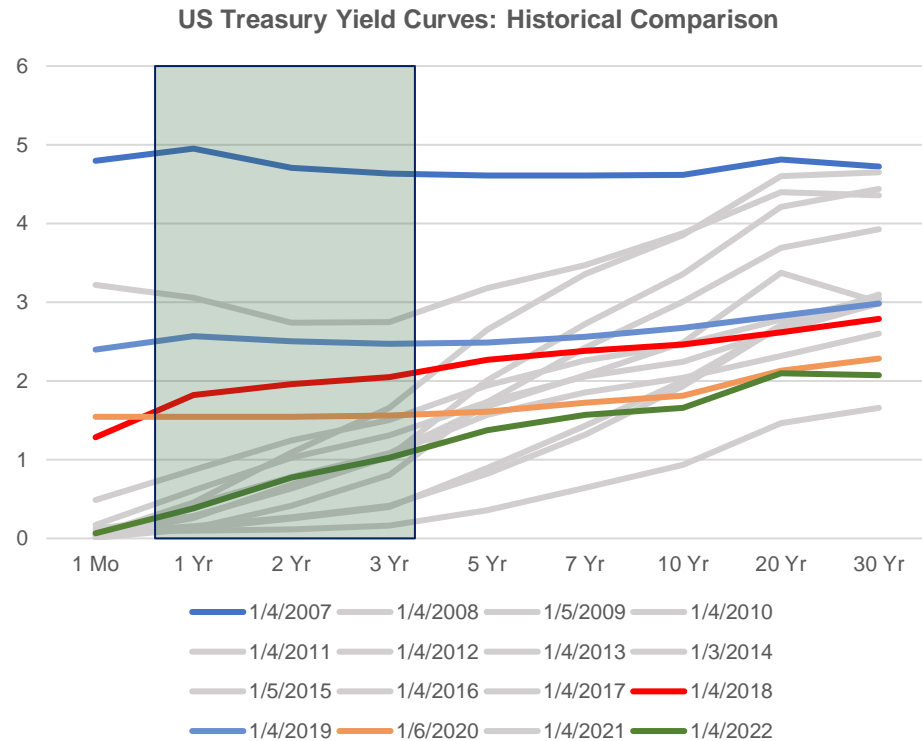
Market interest rates are crucial variable

- Interest rate yield curves
 - US Treasury, a taxable rate
- Normal yield curve is upward slope – reflects investor demand to take appropriate risk.
 - Short term rates are lower than long term rates.
- Inverted yield curves may indicate concerns for future economic conditions in the country



Source: US. Treasury Department Reporting, Historical Treasury Yields.

Yield Curve Inversion



Next Steps – Prepare to capitalize on market rates

- Bond transactions have a long lead time:
 - Requires a bond ordinance passed by the Commission.
 - Must be read twice before governing body and approved.
 - A two-month process prior to being able to execute on any opportunity.
 - COUNTY IS NOT OBLIGATED TO ACT unless transactions make sense
- Put together a team to put necessary ordinance and documents together
 - Bosque Advisors, LLC, as financial advisor – structures financing and is a fiduciary to the County.
 - Bond attorney – prepares bond ordinance and legal documents.
 - Other professionals will be required if the transaction moves forward: CPA, escrow agent.
 - The County controls the process. Transaction will not be completed unless it provides economic value to the county.
- Given the market volatility, better to start sooner rather than later.

Indigent Hospital Claims Office

Chris A. Brice, County Manager

IHC Board Meeting January 13, 2022

Month	Number	Amount	Number	Denied
January	0	\$0.00	0	\$0.00
Feburary	7	\$21,048.89	0	\$0.00
March	2	\$782.93		\$0.00
April	2	\$1,036.36		\$0.00
May	1	\$707.68		\$0.00
June	0	\$0.00		\$0.00
July	3	\$2,562.06		\$0.00
August	17	\$55,576.99	4	\$27,125.24
September	1	\$165.71		\$0.00
October	9	\$33,702.88		\$0.00
November	7	\$32,754.53		\$0.00
December	6	\$13,678.33		\$0.00
Total	55	\$162,016.36	4	\$27,125.24
This Month's Total	Mimbres Memorial Hospital			\$11,550.33
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			\$136.00
This Month's Total	All Other Services			\$1,992.00
Total				\$13,678.33
Year to Date Total	Mimbres Memorial Hospital			\$149,731.75
Year to Date Total	All Other Hospitals			\$822.75
Year to Date Total	Deming Fire Dept./EMS			\$136.00
Year to Date Total	All Other Services			\$11,160.15
Total				\$161,850.65
Care of Prisoners This Month - Not including SNCP Funds				\$94,943.47
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$1,321,842.29
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$74,202.86
Care of Prisoners Year to Date Dr. Bills				\$9,464.00
Total Cost of Care of Prisoners Year to Date				\$1,405,509.15
Monies Received - December 2021				\$88,491.15
Balance in IHC Fund as of December 31, 2021				\$1,817,921.43
Encumbrances as of December 30, 2021				\$604,213.26
		Date	Amount Approved	Amount Denied
Signatures		1/13/2022	\$13,678.33	\$0.00
Barbara L. Reedy				
Linda M. Smrkovsky				
John S. Sweetser				

IHC Board Meeting
January 13, 2022

Case Number	MMH	MMC	Gila Regional	MVRMC	Deming EMS	Elite Medical	Other Services	Comments	Denied Claims
4666					\$136.00				
8059							\$306.00	Concord Radiology	
8059							\$1,227.00	Hospital Care Cons	
8059							\$334.00	Deming Clinic Corp	
8060				\$125.00					
8061	\$40.00								
8062	\$2,648.08								
8063	\$8,862.25								
	\$11,550.33	\$0.00	\$0.00	\$125.00	\$136.00	\$0.00	\$1,867.00		\$0.00
	\$13,678.33								

LCBCC Meeting January 13th, 2022
Accounts Payable

12/2/2021	\$450,909.14
12/2/2021	\$1,374.17
12/10/2021	\$618,328.73
12/10/2021	\$4,845.60
12/15/2021	\$411.22
12/16/2021	\$230,433.62
12/16/2021	\$2811.82
12/17/2021	\$8,265.13
12/21/2021	\$131,304.73
12/30/2021	\$137,027.77
12/30/2021	\$3919.15
P-Cards	
November 2021	\$146,254.72
Total	\$1,735,885.80

Luna County
Board of County Commissioners

AGENDA 01/13/2022

PAYROLL

12/03/2021	Register # 20210062	\$ 512,861.00
12/03/2021	*Register # 20210063	\$ 23,276.18
12/08/2021	*Register # 20210064	\$ 1,067.43
12/17/2021	Register # 20210065	\$ 566,681.38
12/17/2021	*Register # 20210066	\$ 24,988.02
12/31/2021	Register # 20210067	\$ 548,885.10
12/31/2021	*Register # 20210068	\$ 15,914.53

Total \$ 1,693,673.64

* Special Assignment Pay

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 13th day of January 2022, the following proceedings were had and entered of record.

