

**MINUTES  
WORK SESSION  
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS  
Thursday, January 11, 2024**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 9:30 a.m. on Thursday, January 11, 2024 at the Mimbres Valley Learning Center, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

**Call to Order:** County Manager Chris Brice Called the Meeting to order at 9:30 a.m. and led the Pledge of Allegiance and the salute to the flag of New Mexico.

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

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

**Public Comment:** County Manager Chris Brice and the Luna County Board of County Commissioners allowed this work session to go for one hour due to the number of people in attendance. Mr. Brice conducted the meeting because a Chair for the Board would not be elected until the following regular meeting. Mr. Brice opened public comment and allowed comments to come forth by calling names from a sign-up sheet.

Russell Johnson, Luna County Rancher and President of the Luna County Farm and Livestock Bureau came before the board and spoke against the Mimbres Peak National Monument. He stated that it was a name that no one had heard of prior to December 6, 2023, except for a slight few individual including Commissioner Ray Trejo. He did not understand why the proposal was kept from elected officials, the public, and stakeholders. Mr. Johnson stated that what started as a recreational and economic development initiative somehow morphed into a national monument proposal that would give Luna County a shot in the arm, but asked where the evidence of this was. Mr. Johnson stated that once a national monument is designated the land undergoes a process of evaluation, which entails deciding if roads will be left open, re-designated, or just closed off. Mr. Johnson stated that he could not emphasize enough that this proposal was done behind everyone's back and strongly urged the Commission Board to write up a resolution in opposition of this national monument.

Carlos Martinez who lives 30 miles North of Deming and spoke in favor of the Mimbres Peak National Monument to protect the sacred lands.

Pete DeLaney stated that all of this started as an ambush on the residents of Luna County. Mr. DeLaney stated that the monument ceremony was by invite only with no public notice of any kind in the Deming Headlight or in the Chamber of Commerce weekly Quaker. He stated

that the meeting did not follow the rules of the BLM which state that there is to be an open public meeting.

Lee Patterson spoke in favor of the monument stating that being a native New Mexican he and his wife have lived in Luna County for 14 years. Mr. Patterson stated that the reason for moving here was for the access to the mountains.

Joram Robbs stated that the monument would have a negative impact on the County. He spoke as a citizen and economic contributor to Luna County. He asked the board to approve the Resolution to stop the Mimbres Peak National Monument from going through. Mr. Robbs stated that approving the Mimbres Peak National Monument would negatively affect agriculture, decrease public land use, and would also cause national security issues.

Carol Felsing, a resident of Luna County and President of the Luna County Ranchettes Owners Association, stated that the LCROA is in the process of considering a resolution in support of the Mimbres Desert Peak National Monument. Ms. Felsing stated that the association works to represent the common good of the half acre residential ranchette lot owners in Luna County including economic development to maximize property value. Ms. Felsing stated that other National Monuments in the United States have led to an increase in land value for property owners adjacent and near the monuments.

Marilyn Page, Chairman of the Rockhound Roundup, spoke against the monument stating that this is the 59<sup>th</sup> year for the Rockhound Roundup and the addition of the National Monument could ruin the city. Ms. Page stated that the show brings in over 5,000 people each year, which benefits the city. Ms. Page stated that all of the people who attend the show stay at the hotels, campgrounds, and also use our restaurants, museum, and local businesses. Ms. Page stated that there are over 120 vendors from all over the world that attend the Rockhound Roundup every year.

Mary Ann Reynolds stated that she had moved here about a year ago and spoke in favor of the monument expressing concerns about 4-wheelers and cattle.

Rebecca Hughes read a quote from the Governor of Nevada expressing opposition to national monuments in his state. She stated that our public land is currently being controlled by the BLM and all of the things that are being said in favor of a monument that will benefit us as a community, like tourism, people having access to the land, being able to hike and bike are already in place. Ms. Hughes stated that as soon as this land is designated a national monument landowners and local government will lose all control.

Wes Light President of the Friends of the Floridas stated that he had come before the board before and talked about the group's mission and what they were looking to accomplish. Mr. Light stated that the Friends of the Floridas has a Board of Directors that represent a wide range of opinions within the community. Mr. Light stated that the Friends of the Floridas group focus is to protect the peaks especially the Florida Mountains from any kind of future degradation that would affect everyone's future. Mr. Light stated that he sent a letter to the Board of County Commissioners to have a public forum and have a question and answer period in regard to the monument.

Teresa Johnson stated that her and her family were at the meeting in opposition of the Mimbres Peak National Monument. Ms. Johnson stated that her grandfather came here in 1918 and started a ranch that has thrived for many generations. Ms. Johnson stated that this is not just a business, but a way of life for her and her family.

Wes Light spoke for a second time stating that Resolution 24-14 which is being considered states that the Mimbres Peak national Monument cannot be accepted at this time due to unanswered questions. Mr. Light suggested that Resolution 24-14 be tabled until after the community forum to be held on February 17, 2024 to put the facts on the table.

Rose Townsend Secretary of the Gem and Mineral Society spoke against the national monument making the same points as Marilyn Page Chairman of the Rockhound Round-up.

Leilani Parra spoke in favor of the national monument stating that she is a life-long resident of Luna County. Ms. Parra stated that the Mimbres Peak National Monument would serve as an educational resource and offer our youth the opportunity to connect with nature.

Richard Myklebust from El Paso spoke out against the Mimbres Peak National Monument stating that allowing the government to take control of the land would impose many restrictions affecting both citizens and tourists.

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

**ATTEST:**

**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

\_\_\_\_\_  
**Berenda McWright, Luna County Clerk**

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

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

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

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

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Thursday, January 11, 2024**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:30 a.m. on Thursday, January 11, 2024 at the Mimbres Valley Learning Center, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following staff and elected officials were present: County Manager Chris Brice, Administrative Assistant to the County Manager Mayra Hernandez, County Attorney Charles Kretek, HR/Legal Director of Public Safety Pablo Montoya, Budget and Procurement Director Joanne Hethcox, Administrative Assistant (Business Office) Grisel Taylor, Clerk Berenda McWright, Chief Deputy Clerk Leslie Nabours, Probate Judge Diana Diaz, Administrative Assistant Senior Toni Esparza, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Kristie Hobbs, Chief Deputy Treasurer Jonathan Richmond, Grants Director Bryan Reedy, Deputy Director of Grants Department Yossie Nieblas, Grant Writer Heather Lutz, Planning and Zoning Director Lupita Hernandez, DWI Program Director Edith Vazquez, Road Department Director David Bailey, Executive Assistant Nancy White, Road Department truck Driver Rex Garner, Sheriff Mike Eby, Undersheriff Jimmy Garcia, LCDC Director Lee Cook, Deputy Warden Justin Porter, Starmax Assistant Manager Brigitte Vega, Maintenance Director Ricardo Hidalgo, Maintenance Lead Felipe Chavez, Maintenance Tech Juan Carlos Cardoza, IT Director Victor Gonzalez, Deputy Director Tracy Fostvedt, IT Tech Nathan Ortberg, IT Tech Billy Almanza.

**CALL TO ORDER:** County Manager Chris Brice called the meeting to order at 10:30 a.m., and led the Pledge of Allegiance and the salute to the flag of New Mexico.

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

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

**ELECT 2024 CHAIRPERSON:** Commissioner Sweetser nominated Commissioner Colette M Chandler as 2024 Chairperson. The nomination was seconded by Commissioner Trejo and was unanimously approved.

**MINUTES:** Commissioner Sweetser motioned to approve the minutes for the Work Session and Regular Meeting of December 14, 2023. The motion was seconded by Commissioner Trejo and unanimously approved following a roll call vote.

**SERVICE AWARDS:**

- Clerk Berenda McWright presented Probate Judge Diana Diaz with her pin for five years of service.
- Sheriff Eby presented Sheriff's Deputy Jesus Nunez with his pin for five years of service

- Road Department Director David Bailey presented Truck Driver Jose Prieto with his pin for five years of service.

#### **SPECIAL RECOGNITION:**

- Sheriff Eby recognized Sheriff Deputy Adolfo Olivas for graduating from the New Mexico Law Enforcement Academy on November 21, 2023 at 10 am with top honors and for being named valedictorian of his class.
- Executive Director of the Council Christie Ann Harvey and County Manager Chris Brice gave special recognition and awarded a plaque to WNMU Campus Director Manuel Rodriguez for all of his assistance with bringing in classes such as welding, plumbing, and HVAC etc.

#### **PRESENTATIONS:**

- Representative Jenifer Jones gave a short presentation on a jail diversion program for mentally ill offenders to receive the help that they need. Ms. Jones stated that she sat through a presentation on this program on her trip to Florida. Ms. Jones stated that she feels that implementing a program like this here in Luna County would be very beneficial.
- LCDC Director Lee Cook-Jordon presented that LCDC Restrictive Housing Quarterly Report. Mr. Cook-Jordon stated that his report is being submitted in accordance with New Mexico State Statute 3316-1 to 3316-7. Mr. Cook- Jordon stated that during the period of October 1, 2023 through December 31, 2023 the Luna County had two detainees to report. Mr. Cook-Jordon stated that the first detainee was a 50 year-old white male who was not let out for recreation and the second being a 21year-old white male detainee that was let out of his cell but did not get the full two hours of recreation time. Mr. Cook-Jordon stated that both of these issues have been addressed at this time.

#### **CONSENT AGENDA:**

- Accounts Payable: \$2,5996,419.58
- Payroll: \$1,972,304.72
- Resolution 24-01: Notice of Meetings
- Resolution 24-02: Timely Payments
- Resolution 24-03: Notice of Fees
- Resolution 24-04: Depositories; Board of Finance, and Media Designation
- Resolution 24-05: Notice of Rights to Inspect Public Records
- Resolution 24-06: CDBG Annual Certification and Commitments
- Resolution 24-07: Designation Treasurer to Require Collateralization
- Resolution 24-08: ADA Grievance Procedure
- Resolution 24-09: Budget Increases
- Resolution 24-10: Budget Transfers
- Resolution 24-11: Disposal of Personal Property
- Resolution 24-12: Approval to participate in the Local DWI Grant and Distribution Program
- Memorandum of Understanding between Luna County DWI and New Mexico Department of Finance and Administration/ Local Government Division/ Driving while Intoxicated Program
- Statement of Assurance Local DWI Grant and Distribution Program

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

#### **PUBLIC HEARING:**

- **Ordinance 119: An Ordinance amending two IRBs, the first among the County, Solar PV Development NM 18 II LLC and Carne Solar Bondco, LLC for the Carne Solar Project, Series 2022A, and the second among the County, Carne Energy Storage LLC and Carne Storage Bondco, LLC for the Carne Solar Project, Series 2022 B:** Attorney Peter Kelton representing the County stated that the amendment to Ordinance 119 is to allow for the increase of additional property for both of these IRBs. The floor was opened for public comment and Ms. Alberta Morgan asked where this project would be located. A representative for one of the construction companies stated that this project would include four parcels of private land four miles South off of the Hatch Highway. A question and answer session ensued between the public and the ladies representing the project. Mr. Brice intervened and stated that this project had already been previously approved and the vote would be to grant the additional property requested. Commissioner Trejo motioned to approve Ordinance 119: An Ordinance amending two IRBs, the first among the County, Solar PV Development NM 18 II LLC and Carne Solar Bondco, LLC for the Carne Solar Project, Series 2022A, and the second among the County, Carne Energy Storage LLC and Carne Storage Bondco, LLC for the Carne Solar Project, Series 2022 B. The motion was seconded by Commissioner Sweetser and unanimously approved following a roll call vote.

#### **NEW BUSINESS:**

- **Resolution 24-13: Us Department of Transportation 2024 RAISE Grant:** Road Department Director David Bailey stated that this resolution is to seek federal funding for any potential money for the planning and study of a bypass that will be considered around the Village of Columbus. Mr. Bailey stated that the County gets waivers for the match requirements. Mr. Bailey stated that this federal funding is basically money to do road repairs at no cost to the County. Commissioner Trejo motioned to approve Resolution 24-13: US Department of Transportation 2024 RAISE Grant. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Resolution 24-14: Regarding the Mimbres Peak Monument:** Commissioner Trejo motioned to table Resolution 24-14: Regarding the Mimbres Peak Monument. The motion was seconded by Commissioner Sweetser and this item was tabled following a roll call vote with Chair Chandler voting in the negative.
- **Bid Award Recommendations for CIF-5784:** Budget and Procurement Director Joanne Hethcox stated the bid recommendation for this project is for Sierra Valley Contractors out of Caballo New Mexico. Ms. Hethcox stated that this company came in with the lowest Bid at \$979,575.69. Commissioner Trejo motioned to approve Bid Award Recommendations for CIF-5784. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **American Legion Post 4 Grant Proposal:** County Grant Writer Heather Lutz stated that the way this grant was supposed to work was that the County would put in \$7,000 and the City would match that. Ms. Lutz stated that the American Legion is the last standing Veteran's Post, and she is addimtent about protecting it and making sure it grows and does well. Ms. Lutz stated that the City had already approved and agreed to granting the money, but due to their auditing and financial commitments, they were unable to complete this request and have since overturned that decision. Ms. Lutz stated that the American Legion is just requesting the rest of the money to be able to finish their kitchen renovations. First Vice