RESOLUTION #22-01

NOTICE OF MEETINGS

WHEREAS, the Open Meetings Act, Section 10-15-1 to 4 NMSA 1978, as amended is in effect; and

WHEREAS, the Luna County Board of County Commissioners desires to comply with the provisions of the aforementioned Act; and

WHEREAS, Section 10-15-1 (D) of the Open Meetings Act requires that the Luna County Board of County Commissioners will annually determine what shall be considered reasonable notice for the public meetings:

NOW, THEREFORE, BE IT RESOLVED THAT:

1. All meetings shall be held in the County Commission Chambers of the Luna County Courthouse, 700 S. Silver Avenue, Deming, New Mexico or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held on the 2nd Thursday of each month at 10:00 a.m. An agenda will be available 72 hours prior to the meeting on the county website and in the office of the County Manager, Luna County Courthouse, at 700 S. Silver Avenue, Deming, New Mexico. Notice of changes to the scheduled date of a regular meeting will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
 - a. Any member of the Board of County Commissioners or the County Manager is authorized to determine those items to be placed on the agenda of a regular meeting.
3. A work session meeting may be called by the Chairperson or a majority of the Commission members upon 72 hours (3 days) notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least 72 hours (3 days) before any work session.
4. Special meetings may be called by the Chairperson or a majority of the Commission members upon 72 hours (3 days) notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda.

The agenda shall be available to the public at least 72 hours (3days) before any special meeting.

5. Emergency meetings will be called only under unforeseen circumstances which may demand immediate action to protect the health, safety and property of citizens, or to protect the public body from substantial financial loss. The Luna County Board of County Commissioners will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairperson or a majority of the Commission members upon 24-hour notice, unless threat of personal injury or property damage requires less notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The notice for all emergency meetings will be posted in the Luna County Manager's Office and the Luna County Clerks' Office and notification will be given to the media. A report of any action taken in an emergency meeting shall be sent to the Office of the Attorney General within 10 days unless a state or national emergency has been declared.
6. During the pendency of the COVID-19 declared emergency, any member of the Board of County Commissioners or any other County Board may participate in a meeting by means of a conference telephone, internet, or other similar communications equipment when necessary as a COVID Safe Practice. At any given time that mass gatherings are prohibited by the NM Public Health Order, meetings will not be physically open to the public. All members of the public will be able to attend and listen to the meetings via google meets or telephone with the link published on the agenda. Public comment may be made during that time and will be entered and/or read into the meeting minutes (if under 3 minutes). Comments must contain authors name.

Done at Deming, New Mexico this 13th day of January 2022

Luna County Board of County Commissioners

ATTEST:

Barbara L. Reedy, Commissioner
District 1

Berenda McWright, County Clerk

Linda M. Smrkovsky, Commissioner,
District 2

John S. Sweetser, Commissioner,
District 3

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 13th day of January 2022, the following proceedings were had and entered of record.

RESOLUTION #22-02

TIMELY PAYMENTS RESOLUTION

WHEREAS, it is sometimes necessary to pay bills and make payments between meetings of the Luna County Board of County Commissioners to take advantage of discounts and make payments in a timely manner; and

WHEREAS, the Luna County Business Office is and has been the central purchasing office since 1974, and handles the purchasing of goods and services and payment of bills:

NOW, THEREFORE, BE IT RESOLVED that the Luna County Board of County Commissioners does hereby direct the Luna County Manager or Designee to approve vouchers and issue warrants as necessary for signature by the Commission Chairman when the Board is not in session, and that a summary of these vouchers be presented to the Commissioners at their next meeting.

Done at Deming, New Mexico this 13th day of January 2022

Luna County Board of County Commissioners

ATTEST:

**Barbara L. Reedy, Commissioner,
District 1**

Berenda McWright, County Clerk

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

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

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming, New Mexico, on the 13th day of January 2022, the following proceedings were had and entered of record.

RESOLUTION #22-04

DEPOSITORIES, BOARD OF FINANCE AND MEDIA DESIGNATION

BE IT RESOLVED by the Luna County Board of County Commissioners, that the following establishments and persons be designated or appointed in the following capacities for the County of Luna, subject to further order of this Board:

OFFICIAL DEPOSITORIES OF COUNTY FUNDS	First New Mexico Bank, Wells Fargo Bank N.A. New Mexico, Deming, NM, Moreton Capital Markets, LLC
COUNTY BOARD OF FINANCE	All County Commissioners, County Treasurer as Executing Officer, and County Clerk as the Clerk of the Board of Finance
OFFICIAL NEWSPAPER AND OTHER MEDIA	Deming Headlight KOTS/KDEM Radio Station

**Done at Deming, New Mexico this 13th day of January 2022
Luna County Board of County Commissioners**

ATTEST:

**Barbara L. Reedy, Commissioner,
District 1**

Berenda McWright, County Clerk

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

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

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming, New Mexico, on the 13th day January, 2022, the following proceedings were had and entered of record.

RESOLUTION #22-05

NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

WHEREAS, Luna County Government shall comply with the Inspection of Public Records Act of New Mexico, Section 14-2-1 through 12, NMSA 1978;

WHEREAS, any person wishing to inspect public records may submit an oral or written request to the Custodian of Public Records. However, the procedures set forth in the Act shall be in response to a written request. The failure to respond to an oral request shall not subject the custodian to any penalty. If a person requesting inspection would like a copy of a public record, a reasonable fee set by the annual Notice of Fees Resolution will be applicable;

WHEREAS, nothing in the Inspection of Public Records Act shall be construed to require a public body to create a public record;

WHEREAS, a written request shall provide the name, address and telephone number of the person seeking access to the records and shall identify the records sought with reasonable particularity. No person requesting records shall be required to state the reason for inspecting the records;

WHEREAS, the custodian receiving a written request shall permit the inspection immediately or as soon as is practicable under the circumstances, but not later than fifteen days after receiving a written request. If the inspection is not permitted within three business days, the custodian shall explain in writing when the records will be available for inspection or when the public body will respond to the request. The three-day period shall not begin until the written request is delivered to the office of the custodian;

WHEREAS, in the event that a written request is not made to the custodian having possession of or responsibility for the public records requested, the person receiving the request shall promptly forward the request to the custodian of the requested public records, if known, and notify the requester. The notification to the requester shall state the reason for the absence of records from that person's custody or control, the records' location and the name and address of the custodian;

WHEREAS, for the purposes of the Act, "written request" includes an electronic communication, including email or facsimile; and

WHEREAS, requests to inspect public records should be submitted to the Custodian of Public Records.

NOW THEREFORE BE IT RESOLVED, the Luna County Board of County Commissioners designates the Luna County Manager's Office as the Custodian of Public Records. Contact information is as follows:

Luna County Courthouse
County Manager's Office
Yossie Nieblas, IPRA Coordinator
700 S. Silver Avenue
Deming, NM 88030
Phone: (575) 546-0494
Fax: (575) 544-4293
<https://lunanm.seamlessdocs.com/f/datarecords>

Done at Deming, New Mexico this 13th day of January, 2022

Luna County Board of County Commissioners

ATTEST:

**Barbara L. Reedy, Commissioner,
District 1**

Berenda McWright, County Clerk

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

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

Grantee Name: County of Luna

CDBG Project Number: _____

RESOLUTION #

22-06

**ADOPTION OF REQUIRED
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
CERTIFICATIONS AND COMMITMENTS**

WHEREAS, municipalities, counties or other entities that accept Community Development Block Grant (CDBG) funds must adopt certain required federal regulations; and

WHEREAS, the County of Luna (hereinafter referred to as the Grantee) wishes to ensure compliance with federal regulations by adopting the following required certifications and commitments:

Citizen Participation

certifies its commitment to citizen participation by preparing and adopting a Citizen Participation Plan that includes ways to encourage public input using various methods to reach the public and assures that citizens are provided reasonable notice and timely access to local meetings, per the Open Meetings Act (NMSA 1978, Chapter 10, Article 15)

Fair Housing

certifies its commitment to the Fair Housing Act of 1968 to affirmatively further fair housing, which prohibits discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing on the basis of race, color, religion, sex, disability, familial status, or national origin

**Residential Anti-Displacement
& Relocation Assistance**

certifies its compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, whose purpose is to provide uniform fair, and equitable treatment for persons whose real property is acquired or for persons displaced as a result of a CDBG-funded project or activity

Section 3

certifies its commitment to Section 3, a provision of the Housing and Urban Development (HUD) Act of 1968, which requires recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment, and contracting opportunities for low and very low income residents in connection with projects and activities in their community. Attached is the Grantee Section 3 hiring information.