Commander Randy Myers stated that with the first awarded grant money the Legion was able to install heating and cooling, update signage, upgrade electrical, expand the dart board area, make the Men's bathroom ADA compliant and replace all interior lighting with LEDs. Mr. Myers requested the grant for \$7,000 to be able to get the kitchen up to code. Commissioner Trejo motioned to approved American Legion Post 4 Grant Proposal. The motion was seconded by Commissioner Sweetser and unanimously approved following a roll call vote.

**INDIGENT CLAIMS REPORT: INDIGENT CLAIMS REPORT:** Commissioner Trejo motioned to recess as a County Commission and convene as a Claims Board. The motion was seconded by Commissioner Sweetser and was unanimously approved. Budget and Procurement Director Joanne Hethcox reported that there were three claims in the month of December in the amount of \$7,951.32 for LCDC detainees. Ms. Hethcox stated that there was a total of \$107,219.98 in GRT for the month of December. Ms. Hethcox reported an ending cash balance of \$2,069,015.98 as of December 31, 2023 and \$262,850.89 incumbered. Commissioner Sweetser motioned to approve the Indigent Claims report as submitted. The motion was seconded by Commissioner Trejo and was unanimously approved. Commissioner Sweetser motioned to recess as a Claims Board and re-convene as County Commission. The motion was seconded by Commissioner Trejo and was unanimously approved.

**Community Support Reports:** Executive Director of the Council Christie Ann Harvey stated that she has a meeting with a friend and a non-profit tomorrow. Ms. Harvey stated that the Starmax sign is now complete and now sits on the Northwest corner of the front parking lot of Starmax. Ms. Harvey stated that there will be a celebration for the completion of this sign tomorrow at 4:00 pm. at the sign and the community is cordially invited to attend where there will be free popcorn provided by Starmax. Ms. Harvey stated that the Broadband work still continues. Ms. Harvey stated that she would be in Santa Fe part of next week attending the Legislative Session, and the week after she will be going back to Santa Fe for several different meetings to assist in helping Luna County to get the money to assist with projects.

**Elected Officials' Report:** Commissioner Trejo motioned to receive the Elected Officials' Reports in written form due to early closures due to inclement weather. The motion was seconded by Commissioner Sweetser and was unanimously approved. Any written reports received will be available to the public upon request.

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

**County Manager's Report:** Will be available to the public upon request.

**Upcoming Meetings/Events (unless otherwise specified):**

- Luna County Offices closed; Martin Luther King Jr. Day: January 15, 2024
- NM Edge & NMC Legislative Conference: Santa Fe- January 16 – January 18, 2024
- Silver Spikes: Santa Fe- January 29 – January 30, 2024
- Public Input Work Session: February 8, 2024 from 9:30 a.m. – 10:00 a.m.
- Regular Meeting: February 8, 2024 at 10:00 a.m.

**Jail Inspection:** The Jail Inspection was moved to the February 8<sup>th</sup> Regular Meeting due to early dismissal for inclement weather.

**ADJOURN:** Chair Chandler adjourned the meeting at 12:31pm. The meeting was cut short due to inclement weather.

**ATTEST:**

**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

\_\_\_\_\_  
**Berenda McWright, Luna County Clerk**

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

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

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

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

**MINUTES**  
**Special Meeting**  
**LUNA COUNTY BOARD OF COUNTY**  
**COMMISSIONERS**  
**Friday, January 19, 2024**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Friday, January 19, 2024, in the Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

**Call to Order:** Chair Chandler Called the Meeting to order at 10:00 a.m. and led the Pledge of Allegiance and the salute to the flag of New Mexico.

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

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

**Old Business:**

**Resolution 24-14: A Resolution Regarding the Mimbres Valley Peaks Monument:** Commissioner Chandler stated that there are two items that are needing to be taken care of, one being the Old Business of the Resolution 24-14 which was tabled at the last commission meeting. Chair Chandler called for a motion for Resolution 24-14. Commissioner Sweetser motioned to delete Resolution 24-14. The motion was seconded by Chair Chandler. A roll call vote ensued with all of the Commissioners voting in the negative. Chair Chandler stated that the resolution was shot down and that the reasoning behind it was because of all of the feedback that was received from the community about the resolution was that it did not clearly state where the county stood.

**New Business:**

**Resolution 24-15: A Resolution regarding the Mimbres Peak National Monument.** Chair Chandler stated that this resolution is being considered due to the overwhelming response from the majority of the public regarding this issue. The responses have not just come from farmers and ranchers but everyone in the community including the city and county. Chair Chandler stated that a lot of the community went up to the mountains, some just looked at them, and some did not have anything to do with them, but they all responded overwhelmingly against the monument. Chair Chandler stated that it is their jobs as commissioners to represent the majority of the people. Chair Chandler stated that part of the resolution was re-written so that it is very clear that the Luna County Board of County Commissioners does not support the establishment of the Mimbres Peak National Monument. Commissioner Trejo stated that the majority of the community that he had spoken with want to see something come to our community that is going to uplift it.

Commissioner Trejo stated that this was something that was decided as a county in Ruidoso during the Strategic Planning Meeting where it was decided that the county would make outdoor recreation and tourism economy a priority. Commissioner Trejo stated that it was the county's goal and the outcome of the Strategic Planning Meeting. Commissioner Trejo stated that while working in the schools for a long time and other places where you see strategic plans that come to the surface, typically there is never any follow-up, and that is why he was bringing this up. Commissioner Trejo stated that he believes that this very well could be a social injustice, because the people that could stand to benefit the most were not in the chamber today. Commissioner Trejo stated that the people that were missing were his constituents that live within the city limits. Commissioner Trejo stated that as elected officials that they have a duty to serve the community at large. Commissioner Trejo stated that this would be another opportunity to bring money into the community by receiving Lodger's Tax and people coming in and spending money. Commissioner Chandler stated that the first part of the Resolution 24-15 stated that this was not a topic of discussion at the two day Strategic Planning Meeting in Ruidoso. Commissioner Sweetser motioned to approve Resolution 24-15: A Resolution Regarding the Mimbres Peak National Monument. The motion was seconded by Chair Chandler and was approved following a roll call vote with Commissioner Trejo voting in the negative.

**Upcoming Meetings/Events (unless otherwise specified):**

- Silver Spikes: Santa Fe – January 29- January 30, 2024
- Public Input Work Session: February 8, 2024 from 9:30 a.m. – 10:00 a.m.
- Regular Meeting: February 8, 2024 at 10:00 a.m.

**Adjourn:** Chair Chandler adjourned the Meeting at 10:14 a.m.

**ATTEST:**

**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

\_\_\_\_\_  
**Berenda McWright, Luna County Clerk**

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

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

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

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

## LCBCC Meeting February 8, 2024

### Accounts Payable

1/05/2024	\$128,490.27
1/05/2024	\$46,348.66
1/05/2024	\$5,791.57
1/05/2024	\$215.00
1/12/2024	\$450.00
1/12/2024	\$9,108.07
1/16/2024	\$496,254.69
1/16/2024	\$3,409.63
1/16/2024	\$26.34
1/23/2024	\$47,912.23
1/23/2024	\$13,800.08
1/23/2024	\$13,475.25
1/26/2024	\$429,857.44
1/26/2024	\$61,374.93
1/26/2024	\$22,870.67
1/26/2024	\$480.00

P-Cards

December 2023	\$273,992.06
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Total    \$1,553,856.89

Luna County  
Board of County Commissioners



Agenda 2/08/2024

**PAYROLL**

Date	Register	Amount
1/12/2024	20240001	\$669,136.90
1/12/2024	*20240002	\$23,167.43
1/12/2024	*20240003	\$483.13
1/26/2024	20240004	\$667,732.10
1/26/2024	*20240005	\$10,190.45

Total: \$1,370,710.01

\* Special Assignment Pay

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**RESOLUTION NO. 24-16  
Proposed Inter Department/Fund Transfers**

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

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

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

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

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Luna County hereby adopts the changes to the County's Fiscal Year 112, July 1, 2023 through June 30, 2024 Budget proposed by the County's management staff and attached hereto in spreadsheet form, as amendments to the previously adopted operating budget.

**PASSED, APPROVED AND ADOPTED THIS 8<sup>th</sup> DAY OF FEBRUARY, 2024.**

BOARD OF COUNTY  
COMMISSIONERS OF LUNA  
COUNTY

\_\_\_\_\_  
Ray J. Trejo, District One

\_\_\_\_\_  
Colette M. Chandler, 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 8th day of February, 2024 the following budget adjustments are proposed and entered of record.

## Budget Resolution Number 24-16

Proposed Inter Department Transfer

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	FROM Current Balance	Transfer amount	TO Line Number	Transfer Amount	Purpose
One	Transfer	401/11000	General Fund - Emergency Management	401-41-2084 Safety/Equip/ Supplies/Training	\$3,650.00	\$1,500.00	401-41-2010 Mileage/Per Diem	\$1,500.00	To allow for spending through remainder of fiscal year.
Two	Transfer	415/21800	Community Services - Parents As Teachers	415-52-2010 Mileage/Per Diem	\$21,496.38	\$19,000.00	415-52-2069 Membership Dues/ Subscriptions	\$7,000.00	To allow for spending through remainder of fiscal year where needed.
							415-52-2005 Salaries - Overtime	\$2,000.00	To allow for spending through remainder of fiscal year where needed.
							415-52-2011 Vehicle Expense	\$10,000.00	To allow for spending through remainder of fiscal year where needed.
Three	Transfer	415/21800	Community Services Parents As Teachers	415-57-2010 Mileage/Per Diem	\$20,361.40	\$20,000.00	415-57-2069 Membership Dues/ Subscriptions	\$3,000.00	To allow for spending through remainder of fiscal year where needed.
				415-57-2007 Telephone	\$4,997.18	\$2,000.00	415-57-2005 Salaries - Overtime	\$1,000.00	To allow for spending through remainder of fiscal year where needed.
				415-57-2020 Supplies	\$10,472.24	\$5,800.00	415-57-2011 Vehicle Expense	\$19,500.00	To allow for spending through remainder of fiscal year where needed.
							415-57-2008 Printing and Publishing	\$4,300.00	To allow for spending through remainder of fiscal year where needed.
					\$60,977.20	\$48,300.00		\$48,300.00	

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 8th day of February, 2024.

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

Ray J. Trejo, District 1

Colette M. Chandler, District 2

John S. Sweetser, District 3



ATTEST:

Entered By:

Date

Berenda L. McWright, Luna County Clerk

Checked By:

Date

# MEMO

**To: County Manager/Commissioners**

**From:** Phillip Rodriguez

**Department:** Emergency

**Date:** 01-23-2024

**Total of Request**

**Re: Budget Request for a BUDGET TRANSFER [✓] \$ 1500.00**

**BUDGET INCREASE [ ] \$**

## TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401-41-2084	Safety/Equip/Supplies/Training	3650.00	1500.00

## TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401-41-2010	Mileage Per Diem	691.54	1500.00

### **Purpose budget adjustment: (to pay for what?)**

upcoming training.

### **REASON FOR TRANSFER (why is current budget insufficient).**

I have several out-of-town trainings coming up over the next few months and my current mileage and per diem budget will not cover the expenses.

Department Head Signature: Phillip Rodriguez

# MEMO

**To: County Manager/Commissioners**

**From:** Anna Barraza

**Department:** Parents as Teachers

**Date:** 01-08-2024

**Total of Request**

**Re: Budget Request for a BUDGET TRANSFER [☒] \$ 19,000.00**

**BUDGET INCREASE [ ☐ ] \$**

## TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
415-52-415-52-2010	Mileage Per Diem	25,318.94	19,000.00

## TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
415-52-2069	Membership Dues/Subscriptions	-1,140.00	7,000.00
415-52-2005	Salaries Overtime	-1,304.63	2,000.00
415-52-2011	Vehicle Expense	-2,968.89	10,000.00

### **Purpose budget adjustment: (to pay for what?)**

To cover more registration fees and to be able to send new staff to required trainings. Cover overtime expenses and to cover the vehicle lease for the remainder of the FY24.

### **REASON FOR TRANSFER (why is current budget insufficient).**

FY24 PAT has had staff turn over, hired new staff and need to be fully trained.