Procurement

certifies its compliance with federal procurement code (24 CFR Part 85.36) and New Mexico Procurement Code (§13-1-120 NMSA 1978) by adopting a procurement policy for CDBG projects.

GRANTEE SECTION 3 PLAN CHART

- Chart for Section 3 Plan **MUST** be filled out for job classifications that result from this CDBG funding. If this project will not create jobs, this chart will not be applicable. Attach additional job classifications as necessary.

County of Luna ANTICIPATED/ACTUAL HIRES			2022 HIRING YEAR	
PLANNED			ACTUAL	
Job Classification	# of Positions to be Filled	# of Positions to be Filled by Lower Income County of Luna Residents	# of Positions Filled	Positions Filled by Lower Income County of Luna Residents
County of Luna				

NOW, THEREFORE, BE IT RESOLVED, that the Grantee adopts the above CDBG certifications through the term of the CDBG grant agreement with the Department of Finance and Administration, as amended, if applicable.

PASSED, APPROVED, SIGNED, AND ADOPTED at a duly called and convened regular meeting of the governing body of the _____ this _____ day of _____, 20____.

SIGNED: _____, Chief Elected Official

ATTEST:

(Name and Title)

EXHIBIT 1-Z

CDBG FEDERAL REQUIREMENTS

CITIZEN PARTICIPATION REQUIRED ELEMENTS

In accordance with the 1987 revisions to the Housing and Community Development Act and in an effort to further encourage citizen participation, The County of Luna has prepared and adopted this Citizen Participation Plan.

Objective A

The County of Luna will provide for and encourage citizen participation within its area of jurisdiction, with particular emphasis on participation by persons of low and moderate income. *Action items:*

1. *Adopt and circulate an Open Meetings Resolution which provides citizens with reasonable notice of county/municipality upcoming meetings, actions and functions.*
2. *Develop press releases on county/municipality meetings, actions and hearings, and circulate to newspapers, radio and television media.*
3. *Develop and maintain listing of groups and representative of low and moderate income persons, and include on mailing lists of announcements, notices, press releases, etc.*

Objective B

The County of Luna will provide citizens with reasonable and timely access to local meetings, information and records relating to the proposed and actual use of CDBG funds. *Action items:*

1. *Public notices, press releases, etc., should allow for a maximum length of notice to citizens.*
2. *Appropriate information and records relating to the proposed and actual use of CDBG funds must be available upon request to all citizens. Personnel and income records may be exempted from these requirements.*
3. *Meetings, hearing, etc., should be conducted at times and locations conducive to public attendance, e.g., evenings, Saturdays.*

Objective C

The County of Luna will provide technical assistance to groups and representatives of low and moderate income persons that request assistance in developing proposals. *Note: the level and type of assistance is to be determined by the county/municipality. Action items:*

1. *Low and moderate income groups should be advised that technical assistance, particularly in the area of community development, is available from the county/municipality upon request.*
2. *Document technical assistance provided to such groups and has documentation available for review.*

Objective D

The County of Luna will provide a minimum of two public hearings to obtain citizen participation and respond to proposals and questions at all stages of the Community Development Block Grant Program. *Action items:*

1. *Advise citizens of the CDBG program objectives, range of activities that can be applied for and other pertinent information.*
2. *Conduct a minimum of two public hearings:*
 - a. *One public hearing will be held to advise citizens of the program objectives and range of activities that can be applied for, and to obtain the citizen's views on community development and housing needs, to include the needs of low and moderate income people. This hearing will take place prior to the selection of the project to be submitted to the state for CDBG funding assistance.*
 - b. *A second public hearing will be held to review program performances, past use of funds and make available to the public its community development and housing needs, including the needs of low and moderate income families, and the activities to be undertaken to meet such needs.*
3. *Publish public hearing notices in the non-legal section of newspapers or in other local media. Evidence of compliance with these regulations will be provided with each CDBG application, i.e., hearing notice minutes of public meetings, list of needs and activities to be undertaken, etc. Amendments to goals, objectives and applications are also subject to public participation.*

Objective E

The County of Luna will provide timely written answers to written complaints and grievances within 15 working days where practical. *Action items:*

1. *Adopt complaint handling procedures or policies to insure that complaints or grievances are responded to within 15 days, if possible.*
2. *Allow for appeal of a decision to a neutral authority.*
3. *File a detailed record of all complaints or grievances and responses in one central location with easy public access.*

Objective F

The County of Luna will identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of residents can be reasonably expected to participate. *Action items:*

1. *Identify areas where large majorities of non-English speaking persons reside and make appropriate provisions when issues affecting these areas are to be discussed at public meetings, hearings, etc. Appropriate provisions will include having interpreters available at the meeting and having briefing material available in the appropriate language.*
2. *Maintain records/rosters of public hearing attendees and proceedings to verify compliance with this objective.*

FAIR HOUSING REQUIRED ELEMENTS

A resolution of the Board of Commissioners of the County of Luna, adopting a fair housing policy, making known its commitment to the principle of fair housing, and describing actions it shall undertake to affirmatively further fair housing.

WHEREAS; the Housing and Community Development act of 1974 as amended requires that all applicant for Community Development Block Grants funds certify that they shall affirmatively further fair housing; and

WHEREAS; the Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988 declare a national policy to prohibit discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services, on the basis of race, color, religion, sex, disability, familial status or national origin; and

WHEREAS; fairness is the foundation of the American system and reflects traditional American values; and

WHEREAS; discriminatory housing practices undermine the strength and vitality of America and its people;

NOW, THEREFORE, BE RESOLVED THAT the Board of Commissioners of the County of Luna hereby wish all persons living, working, doing business in or traveling through this County to know that: discrimination in the sale, rental, leasing, and financing of housing or land to be used for construction of housing, or in the provision of brokerage services on the basis of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the Fair Housing Act Amendments of 1988; and that it is the policy of the County of Luna to implement programs, within the constraints of its resources, to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin; and within available resources the County of Luna will assist all persons who feel they have been discriminated against in housing issues on the basis of race, color, religion, sex, handicap, familial status or national origin to seek equality under existing federal and state laws to file a complaint with the New Mexico Attorney General's Office or the U.S. Department of Housing and Urban Development; and that the County of Luna shall publicize this Resolution and thereby encouraging owners of rental properties, developers, builders and others involved with housing to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances; and that the County of Luna shall undertake the following actions to affirmatively further fair housing:

(List all such actions to include: mailing copies of this resolution to the real estate community, banks, developers, community organizations and local media; posting copies of this resolution at identified locations; distributing flyers; sponsoring schools)

List actions here

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE REQUIRED ELEMENTS

I. Background/Introduction

Section 104(d) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5304(d)(4)), Section 105(b)(16) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705(b)(16)), and implementing regulations at 24 CFR Part 42, specify that a grantee under the Community Development Block Grant (CDBG) must certify that it has in effect and is following a "residential Anti-displacement and relocation assistance plan" (Plan). As a CDBG grantee, The County of Luna must certify to State of New Mexico Department of Finance and Administration Local Government Division that it has and is following such a Plan.