Department Head Signature: Anna Barraza

# MEMO

**To: County Manager/Commissioners**

**From:** Anna Barraza

**Department:** Parents as Teachers

**Date:** 01-08-2024

**Total of Request**

**Re: Budget Request for a BUDGET TRANSFER [✓] \$ 27,8000.00**

**BUDGET INCREASE [ ] \$**

## TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
415-57-2010	Mileage Per Diem	24,166.60	20,000.00
415-57-2007	Telephone	5,366.81	2,000.00
415-57-2020	Supplies	10,472.24	5,800.00

## TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
415-57-2069	Membership Dues/Subscriptions	-1,050.00	3,000.00
415-57-2005	Salaries Overtime	-165.25	1,000.00
415-57-2011	Vehicle Expense	-13,215.77	19,500.00
415-57-2008	Printing and Publishing	-1,266.00	4,300.00

### **Purpose budget adjustment: (to pay for what?)**

To cover more registration fees and to be able to send staff to mandatory trainings. Cover overtime expenses and to cover vehicle lease for the remainder of the FY24.

### **REASON FOR TRANSFER (why is current budget insufficient).**

Budget FY24 started with no money allocated for vehicle expenses and salaries overtime and need to transfer to be able to cover those expenses.

Department Head Signature: Anna Barraza

*Be it remembered that at a Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 8<sup>th</sup> day of February, 2024, the following proceedings were had and entered of record.*

## **LUNA COUNTY**

### **RESOLUTION 24-17**

#### **DISPOSITION OF PERSONAL PROPERTY**

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

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

**WHEREAS**, Section 13-6-1, NMSA 1978 declares that a County may dispose of tangible personal property and delete it from the public inventory upon a specific finding that each item is of current resale value of five thousand dollars (\$5,000.00) or less and is worn out, unusable or obsolete to the extent that the item is no longer economical or safe for continued use;

**WHEREAS**, a designated committee of three Luna County Officials has declared that all of the tangible personal property that is the subject of this resolution meets the criteria set for in Section 13-6-1, NMSA 1978; and

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

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

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

**Done at Deming, New Mexico this 8<sup>th</sup> day of February, 2024.**

**BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY**

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

---

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

## STATE OF NEW MEXICO

## County of Luna

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

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



**Chris Brice**  
County Manager

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

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

Date: 01-24-2024

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

Subj: Disposal of Assets

Inventory #	Year	Make	Model	VIN	Mileage
981132	2005	Ford	F-150	1FTPW14585KD82377	unknown
Explanation for Disposal	As per Chief P. Montoya all units that are currently at the Humane Society are to be permanently transferred to the them.				
Inventory #	Year	Make	Model	VIN	Mileage
981140	2005	Dodge	Caravan	1D4GP25E45B342754	unknown
Explanation for Disposal	As per Chief P. Montoya all units that are currently at the Humane Society are to be permanently transferred to the them.				
Inventory #	Year	Make	Model	VIN	Mileage
981241	2006	Dodge	Ram 1500	1D7HA18KX7J552417	unknown
Explanation for Disposal	As per Chief P. Montoya all units that are currently at the Humane Society are to be permanently transferred to the them.				

*Matthew Berry*  
Matthew Berry

# APPOINTMENT OF SEBASTIAN BUSTILLOS

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

This is to certify that I have on this 1/23 day of January, 2023 A.D. appointed SEBASTIAN BUSTILLOS as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing him/her to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 23 DAY OF January, 2023 A.D.

MEBY  
SHERIFF, LUNA COUNTY, NEW MEXICO

## OATH OF OFFICE

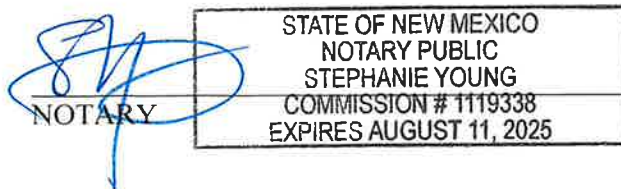
STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

I, SEBASTIAN BUSTILLOS of Luna, State of New Mexico, do solemnly swear that I will support the Constitution of the United States, and also the Constitution of the State of New Mexico, and that I will faithfully, impartially, and to the best of my ability discharge all the duties of said office and appointment.

Sebastian Bustillos  
SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO  
COUNTY OF LUNA

Subscribed and sworn before me by Mike Eby,  
Sheriff and SEBASTIAN BUSTILLOS, appointee.  
This 23 day of January, 2023.



Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2023 A.D., by the Board of County Commissioners, Luna County, New Mexico.

\_\_\_\_\_  
CHAIRMAN, BOARD OF LUNA COUNTY COMMISSIONERS

# APPOINTMENT OF JUAN DURAN

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

This is to certify that I have on this 23 day of January, 2023 A.D. appointed JUAN DURAN as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing him/her to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 23 DAY OF January, 2023 A.D.

meby  
SHERIFF, LUNA COUNTY, NEW MEXICO

## OATH OF OFFICE

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

I, JUAN DURAN of Luna, State of New Mexico, do solemnly swear that I will support the Constitution of the United States, and also the Constitution of the State of New Mexico, and that I will faithfully, impartially, and to the best of my ability discharge all the duties of said office and appointment.

Juan Duran  
SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO  
COUNTY OF LUNA

Subscribed and sworn before me by Mike Eby,  
Sheriff and JUAN DURAN appointee.  
This 23 day of January, 2023.

SA  
NOTARY

STATE OF NEW MEXICO  
NOTARY PUBLIC  
STEPHANIE YOUNG  
COMMISSION # 1119338  
EXPIRES AUGUST 11, 2025

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2023 A.D., by the Board of County Commissioners, Luna County, New Mexico.

\_\_\_\_\_  
CHAIRMAN, BOARD OF LUNA COUNTY COMMISSIONERS

# APPOINTMENT OF ELOY MARQUEZ

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

This is to certify that I have on this 23 day of January, 2023 A.D. appointed ELOY MARQUEZ as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing him/her to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 23 DAY OF January, 2023 A.D.

meby  
SHERIFF, LUNA COUNTY, NEW MEXICO

## OATH OF OFFICE

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

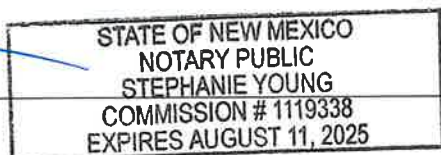
I, ELOY MARQUEZ of Luna, State of New Mexico, do solemnly swear that I will support the Constitution of the United States, and also the Constitution of the State of New Mexico, and that I will faithfully, impartially, and to the best of my ability discharge all the duties of said office and appointment.