The Plan must include three components: 1) one-for-one replacement requirements for lower-income housing units, 2) relocation assistance, and 3) a description of the steps The County of Luna will take to minimize displacement.

II. Activities Covered by the Plan

All activities involving the use of CDBG funds that cause displacement as a direct result of demolition or conversion of a lower-income dwelling are subject to the requirements specified in the Plan. Activities for which funds are first obligated on or after September 30, 1988 are subject to the requirements specified in the Plan, without regard to the source year of the funds.

III. Uniform Relocation Act

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) govern displacement that directly results from acquisition, rehabilitation, or demolition of real property when federal funds are used. The County of Luna's Residential Anti-displacement and Relocation Assistance Plan is in no way intended to supersede the URA. CDBG assisted activities may still be subject to the requirements of the URA.

IV. One-for-One Replacement Units

All occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than as lower-income dwelling units in connection with an assisted activity must be replaced with comparable lower-income units. Replacement lower-income dwelling units may be provided by any governmental agency or private developer and must meet the following requirements:

- A. The units must be located within The County of Luna to the extent feasible, the units shall be located within the same neighborhood as the units replaced

- B. The units must be sufficient in number and size to house no fewer than the number of occupants who could have been housed in the units that are demolished or converted. The number of occupants who could have been housed in the units shall be in accordance with applicable local housing occupancy codes. The units may not be replaced with smaller units (e.g., a 2-bedroom unit with two 1-bedroom units), unless The County of Luna has provided information demonstrating that such a proposed replacement is consistent with the needs assessment contained State of New Mexico Department of Finance and Administration Local Government Division HUD-approved Consolidated Plan.
- C. The units must be in standard condition and must at a minimum meet Section 8 Program Housing Quality Standards. Replacement lower-income units may include units brought from a substandard condition to standard condition if: 1) no person was displaced from the unit; and 2) the unit was vacant for at least 3 months before execution of the agreement between The County of Luna and the property owner.
- D. The units must initially be made available for occupancy at any time during the period beginning 1 year before the recipient makes public the information required under Section F below and ending 3 years after the commencement of the demolition or rehabilitation related to the conversion.
- E. The units must be designed to remain lower-income dwelling units for at least 10 years from the date of initial occupancy. Replacement lower-income dwelling units may include, but are not limited to, public housing or existing housing receiving Section 8 project-based assistance
- F. Before The County of Luna enters into a contract committing it to provide CDBG funds for any activity that will directly result in the demolition of lower-income dwelling units or the conversion of lower-income dwelling units to another use, The County of Luna must make public and submit in writing to State of New Mexico Department of Finance and Administration Local Government Division the following information:
- 1 A description of the proposed assisted activity;
 - 2 The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for lower-income dwelling units as a direct result of the assisted activity;
 - 3 A time schedule for the commencement and completion of the demolition or conversion;
 - 4 The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data is not available at the time of the submission to State of New Mexico Department of Finance and Administration Local Government Division, the submission shall identify the general location on an area map and the approximate number of dwelling units by size, and information identifying the specific location and number of dwellings units by size shall be submitted and disclosed to the public as soon as it is available;
 - 5 The source of funding and time schedule for the provision of replacement dwelling units;
 - 6 The basis for concluding that each replacement unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
 - 7 Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the needs assessment contained in

the State of New Mexico Department of Finance and Administration Local
Government Division Consolidated Plan.

- G. The one-for-one replacement requirements may not apply if HUD determines, based on objective data, that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within The County of Luna. In making such a determination, State of New Mexico Department of Finance and Administration Local Government Division will consider such factors as vacancy rates, numbers of lower-income units in The County of Luna and the number of eligible families on the Section 8 waiting list.

V. Relocation Assistance

Each lower-income person who is displaced as a direct result of CDBG assisted demolition or conversion of a lower-income dwelling shall be provided with relocation assistance.

Relocation assistance includes advisory services and reimbursement for moving expenses, security deposits, credit checks, other moving expenses, including certain interim living costs, and certain replacement housing assistance.

Displaced persons have the right to elect, as an alternative to the benefits described in this Plan, to receive benefits under the URA, if they determine that it is in their best interest to do so. The following relocation assistance shall be available to lower-income displacement persons:

- A. Displaced lower-income persons will receive the relocation assistance required under 49 CFR 24, Subpart C (General Relocation Requirements) and Subpart D (Payment for Moving and Related Expenses) whether the person elects to receive assistance under the URA or the assistance required by CDBG regulations. Relocation notices must be distributed to the affected persons in accordance with 49 CFR 24.203 of the URA;
- B. The reasonable and necessary cost of any security deposit required to rent the replacement dwelling unit and for credit checks required to rent or purchase the replacement dwelling unit;
- C. Actual reasonable out-of-pocket costs incurred in connection with temporary relocation, including moving expenses and increased housing costs, if:
 - 1. The person must relocate temporarily because continued occupancy of the dwelling unit constitutes a substantial danger to the health or safety of the person or the public; or
 - 2. The person is displaced from a lower-income dwelling unit, none of the comparable replacement units to which the person has been referred qualifies as a lower-income dwelling unit, and a suitable lower-income dwelling unit is scheduled to become available through one-for-one replacement requirements
- D. Replacement Housing Assistance. Displaced persons are eligible to receive one of the following two forms of replacement housing assistance:
 - 1. Each person shall be offered rental assistance equal to 60 times the amount necessary to reduce the monthly rent and estimated average monthly cost of

utilities for a replacement dwelling to the "Total Tenant Payment", as determined under 24 CFR 813.107. All or a portion of this assistance may be offered through a certificate or housing voucher for rental assistance under the Section 8 program. Where Section 8 assistance is provided to the displaced person,

The County of Luna must provide the person with referrals to comparable units whose owners are willing to participate in Section 8 program to the extent that cash assistance is provided, it will be provided in installments.

2. In lieu of the housing voucher, certificate or cash assistance described above, the person may elect to receive a lump sum payment allowing them to secure participation in a housing cooperative or mutual housing association. This lump sum payment shall be equal to the capitalized value of 60 monthly installments of the amount that is obtained by subtracting the

"Total Tenant Payment", as determined under 24 CFR 813.107, from the monthly cost of rent and average monthly cost of utilities at a comparable replacement dwelling unit. To compute the capitalized value, the installments shall be discounted at the rate of interest paid on passbook savings in a federally insured financial institution conducting business within The County of Luna.

Displaced lower-income tenants shall be advised of their right to elect relocation assistance pursuant to the URA and the regulations at 49 CFR 24 as an alternative to the relocation assistance available under CDBG regulations.

VI. Eligibility for Relocation Assistance

A lower-income person is eligible for relocation assistance if they are considered to be a "displaced person" as defined in 24 CFR 42.305. A displaced person means a lower-income person who, in connection with an activity assisted under the CDBG program, permanently moves from real property or permanently moves personal property from real property as a direct result of demolition or conversion of a lower-income dwelling.

For purposes of this definition, a permanent move includes a move made permanently and:

- A. After notice by the owner to move from the property, if the move occurs on or after the date of the submission of a request to The County of Luna for CDBG assistance that is later approved for the requested activity; or
- B. After notice by the owner to move from the property, if the move occurs on or after the date of the initial official submission to HUD of the consolidated plan under 24 CFR Part 91 describing the assisted activity; or
- C. Before the dates described in A & B above, if The County of Luna or State of New Mexico Department of Finance and Administration Local Government Division determines that the displacement was a direct result of conversion or demolition in connection with a CDBG assisted activity; or
- D. By a tenant-occupant of a dwelling unit, if any one of the following three situations occurs:
 1. The tenant moves after execution of the CDBG agreement covering the acquisition, rehabilitation or demolition and the move occurs before the tenant is

provided written notice offering the tenant the opportunity to lease and occupy a suitable, decent, safe and sanitary dwelling in the same building/complex upon completion of the project under reasonable terms and conditions, including a monthly rent and estimated average monthly utility costs that do not exceed the greater of the tenant's monthly rent before such agreement, or the total tenant payment as determined under 24 CFR 813.107 if the tenant is lower-income, or 30 percent of gross household income if the tenant is not lower-income.

2. The tenant is required to relocate temporarily, does not return to the building/complex, and either is not offered payment for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, or other conditions of the temporary relocation are not reasonable.
3. The tenant is required to move to another dwelling unit in the same building/complex but is not offered reimbursement for all reasonable out-of-pocket expenses incurred in connection with the move, or other conditions of the move are not reasonable.

If the displacement occurs on or after the appropriate date described in A & B above, the lower-income person is not eligible for relocation assistance if:

- A. The person is evicted for cause based upon a serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violation of applicable federal, State or local law, or other good cause, and the The County of Luna determines that the eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance;
- B. The person moved into the property on or after the date described in A & B above after receiving written notice of the expected displacement; or
- C. The County of Luna determines that the displacement was not a direct result of the CDBG assisted activity and the State of New Mexico Department of Finance and Administration Local Government Division concurs with this determination.

VII. Minimizing Displacement

The CDBG regulations regarding the demolition or conversion of lower-income dwelling units are designed to ensure that lower-income persons are provided with adequate, affordable replacement housing. Naturally, involuntary displacement should be discouraged whenever a reasonable alternative exists. Involuntary displacement is extremely disruptive and disturbing, especially to lower-income persons who do not have the means to locate alternative housing.

There are various ways that displacement can be minimized. The following are steps that will be taken to minimize the involuntary displacement of lower-income persons when CDBG funds are involved:

- A. **Screening of Applications** All CDBG applications will be reviewed to determine whether involuntary displacement is likely to occur. Those applications involving displacement will receive a lower priority recommendation for funding unless it can be shown that alternatives are not available.
- B. **Acquisition of Property** Applicants who apply for CDBG funds to acquire property for the

development of lower-income housing will be encouraged to purchase vacant land. In the case of in-fill and other projects where this is not feasible and the project involves potential displacement, the applicant shall agree to allow the displaced lower-income person(s) to occupy the new housing at an affordable rent.

Applicants who utilize CDBG funds to rehabilitate or convert a lower-income unit to a non-residential use will be required to supply replacement housing consistent with paragraph IV, as well as relocation assistance.

- C. Cost of Relocation Assistance The cost of any required relocation assistance and the provision of replacement housing will be borne by the applicant and may be paid for out of CDBG funds awarded to the project.

VIII. Definitions

- A. "Comparable replacement dwelling unit" means a dwelling unit that:
 - 1 Meets the criteria of 49 CFR 24.2(d)(1) through (6); and
 - 2 Is available at a monthly cost for rent plus estimated average monthly utility costs that does not exceed the "Total Tenant Payment" determined under 24 CFR 813.107 after taking into account any rental assistance the household would receive.
- B. "Lower-income dwelling unit" means a dwelling unit with a market rental (including utility costs) that does not exceed the applicable Fair Market Rent (FMR) for existing housing and moderate rehabilitation established under 24 CFR Part 888.
- C. "Standard condition" means units that at a minimum meet the Existing Housing Quality Standards of the Section 8 rental subsidy program.
- D. "Substandard condition suitable for rehabilitation" means units with code violations that can be brought to Section 8 Housing Quality Standards within reasonable monetary amounts.
- E. "Vacant occupiable dwelling unit" means a dwelling unit that is in a standard condition; a vacant dwelling unit that is in substandard condition, but is suitable for rehabilitation; or a dwelling unit in any condition that has been occupied (except by a squatter) at any time within the period beginning 3 months before the date of execution of the agreement by
The County of Luna covering the rehabilitation or demolition.

IX. Grievances

The The County of Luna will provide timely written answers to written complaints and grievances within 15 working days where practical. Action items:

- A. Adopt complaint handling procedures or policies to insure that complaints or grievances are responded to within 15 days, if possible.
- B. Allow for appeal of a decision to a neutral authority.
- C. File a detailed record of all complaints or grievances and responses in one central location with easy public access.

SECTION 3 PLAN REQUIRED ELEMENTS

The _____ County of Luna _____ is committed to comply with Section 3 of the Housing and Urban Development Act of 1968. This Act encourages the use of small local businesses and the hiring of low income residents of the community.

The _____ County of Luna _____ has appointed _____ 2022 _____ as the Section 3 Coordinator, to advise and assist key personnel and staff on Section 3, to officially serve as focal point for Section 3 complaints, and as the on-site monitor of prime contractors and sub-contractors to insure the implementation and enforcement of their Section 3 plans. The approval or disapproval of the Section 3 plan is the ultimate responsibility of the _____ County of Luna _____. Documentation of efforts will be retained on file for monitoring by the state.

Therefore, the _____ County of Luna _____ shall:

1. Hiring
 - a. Advertise for all _____ County of Luna _____ positions in local newspapers
 - b. List all _____ County of Luna _____ job opportunities with the State Employment Service
 - c. Give preference in hiring to lower income persons residing in the _____ County of Luna _____. This means that if two equally qualified persons apply and one is a resident of the _____ County of Luna _____ and one is not, the resident will be hired
 - d. Maintain records of _____ County of Luna _____ hiring as specified in the CDBG Resolution to Adopt CDBG Requirements (Exhibit 1-Y). Note: Chart for Section 3 Plan MUST be filled out in its entirety and updated with a CDBG grant agreement.

2. Contracting

- a. The _____ County of Luna _____ will compile a list of businesses, suppliers and contractors located in the _____ County of Luna _____.
- b. These vendors will be contacted for bid or quotes whenever the _____ County of Luna _____ requires supplies, services or construction.
- c. Preference will be given to small local businesses. This means if identical bids/quotes are received from a small business located within the _____ County of Luna _____ and one from outside the _____ County of Luna _____, the contract will be awarded to the business located within the community.

3. Training

The County of Luna shall maintain a list of all training programs operated by the County of Luna and its agencies and will direct them to give preference to County of Luna residents. The County of Luna will also direct all CDBG sponsored training to provide preference to County of Luna residents.

4. CDBG Contracts

All CDBG bid proposals and contracts shall include the following Section 3 language.

- a. The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that the greatest extent feasible, opportunities for training and employment be given lower income residents of the project areas, and contracts for work in connection with the project be awarded to business concerns residing in the project area.
- b. The parties to this contract will comply with the provision of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR and all applicable rules and orders of the Department issued there-under prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- c. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers' representative of his commitments under the Section 3 clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- d. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for, or recipient of federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR 135. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135, and will not let any subcontract unless the subcontractor has first provided it with the requirements of these regulations.
- e. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders of the Department, issued thereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR 135.