[Signature]  
SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO  
COUNTY OF LUNA

Subscribed and sworn before me by Mike Eby,  
Sheriff and ELOY MARQUEZ, appointee.  
This 23 day of January, 2023.

[Signature]  
NOTARY



Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2023 A.D., by the Board of County Commissioners, Luna County, New Mexico.

\_\_\_\_\_  
CHAIRMAN, BOARD OF LUNA COUNTY COMMISSIONERS

COPY

*Be it remembered that at a Special Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 19<sup>th</sup> day of September 2022, the following proceedings were had and entered of record.*

**RESOLUTION NO. 22-67**

**CALL TO ADOPT ORDINANCE 115**

**WHEREAS**, pursuant to Section 4-37-1, NMSA 1978, grants Counties, through the Board of County Commissioners the power to make, publish and repeal ordinances;

**WHEREAS**, Section 4-37-7, NMSA 1978, Ordinances governs the proposal of ordinances.

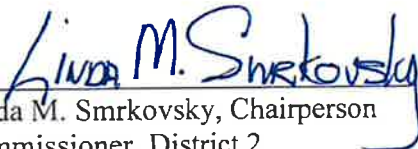
**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners hereby give notice of its intent to consider the adoption of Ordinance 115; Increasing the Size of the Board of County Commissioners to Five Members, at the Special Meeting on September 19, 2022, at 10:00 a.m. or as soon thereafter as the matter may be heard in the Luna County Courthouse, 700 S. Silver Ave., Deming, New Mexico.

**BE IT FURTHER RESOLVED** that the Luna County Manager is authorized to take all necessary action necessary to properly place the issue of the adoption of Ordinance 115 before the Board of County Commissioners, including but not limited to, the publication of title and a general summary of the proposed adoptions and making a copy of the proposed available to interested persons beginning with the date of publication, but no later than two weeks prior to the October 6, 2022 Regular Meeting.


**DONE THIS 19TH DAY OF SEPTEMBER, 2022**


by the Board of County Commissioners of Luna County

**ATTEST:**

  
Linda M. Smrkovsky, Chairperson  
Commissioner, District 2

  
Berenda McWright,  
County Clerk 

  
Barbara L. Reedy,  
Commissioner, District 1

  
John S. Sweetser,  
Commissioner, District 3

# COPY

*Be it remembered that at the Special Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 6<sup>th</sup> day of April 2023, the following proceedings were had and entered of record.*

## **RESOLUTION 23-39**

### **CALL TO AMEND ORDINANCE 29**

**WHEREAS**, pursuant to Section 4-37-1, NMSA 1978, grants Counties, through the Board of County Commissioners the power to make, publish and repeal ordinances;

**WHEREAS**, Section 4-37-7, NMSA 1978, Ordinances governs the proposal of ordinances;

**WHEREAS**, Board of County Commissioners originally enacted Ordinance 29 on June 14, 1996;

**WHEREAS**, the Ordinance as enacted needs to be updated to address the desires of the current Board of County Commissioners.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of County Commissioners hereby gives notice of its intent to consider the amendment of Ordinance 29; at the Regular Meeting on June 8, 2023, at 10:00 a.m., or at such other date and time as determined by the Board of County Commissioners, in the Luna County Courthouse, 700 S. Silver Ave., Deming, New Mexico.

**BE IT FURTHER RESOLVED** that the Luna County Manager is authorized to take all necessary action necessary to properly place the issue of the amended Ordinance 29 before the Board of County Commissioners, including but not limited to, the publication of title and a general summary of the proposed adoptions and making a copy of the proposed available to interested persons beginning with the date of publication, but no later than two weeks prior to the June 8, 2023 meeting, or such other date and time as determined by the Board of County Commissioners.


**DONE THIS 6th DAY OF APRIL, 2023**


**BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY**

**ATTEST:**

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

  
\_\_\_\_\_  
**Berenda McWright, County Clerk**

  
\_\_\_\_\_  
**Colette M. Chandler,**  
**Commissioner, District 2**

  
\_\_\_\_\_  
**John S. Sweetser, Chairperson**  
**Commissioner, District 3**



*Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 8<sup>th</sup> day of February 2024, the following proceedings were had and entered of record.*

**RESOLUTION 24-18**

**AUTHORIZING THE PURCHASE OF PROPERTY**

**WHEREAS**, Luna County, by and through the Board of County Commissioners, intends to purchase the property located in, Deming, Luna County;

With the address of 816 S Platinum and the legal description being:

A TRACT OF LAND SITUATED IN LOTS 13, 14, 15, 16, 17 AND FRACTIONAL LOTS 18, 21, 22, 23 AND 24 LYING NORTHERLY OF CODY ROAD, IN BLOCK 28 OF THE SOUTH ADDITION TO DEMING, LUNA COUNTY, NEW MEXICO, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE LUNA COUNTY CLERK OF LUNA COUNTY, NEW MEXICO.

SEE ATTACHMENT "A" FOR FULL LEGAL DESCRIPTION.

**NOW THEREFORE, BE IT RESOLVED** by signature of the Board of Commissioners of Luna County, it is agreed to authorize the County Manager to purchase the property by process and in compliance with the laws of the State of New Mexico and Luna County Ordinances and Resolutions, policies and procedures, including entering into an agreement and take all other action necessary.

**Done at Deming, New Mexico this 8<sup>th</sup> day of February, 2024**

**Board of County Commissioners of Luna County**

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

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

## ATTACHMENT A

A TRACT OF LAND SITUATED IN LOTS 13, 14, 15, 16, 17 AND FRACTIONAL LOTS 18, 21, 22, 23 AND 24 LYING NORTHERLY OF CODY ROAD, IN BLOCK 28 OF THE SOUTH ADDITION TO DEMING, LUNA COUNTY, NEW MEXICO, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE LUNA COUNTY CLERK OF LUNA COUNTY, NEW MEXICO, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID LOT 13; THENCE S0°00'00"W, ALONG THE EAST LINE OF SAID BLOCK 28, 150.00 FEET TO THE SE CORNER OF SAID LOT 18; THENCE S90°00'00"W, ALONG THE SOUTH LINE OF SAID LOT 18, 91.21 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF CODY ROAD; THENCE N57°02'52"W, ALONG THE NORTHERLY RIGHT-OF-WAY OF CODY ROAD, 60.53 FEET TO THE SW CORNER OF THIS TRACT; THENCE N0°00'00"E, 117.08 FEET TO THE NW CORNER OF SAID LOT 13; THENCE N90°00'00"E, ALONG THE NORTH LINE OF SAID LOT 13, 142.00 FEET TO THE POINT OF BEGINNING.