The County of Luna shall require each contractor to prepare a written Section 3 plan as a part of their bids on all jobs exceeding \$100,000. All Section 3 plans shall be reviewed and approved by the City's Equal Opportunity Section 3 Compliance Officer and retained for monitoring by the state.

The County of Luna will maintain all necessary reports and will insure that all contractors and subcontractors submit required reports.

LOWER INCOME CLARIFICATION

A family who resides in County of Luna and whose income does not exceed the income limit for the size of family as per the attached Section 8 Income Limit for County of Luna. Information contained in our Section 3 Plan reflects the status of the County of Luna employees regarding lower income considerations based on their salary paid by the County of Luna.

Certification

This Federal Requirements Plan hereby incorporates all of the State of New Mexico CDBG requirements to include Citizen Participation, Fair Housing, Residential Anti-Displacement & Relocation as well as Section 3. The The County of Luna herewith certifies to follow the CDBG Federal Requirements Plan described above and adopt the plan by resolution once throughout the term of the CDBG grant agreement.

PASSED AND ADOPTED BY THE Board of Commissioners of the County
of Luna on this 13th day of January.

ATTEST:

APPROVED AS TO FOR:

County Clerk

County Attorney

Plan Adoption Date: 2022

Adoption Instrument: Commission

Certified By: _____
Date

Chairperson

Copy to Local Government Division with attachments

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 13th day of January 2022, the following proceedings were had and entered of record.

RESOLUTION #22-07

DESIGNATING TREASURER TO REQUIRE COLLATERALIZATION

WHEREAS, the Official Depositories of the funds of Luna County are required by law to deposit collateral security for such public funds; and

WHEREAS, it appears that deposits by the Luna County Treasurer and other public funds will fluctuate from time to time; and

WHEREAS, the Luna County Board of County Commissioners do not meet frequently enough to be able to keep available funds invested;

NOW THEREFORE, BE IT RESOLVED that the Luna County Treasurer, Kristie Hobbs, with consultation of the Chairman of the Board or, in their absence, the County Manager, be authorized by this Board, sitting as the Luna County Board of Finance, to require and direct the Luna County official depositories to adjust their collateral securities to 75% to compensate and to authorize the Luna County Treasurer to make investments of Luna County funds as monies are available to do so.

Done at Deming, New Mexico this 13th day of January 2022

Luna County Board of County Commissioners

ATTEST:

**Barbara L. Reedy, Commissioner,
District 1**

Berenda McWright, County Clerk

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

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

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 13th day of January 2022, the following proceedings were had and entered of record.

RESOLUTION #22-08

ADA GRIEVANCE PROCEDURE

Luna County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the US Department of Justice Regulations implementing Title II of the 'Americans with Disabilities Act'. Title II states, in part, that no otherwise qualified individual shall solely by reason of such disability, be excluded from participation, or be denied the benefits of, or be subjected to discrimination in programs or activities sponsored by a public entity.

COMPLAINTS SHOULD BE ADDRESSED TO:

Risk Manager
County of Luna
P.O. Drawer 551
Deming, NM 88031-0551

1. A complaint should be filed, preferably in writing, and contain the name, address and telephone number of the complainant, with a brief description of the alleged violation.
2. The complaint should be filed immediately, but no later than 180 days after the complainant becomes aware of the alleged violation. Alleged violations occurring prior to the posting of this procedure will be considered on an individual case basis.
3. An informal but thorough investigation shall be conducted by the Risk Manager in a timely manner, affording all interested parties and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
4. A written determination as to the validity of the complaint and resolution, if applicable, shall be issued by the Risk Manager with a copy forwarded to the complainant upon completion of the investigation.
5. The Risk Manager shall maintain files and records relating to any complaint filed.
6. The complainant may request reconsideration of the case by the County Manger provided such request is received in writing within ten (10) working days of the receipt of the initial determination.
7. The right of a person to a prompt and equitable resolution of any complaint filed shall not be impaired by the filing of an ADA complaint with a responsible Federal Department/Agency. Use of this Grievance Procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure Luna County's compliance with the ADA Act and the implementation of applicable regulations.
9. The Board of County Commissioners shall be the final appeals entity.

Done at Deming, New Mexico this 13th day of January 2022.

Luna County Board of Commissioners

ATTEST:

**Barbara L. Reedy, Commissioner,
District 1**

Berenda McWright, County Clerk

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

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



Kellye J. Stimpson

402 S 9th Street
Deming, NM 88030
(505)469-1941
stimpsonkj@gmail.com

Dec. 3, 2021

Board of County Commissioners
700 South Silver Avenue
Deming, NM 88030
(575)-546-0494

To Whom It May Concern:

Please accept this letter and resume as an expression of my interest in joining the Marshall Memorial Library as a board member.

Throughout my career as an educator and librarian for the Deming Public School District, I have been led into a field that has been both rewarding and challenging. My experience and knowledge in several of the key areas required to manage an organization such a library has simultaneously led me to develop more as an advocate and potential member of the board for the Marshall Memorial Library.

I am currently the librarian at Red Mountain Middle School and due to recent events of the pandemic it seems a great deal of my expertise and resources have gone into developing a more balanced and accessible collection whether it is for a person to person or digital to person setting. In collaboration with my colleagues and administrative team, I have executed programs and used social media in a myriad of ways to connect students (my primary patrons) with their library resources and collection even when we were forced to be at home for our safety. In many ways, the research, collected data, and time I spent developing such a versatile physical and digital collection of materials and resources has led me to becoming more aware of what I can do for my community, especially at the Marshall Memorial Library.

As a potential member for the Marshall Memorial Library, I offer technical expertise and a true understanding, passion, and enthusiasm for helping to provide essential, equitable access to our community in Deming and Luna County residents. As a tenacious researcher, I utilize my research and analytical skills to find unique solutions to problems libraries are facing today as well as how to efficiently focus funds and find more funds that can help implement and strengthen library programs. Through my role as a school librarian, I focus much of my energy in creating an environment that welcomes all and promotes a stronger relationship between the patron and their library/information needs.

My experience to date, my admiration for what the Marshall Memorial Library does and provides to the community is why I wish to be a part of the board. In addition, I wish to give back to the organization that nurtured me since childhood to become the person I am today in a career that aligns with much of the ethics and standards that the previous librarian's instilled in me.

Yours Sincerely,

Kellye J. Stimpson, MLIS

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 13th day of January 2022, the following proceedings were had and entered of record.

RESOLUTION #22-03

NOTICE OF FEES

WHEREAS, the Luna County Board of County Commissioners find it necessary to implement certain fees pertaining to copying, recording, business registrations, transactions within the Treasurer's Office, building permit fees, manufactured home/mobile home installation permit fees, and plan review fees, rural addressing service fees; and

NOW THEREFORE, BE IT RESOLVED that the Luna County Board of County Commissioners has determined that the above-mentioned fees be charged as followed:

Copying Fees:

- | | | |
|----|--|---------|
| 1. | Copies of documents, single sided, black and white or electronic:
Letter size, (8 1/2" x 11"), legal size, (8" 1/2 x 14"), or tabloid size, (11" x 17") | \$0.50 |
| | Colored Copies | \$1.00 |
| 2. | Above tabloid size (11" x 17") up to three (3') feet by four (4') feet
Black and white paper map size: | \$10.00 |
| | Color Print: | \$20.00 |
| 3. | Above three (3') feet by four (4') feet up to six (6') feet
Black and white paper map: | \$25.00 |
| | Color Print: | \$35.00 |
| 4. | CD's: | \$5.00 |
| 5. | USB Flash Drive | \$25.00 |
| | Each Additional Layer of GIS Data | \$5.00 |

Requests for Specialty Maps, Data, or Data Sheets shall be detailed in writing to the Office of the County Planner for pricing, which will vary depending on complexity and density of layered information, data type, media type, and production time.

Recording Fees:

DOCUMENTS RECORDED IN THE OFFICE OF THE COUNTY CLERK ARE PUBLIC RECORDS, SUBJECT TO INSPECTION AND DISCLOSURE.

Recording fees are established pursuant to Section 14-8-13 through 17, et seq., NMSA, 1978. Unless otherwise specified by law, the county clerk shall collect a recording fee of twenty-five dollars (\$25.00) for each document filed or recorded by the county clerk. If the document being filed or recorded contains more than ten entries to the county recording index, the county clerk shall collect an additional fee of twenty-five dollars (\$25.00) for each additional block of ten or fewer entries to the county recording index from the document. For each fee of twenty-five dollars (\$25.00) collected by the county clerk, eighteen dollars (\$18.00) shall be deposited in the county general fund and seven dollars (\$7.00) shall be deposited in the county clerk recording and filing fund.

Amounts collected from the equipment recording fee shall be deposited into a restricted account to be used as authorized by Section 14-8-12.2, NMSA, 1978 .

Business Registration Fees:

The annual business registration fee is \$25.00 pursuant to Ordinance No. 5 as Amended.

All licensed locations or premises in Luna County, outside the corporate limits of the City of Deming and the village limits of the Village of Columbus, beginning June 1 each year for the ensuing year, shall pay the following license tax:

(1)	Dispenser's License (Bar and Winery)	\$200.00
(2)	Retailer's License (Package Store)	\$100.00
(3)	Club License.....	\$50.00

This fee is due and payable to the County Clerk's Office at the time each business registration is issued on July 1.

Fees for Transactions within Treasurer's Department:

Return payment checks for correct amount **\$5.00**

This fee will partially cover the cost of returning advalorem tax payment checks that are unsigned or are for an incorrect amount.

Return item (NSF) charges **\$30.00**

This fee will not be less than current bank charges. This charge will cover the processing cost of the return items.

Cost to Luna County-Personal Property (Mobile Home) Sale

The administration and enforcement of delinquent personal property ad valorem taxes is authorized by Sections 7-38-51 through 56, NMSA 1978.

The delinquent personal property tax sale is authorized by Sections 7-38-57, 58, 59, NMSA 1867.

The County Treasurer is authorized to recover any cost incurred in preparing for the sale. To cover all additional costs of preparing for the personal property tax sale, the Luna County Treasurer hereby imposes the following fees:

- (1) **Delinquent personal property letter service fee** **\$10.00**
This charge would be for all accounts that are delinquents more than 60 days.
- (2) **Demand Warrant Processing Fee** **\$25.00**
This charge would be for all accounts that are delinquent over 180 days.
- (3) **Penalty and Interest**
The P & I charge on accounts that are more than 180 days delinquent will be retained by Luna County to defray the cost of the personal property tax sales.

Building Permit Fees:

Manufactured Home/Mobile Home Installation Permit (MHIP) fee: \$45.00

<u>Building Permit Value</u>	<u>Permit Fee</u>
\$2,000 and less	\$30.00
\$2,001.00 to \$3,000.00	\$30.00 + \$5.00 per \$500.00 increment in value over \$ 1,001.00
\$3,001.00 and over	\$40.00 + \$1.70 per \$1,000.00 increment in value

Missed Inspections		\$20/Per Scheduled Appointment
Unpermitted Construction	up to	\$150.00
Unpermitted Mobile Home	up to	\$100.00
Demolition Permit	up to	\$100.00

Plan review fee is waived for standard residential construction projects. Complex residential and all Commercial construction project plan reviews will be +20% of permit fee.

Failure to obtain an approved building permit prior to beginning construction will result in the immediate discontinuance of further work on the project and shall be required to pay double the normal permit fee before a permit is issued.

Rural Addressing Service Fee (new residents):

Administrative processing	\$25.00
---------------------------	---------

LCDC Department Fees:

Bond Fee	\$10.00
Notary Fee	\$1.00

DWI Program Fees:

Screening Fee	up to: \$100.00 onetime fee
Treatment Fee	\$240.00
Compliance Fee	up to: \$50.00/monthly

Sheriff's Department Fees:

Civil Process Fee/address/person	\$40.00
Report Fee	\$.50/page
Vin Inspection fee	\$35.00

Domestic Violence Shelter Fee:

--Batterer Intervention Program--

Assessment Fee	\$50.00
Program Fee	\$200.00
Workbook Replacement Fee	\$20.00

Road Department Fees:

Scrap Tire Disposal (Drop Off)	\$1.25/Tire	Passenger/Light Truck
	\$5.00/ Tire	Semi-Truck
	\$10.00/ Tire	Tractor

Scrap Tire Disposal (Bulk Pickup)	\$3.00/ Tire Passenger/Light Truck \$5.00/ Tire Semi-Truck \$10.00/ Tire Tractor
Utility Easement Application Fee	\$200.00
Trenching	\$.10/ft(12x36) or \$.15/ft(24x48)
Aerial	\$150.00(<90') +\$1.50/ft thereafter
Service Hook Up	\$50 w/no pavement cut \$100 w/pavement cut
Meter Replacement	\$0.00
Maintenance	\$100(<250') then trenching app Permit fees above apply
Appeal Fees	\$50.00

Planning Fees:

Appeals to County Commission	\$50
Variance	\$100 per Variance
Conditional/ special Use	Not Yet Determined
Mobile Home Moving Permit	No Charge
Mobile Home Installation Permit	\$50
Floodplain Review	\$15
Floodplain Permit	\$35
(When required by the Floodplain Manager, the applicant must submit an elevation certificate by a registered land surveyor)	

**Schedule of Administrative Fees
For Administering the Luna Country Subdivision Ordinance**

Summary Review Application	\$100 and \$10 per lot
Preliminary Plat Application	\$200 and \$15 per lot
RE-Submittal of revised or Corrected Application	\$100.00
Final Plat Application	Free
Replat	(Same as preliminary and final plat)
Vacation of Plat (Including partial vacation)	\$75.00
Vacation of Easement	\$50.00
Claim of Exemption	\$50.00

Where additional review by the County is required above and beyond normal review requirements due to complex, unforeseen, or unique circumstances relating to the proposed plan or plat, then the County may charge additional fees to defray the cost of such reviews.

NOW, THEREFORE BE IT RESOLVED THAT, this resolution shall be reviewed periodically to determine if revisions are necessary.

Done at Deming, New Mexico this 13th day of January 2022

Luna County Board of County Commissioners

ATTEST:

**Barbara L. Reedy, Commissioner
District 1**

Berenda McWright, County Clerk

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

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

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 22-09
Proposed Inter/Intra Fund Budget Increases**

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

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Luna County hereby adopts the changes to the County's Fiscal Year 110, July 1, 2021 through June 30, 2022 Budget proposed by the County's management staff and attached hereto in spreadsheet form, as amendments to the previously adopted operating budget.

PASSED, APPROVED AND ADOPTED THIS 13th DAY OF JANUARY 2022.