AND

BEGINNING AT THE NE CORNER OF SAID LOT 24; THENCE S0°00'00"W, 106.71 FEET TO THE SE CORNER OF THIS TRACT, A POINT ON THE NORTHERLY RIGHT-OF-WAY OF CODY ROAD; THENCE N57°02'52"W, ALONG THE NORTHERLY RIGHT-OF-WAY OF CODY ROAD, 49.58 FEET TO THE SW CORNER OF THIS TRACT; THENCE N0°00'00"E, 44.74 FEET TO A POINT; THENCE N90°00'00"E, 8.00 FEET TO A POINT; THENCE N0°00'00"E, 35.00 FEET TO THE NW CORNER OF THIS TRACT; THENCE N90°00'00"E, ALONG THE NORTH LINE OF SAID LOT 24, 33.60 FEET TO THE POINT OF BEGINNING.

*Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 8<sup>th</sup> day of February 2024, the following proceedings were had and entered of record.*

**RESOLUTION 24-19**

**AUTHORIZING THE PURCHASE OF PROPERTY**

**WHEREAS**, Luna County, by and through the Board of County Commissioners, intends to purchase the property located in, Deming, Luna County;

With the address of 207, 209 and 211 S. Iron Street, Deming, NM 88030. The legal description being:

The East 52' of Lots Numbered Thirteen (13), Fourteen (14) and Fifteen (15) and the E. 71' of Lot Numbered Sixteen (16) and the E. 71' of South Half of Lot Numbered Seventeen (17), in Block 48 of Deming Townsite.

**NOW THEREFORE, BE IT RESOLVED** by signature of the Board of Commissioners of Luna County, it is agreed to authorize the County Manager to purchase the property by process and in compliance with the laws of the State of New Mexico and Luna County Ordinances and Resolutions, policies and procedures, including entering into an agreement and take all other action necessary.

**Done at Deming, New Mexico this 8<sup>th</sup> day of February, 2024**

**Board of County Commissioners of Luna County**

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

---

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

*Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 8<sup>th</sup> day of February 2024, the following proceedings were had and entered of record.*

**RESOLUTION 24-20**

**AUTHORIZING THE PURCHASE OF PROPERTY**

**WHEREAS**, Luna County, by and through the Board of County Commissioners, intends to purchase the property located in, Deming, Luna County from Green Stream Farms, LLC;

• The Southeast Quarter (SE ¼) of Section Nine (9), Township Twenty-nine South (T29S), Range Eight West (R8W), N.M.P.M. Luna County, New Mexico.

**NOW THEREFORE, BE IT RESOLVED** by signature of the Board of Commissioners of Luna County, it is agreed to authorize the County Manager to purchase the property by process and in compliance with the laws of the State of New Mexico and Luna County Ordinances and Resolutions, policies and procedures, including entering into an agreement and take all other action necessary.

**Done at Deming, New Mexico this 8<sup>th</sup> day of February, 2024**

**Board of County Commissioners of Luna County**

**ATTEST:**

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

\_\_\_\_\_  
**Berenda McWright, County Clerk**

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

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

*Be it remembered that at a Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 8th day of February 2024, the following proceedings were had and entered of record.*

**RESOLUTION #24-21**

**Luna County SBR Project**

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

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

WHEREAS, the total cost of the project will be \$385,091.00 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or \$288,818.00

And

- b. Luna County's proportional matching share shall be 25% or \$96,273.00

**TOTAL PROJECT COST IS \$385,091.00**

Luna County shall pay all costs, which exceed the total amount of \$385,091.00.

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

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

The agreement terminates on December 31, 2025 and Luna County incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

NOW therefore, be it resolved by the Luna County to enter into Cooperative Agreement Control Number to be determined with the New Mexico Department of Transportation for LGRF Project year 2024–2025 to “Mill 10” existing chip seal, base and compact. Apply 3 lifts of chip seal to improve skid resistance, fog seal, and conform shoulders back to original condition, improve drainage, and apply safety striping and signage from Country Club Rd from the county line to Monte Vista and Monte Vista and Country Club to New Mexico Highway 11 to EOP” within the control of the Luna County in Deming, Luna County, New Mexico.

**Done at Deming, New Mexico this 8<sup>th</sup> day of February 2024  
LUNA COUNTY BOARD OF COMMISSIONERS**

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

---

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

*Be it remembered that a Regular Meeting of the Board of County Commissioners of Luna County in Deming, New Mexico on the 8<sup>th</sup> day of February 2024, the following proceedings were had and entered of record.*

**RESOLUTION #24- 22**

**Luna County SP Project**

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

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

WHEREAS, the total cost of the project will be \$103,482.52 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or \$77,611.89

And

- b. Luna County's proportional matching share shall be 25% or \$25,870.63

TOTAL PROJECT COST IS \$103,482.52

Luna County shall pay all costs, which exceed the total amount of \$103,482.52.

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

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

The agreement terminates on December 31, 2025, and Luna County incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

NOW therefore, be it resolved by the Luna County to enter the Cooperative Agreement Control Number to be determined with the New Mexico Department of Transportation for LGRF Project for year 2024–2025 to “Mill 10” existing chip seal, conform shoulders back to original condition, improve drainage, apply 1 lift PEP Prime and 2 lifts of chip seal, and apply safety striping and signage on Geranio Rd from NM 549 to EOP (1.1 miles), Ash St from NM 418 to Skyview (1.6) and Skyview Rd from the Frontage Rd to NM 418 (1.7 miles), excluding NM 549, NM 418 and

the New Mexico Department of Transportation Right of Ways. This project is within the control of Luna County in Deming, Luna County, New Mexico.

**Done at Deming, New Mexico this 8<sup>th</sup> day of February 2024**  
**LUNA COUNTY BOARD OF COMMISSIONERS**

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

---

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

*Be it remembered that at a Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 8th day of February 2024, the following proceedings were had and entered of record.*

**RESOLUTION #24-23**

**Luna County CAP Project**

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

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

WHEREAS, the total cost of the project will be \$426,459.00 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or \$319,844.25

And

- b. Luna County's proportional matching share shall be 25% or \$106,614.75

TOTAL PROJECT COST IS \$426,459.00

Luna County shall pay all costs, which exceed the total amount of \$426,459.00.