BOARD OF COUNTY
COMMISSIONERS OF LUNA
COUNTY

Barbara L. Reedy, District One

Linda M. Smrkovsky, District Two

ATTEST:

Berenda L. McWright, Luna County Clerk

John S. Sweetser, District Three

Be it remembered that at a Regular meeting of the Board of County Commissioners of Luna County in Deming NM on the 13th day of January, 2022, the following budget adjustments are proposed and entered of record.

SCHEDULE OF BUDGET ADJUSTMENTS				Budget Resolution Number 22-09 Proposed Inter/Intra FUND Budget Increase/Decrease					Entity Code DFA Resolution Number	
ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
One	Increase	401/11000	General Fund - Maintenance	401/11000	\$ 7,230.00	401-03-2002 Salaries - Full-Time	\$ 5,094.00	Salary adjustments for Maintenance Department through remainder of fiscal year.	\$ 362,114.69	\$ 367,208.69
						401-03-2060 Match - Medicare 1.45%	\$ 205.00	Salary adjustments for Maintenance Department through remainder of fiscal year.	\$ 5,507.16	\$ 5,712.16
						401-03-2063 Match - PERA 16.42%	\$ 1,533.00	Salary adjustments for Maintenance Department through remainder of fiscal year.	\$ 61,198.02	\$ 62,731.02
						401-03-2064 Match - FICA 6.2%	\$ 213.00	Salary adjustments for Maintenance Department through remainder of fiscal year.	\$ 25,074.60	\$ 25,287.60
						401-03-2070 Match - RHCA 2.0%	\$ 185.00	Salary adjustments for Maintenance Department through remainder of fiscal year.	\$ 7,342.29	\$ 7,527.29
Two	Increase	408/22300	DWI - Grant	408/22300	\$ (18,546.00)	408-77-1312 (Revenue) DWI Grant	\$ (18,546.00)	DWI Distribution Reversion award to pay for Safe Ride Services, DWI/UD Awareness campaign materials/supplies and DWI Program strategid planning and operations.	\$ (172,769.00)	\$ (191,315.00)
					\$ 18,546.00	408-00-2005 Salaries - Overtime	\$ 2,000.00	DWI Distribution Reversion award to pay for Safe Ride Services, DWI/UD Awareness campaign materials/supplies and DWI Program strategid planning and operations.	\$ -	\$ 2,000.00
						408-00-2020 Supplies	\$ 10,393.00	DWI Distribution Reversion award to pay for Safe Ride Services, DWI/UD Awareness campaign materials/supplies and DWI Program strategid planning and operations.	\$ 3,314.80	\$ 13,707.80
						408-00-2060 Match - Medicare 1.45%	\$ 29.00	DWI Distribution Reversion award to pay for Safe Ride Services, DWI/UD Awareness campaign materials/supplies and DWI Program strategid planning and operations.	\$ 588.31	\$ 617.31
						408-00-2064 Match - FICA 6.2%	\$ 124.00	DWI Distribution Reversion award to pay for Safe Ride Services, DWI/UD Awareness campaign materials/supplies and DWI Program strategid planning and operations.	\$ 2,516.44	\$ 2,640.44
						408-00-2101 Professional/Contract Services	\$ 6,000.00	DWI Distribution Reversion award to pay for Safe Ride Services, DWI/UD Awareness campaign materials/supplies and DWI Program strategid planning and operations.	\$ 17,089.99	\$ 23,089.99

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
Three	Increase	421/21800	Domestic Violence Shelter	421/21800	\$ (10,333.00)	421-77-1623 (Revenue) CYFD	\$ (10,333.00)	ARPA Supplemental funding awarded from CYFD to partially fund the purchase of a vehicle for the Healing House.	\$ (263,100.00)	\$ (273,433.00)
					\$ 10,333.00	421-00-2028 Capital Outlay	\$ 10,333.00	ARPA Supplemental funding awarded from CYFD to partially fund the purchase of a vehicle for the Healing House.	\$ -	\$ 10,333.00
Four	Increase	508/29900	SO Equipment 1/8 GRT	508/29900	\$ 11,000.00	508-00-2028 Capital Outlay	\$ 11,000.00	To pay to outfit new patrol vehicle.	\$ 204,000.00	\$ 215,000.00
					\$ 18,230.00		\$ 18,230.00		\$ 252,877.30	\$ 271,107.30

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

Done at Deming New Mexico this **Thursday the 13th day of January 2022.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Berenda L. McWright, Luna County Clerk

Entered By:

Date

Checked By:

Date

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 22-10
Proposed Inter Department/Fund Transfers**

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

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

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

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

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Luna County hereby adopts the changes to the County's Fiscal Year 110, July 1, 2021 through June 30, 2022 Budget proposed by the County's management staff and attached hereto in spreadsheet form, as amendments to the previously adopted operating budget.

PASSED, APPROVED AND ADOPTED THIS 13th DAY OF JANUARY 2022.

BOARD OF COUNTY
COMMISSIONERS OF LUNA
COUNTY

Barbara L. Reedy, District One

Linda M. Smrkovsky, District Two

ATTEST:

Berenda L. McWright, Luna County Clerk

John S. Sweetser, District Three

Be it remembered that at a Regular meeting of the Board of County Commissioners of Luna County in Deming NM on the 13th day of January, 2022 the following budget adjustments are proposed and entered of record.

Budget Resolution Number 22-10

Proposed Inter Department Transfer

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	FROM Current Balance	Transfer amount	TO Line Number	Transfer Amount	Purpose
One	Transfer	421/21800	Domestic Violence Shelter	421-00-2010 Mileage/Per Diem	\$10,712.69	\$7,000.00	421-00-2020 Supplies	\$5,500.00	To allow for spending as needed through remainder of fiscal year.
							421-00-2009 Office Supplies	\$1,500.00	To allow for spending as needed through remainder of fiscal year.
Two	Transfer	428/21800	CASA	428-54-2010 Mileage/Per Diem	\$5,335.28	\$1,000.00	428-54-2020 Supplies	\$1,000.00	To allow for spending as needed through remainder of fiscal year.
Three	Transfer	609/22600	Adult Detention	609-21-2029 Capital Improvement	\$32,018.50	\$5,000.00	609-21-2010 Mileage/Per Diem	\$5,000.00	To allow for spending as needed through remainder of fiscal year.
					\$48,066.47	\$13,000.00		\$13,000.00	

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

Done at Deming New Mexico this Thursday the 13th day of January 2022.

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Entered By:

Date

Berenda L. McWright, Luna County Clerk

Checked By:

Date



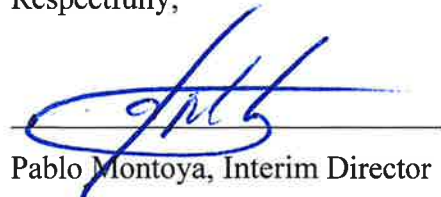
Luna County Detention Center
1700 4th St NE
Deming, NM 88030
Phone: (575) 544-0191

To: Chris Brice, County Manager
From: Pablo Montoya, Interim Director
Date: Jail Site Inspection

Greetings,

On June 10th, 2021 The Luna County Board of Commissioners were at the Luna County Detention Center for their yearly inspection. Commissioners were briefed on current COVID Procedures, talked to staff and detainees. Commissioners observed detainees using the tablets provided by Securus and spoke with detainees regarding the benefits/disadvantages of the tablets. No discrepancies were reported by Commissioners.

Respectfully,



Pablo Montoya, Interim Director