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

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

The agreement terminates on December 31, 2025 and Luna County incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

NOW therefore, be it resolved by the Luna County to enter into Cooperative Agreement Control Number to be determined with the New Mexico Department of Transportation for LGRF Project year 2024–2025 to “Mill 10” existing chip seal, construct a new roadway subgrade base and compact, apply 1 lift PEP prime and 2 lifts of chip seal, conform shoulders back to original condition, improve drainage, and apply safety striping and signage on Uvas Valley Rd NE from the intersection of New Mexico Hatch Hwy (State Road 26) south 6 miles to EOP, excluding NM 26 and the New Mexico Department of Transportation Right of Ways. This project is within the control of Luna County in Deming, Luna County, New Mexico.

**Done at Deming, New Mexico this 8<sup>th</sup> day of February 2024**  
**LUNA COUNTY BOARD OF COMMISSIONERS**

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

---

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

*Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming NM on the 8th day of February, 2024 the following proceedings were had and entered of record.*

**RESOLUTION 24-24**

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

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

Plan, design and construction funds to connect the People’s Water Coop to the City of Deming (“Project”); and

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

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

**NOW THEREFORE, LET IT BE RESOLVED BY THE GOVERNING BODY**, of Luna County, New Mexico, that the filing of an application to the New Mexico Colonias Infrastructure Board for funding in the 2024 Colonias Infrastructure Project funding cycle is hereby authorized. The project falls under the Keeler Farm Colonias area proposing to connect an existing water line resource of the People’s Water Coop to the City of Deming Water System as well as make roadway and drainage improvements to surrounding roads. The financial assistance requested is in the amount of **\$2,981,724.00**.

**BE IT FURTHER RESOLVED**, that Luna County hereby pledges the required 10% local match in the amount of **\$298,172.40**; and

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

**PASSED, APPROVED AND ADOPTED** this 8<sup>th</sup> day of February, 2024.

**Done at Deming, New Mexico this 8<sup>th</sup> day of February 2024**

**LUNA COUNTY BOARD OF COMMISSIONERS**

**ATTEST:**

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

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**Berenda McWright, County Clerk**

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

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

*Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming NM on the 8th day of February 2024 the following proceedings were had and entered of record.*

## **RESOLUTION 24-25**

**WHEREAS**, Luna County, NM (“Governmental Unit”) is a qualified entity made under the New Mexico Finance Authority Colonias Infrastructure Act, Sections 6-30-1 through 6-30-8, NMSA 1978 (“Act”), and the Luna County Commission (“Governing Body”) is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Governmental Unit; and

**WHEREAS**, Luna County proposes to seek funding for the next phase of construction of roadway and drainage improvements, retention ponds and remaining bid items on Majestic View, La Paz, Tigua, Paquime, Casas Grandes, and Manzano Streets; and

**WHEREAS**, Luna County seeks to apply for financial assistance from the Colonias Infrastructure Fund; and

**WHEREAS**, Rockhound is a designated Colonias in Luna County; and

**WHEREAS**, the New Mexico Finance Authority (“Authority”) has instituted a program for financing of projects from the Colonias Infrastructure fund created under the Act and has developed an application procedure whereby the Governing Body may submit an application (“Application”) for financial assistance from the Authority for public projects; and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF** Luna County, New Mexico, that the filing of an application to the NMFA 2024 Colonia Infrastructure Fund for street and drainage improvements for the above-mentioned streets; and

**BE IT FURTHER RESOLVED**, that Luna County assures and certifies that it will comply with the regulations, policies, guidelines, loan and match requirements and any requires with respect to the acceptance and use of the Colonias Infrastructure Program; and

**BE IT FURTHER RESOLVED**, that Luna County’s Board of commissioners is hereby designating Chris Brice, County Manager as Luna County’s representative to act on behalf of this application.

PASSED, APPROVED AND ADOPTED this 8<sup>th</sup> day of February 2024.

**Done at Deming, New Mexico this 8<sup>th</sup> day of February 2024**  
**LUNA COUNTY BOARD OF COMMISSIONERS**

**ATTEST:**

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

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**Berenda McWright, County Clerk**

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

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**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 8<sup>th</sup> day of February 2024, the following proceedings were had and entered of record.*

**RESOLUTION 24-26**

**ACCEPTANCE AND APPROVAL OF THE FY2023 AUDIT**

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

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

**WHEREAS**, this audit has been completed and presented to the Luna County Board of County Commissioners at the Regular Meeting of February 8, 2024 as allowed per the January 10, 2024 Letter from the Statue Auditor authorizing release of the FY2023 audit; and

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

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

**Done at Deming, New Mexico this 8<sup>th</sup> day of February 2024.**

**BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY**

**ATTEST:**

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

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**Berenda McWright, County Clerk**

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

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

# Indigent Hospital Claims Office

Chris A. Brice, County Manager

IHC Board Meeting February 08 2024

Month	Number	Amount	Number	Denied
January	5	\$3,297.00	0	\$0.00
Feburary				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				
Total	5	\$3,297.00	0	\$0.00
This Month's Total	Mimbres Memorial Hospital			\$1,676.95
This Month's Total	Gila Regional Medical Center			\$0.00
This Month's Total	Memorial Medical Center			\$0.00
This Month's Total	Deming Fire Dept./EMS			\$0.00
This Month's Total	All Other Services			\$1,620.05
Total				\$3,297.00
Year to Date Total	Mimbres Memorial Hospital			\$1,676.95
Year to Date Total	All Other Hospitals			\$0.00
Year to Date Total	Deming Fire Dept./EMS			\$0.00
Year to Date Total	All Other Services			\$1,620.05
Total				\$3,297.00
Care of Prisoners This Month - Not including SNCP Funds				\$388,582.39
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$374,247.92
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$11,404.47
Care of Prisoners Year to Date Dr. Bills				\$2,930.00
Total Cost of Care of Prisoners Year to Date				\$388,582.39
Monies Received - Janaury 2024				\$93,032.15
Balance in IHC Fund as of January 31, 2024				\$2,178,228.86
Encumbrances as of January 31, 2024				\$260,460.89
		Date	Amount Approved	Amount Denied
	Signatures	2/8/2024	\$3,297.00	
Ray J. Trejo				
Colette M. Chandler				
John S. Sweetser				

IHC Board Meeting	
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February 8, 2024

[illegible]