

**LUNA COUNTY
BOARD OF COUNTY COMMISSIONERS**

Linda M. Smrkovsky
Member

Joe L. Milo, Jr.
Member

R. Javier Diaz
Member

**Thursday, January 14, 2016
9:00 a.m.
Regular Meeting
Luna County Courthouse**

1. **Call to Order:** Commissioner Milo 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 2016 Chairman:** Elect 2016 Chairman
MOTION AND VOTE
4. **Elected Officials Report:**
5. **Announcements:**
 - a. Employee of the Year by County Manager Jackson
 - b. Misc. Announcements by Manager, Elected Officials, or Staff
6. **Public Hearing on Personnel Ordinance Number 23 As Amended:**
7. **Personnel Ordinance Number 23 As Amended:**
MOTION AND VOTE
8. **Public Comment:** The Public has the opportunity to provide comment at this time pertaining to items on the agenda only. Please be advised that this is not a question and answer period. Your comments specific to the agenda items will be limited to three minutes unless the Board of County Commissioners requests more information. The time limit and opportunity to speak is given in an effort to allow public input on business matters of the County to move the agenda forward in a prompt yet efficient manner. Comment will not be allowed on individual agenda items as they are discussed by the Commissioners during new business.
9. **County Manager's Report:**

10. Minutes:

- a. Regular Meeting-December 10, 2015

MOTION AND VOTE

11. Consent Agenda:

- a. Accounts Payable: \$ 761,991.97
- b. Payroll: \$ 1,080,902.98
- c. Resolution 16-02 Timely Payments
- d. Resolution 16-03 Notice of Fees
- e. Resolution 16-04 Depositories, Board of Finance, and Media Designation
- f. Resolution 16-05 Designating Treasurer to Require Collateralization
- g. Resolution 16-06 Luna County Section 3 Plan
- h. Resolution 16-07 ADA Grievance Procedures
- i. Resolution 16-08 Residential Anti-Displacement
- j. Resolution 16-09 CDBG Citizen Participation Plan
- k. Resolution 16-12 Notice of Right to Inspect Public Records Designating Custodian of Public Records

MOTION AND VOTE

12. New Business:

- a. Resolution 16-01 Notice of Meetings
- b. Resolution 16-10 Budget Increases
- c. Resolution 16-11 Budget Transfers
- d. Luna County Detention Center 2016 Policy and Procedure Manual
- e. Memorandum of Understanding Working Together Throughout the Promise Zone Term
- f. Capital Assets and Capitalization Policy
- g. Resolution 16-13 Donative Conveyance of Property From Luna County to City of Deming Replacing Resolution 15-50

MOTION AND VOTE

MOTION AND VOTE

MOTION AND VOTE

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MOTION AND VOTE

13. Approval of Travel Requests:

MOTION AND VOTE

14. 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 14, 2016

MOTION AND VOTE

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

MOTION AND VOTE

15. Executive Session:

Executive Session to Discuss Limited Personnel Matters pursuant to §10-15-1(H)2
NMSA 1978 pertaining to County Manager's Duties and Responsibilities

MOTION AND VOTE

16. Upcoming Meetings:

Regular Meeting-February 11, 2016

Work Session-January 28, 2016 (Directors Meeting)

Work Session-February 4, 2016 (Budget Review)

MOTION AND VOTE

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

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

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, December 10, 2015**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 9:00 a.m. on Thursday, December 10, 2015 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following staff and elected officials were present:

County Manager Charles "Tink" Jackson, Assistant to the County Manager Glory Juarez, County Clerk Andrea Rodriguez, Deputy Clerk JoAnna Zurinsky, Treasurer Dora Madrid, Chief Deputy Treasurer Gloria Rodriguez, County Assessor Delilah Rojo, Chief Deputy Assessor Barbara Cobos, Sheriff Jonathan Mooradian, Captain Kelly Gannaway, Lieutenant Richard Cowles, Detention Director Matthew Elwell, Dispatch Supervisor Lauree Sanchez, Human Resources and Payroll Director Daniel Gonzales, Budget and Procurement Director Joanne Hethcox, Public Information Officer Matt Robinson, IT Technician Manny Armendariz, Community Projects Director Jessica Etcheverry, Director Health & Well Being Jessica Moreno, Facilities and Planning Director Billy Ruiz, Road Superintendent Marty Miller, DWI Coordinator Edith Vazquez, Special Event Coordinator Patricia Rodriguez, Partnerships for Success II Coordinator Jessica Jara

CALL TO ORDER: Chairman Milo called the meeting to order at 9:03 a.m. and NMAC Executive Director Steve Kopelman led the Pledge of Allegiance.

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

**Chairman, Joe L. Milo, Jr., District 1
Linda M. Smrkovsky, District 2
R. Javier Diaz, District 3**

ELECTED OFFICIALS REPORTS: There were no reports from the County Clerk, County Assessor, or County Treasurer.

Sheriff John Mooradian reported that a full report of statistics analysis should be available in January. Sheriff Mooradian also reported that through Law Enforcement Protection Funds, the department was able to purchase two new vehicles, and that they should be ready by the first of the year. It was also reported that the department is working on

obtaining the necessary grant funding to purchase at least 32 body cameras for law enforcement officers to wear.

ANNOUNCEMENTS: Chairman Milo announced that the *Shop with a Cop* event was successful. There were a lot of kids and Law Enforcement that participated in the event, and Chairman Milo thanked everyone that helped make the event a success.

Commissioner Smrkovsky announced that the Southwest Affordable Housing Office is hosting an Open House at 109 E. Pine St. from 11:00 a.m. – 2:00 p.m. Commissioner Smrkovsky encouraged the public to attend and check out what Self Help programs the Southwest Regional Housing and Community Development offer and to meet the staff.

SERVICE AWARDS: Road Superintendent Marty Miller presented Jose Ramos with a 20-year service award.

County Assessor Delilah Rojo presented Chief Deputy Assessor Barbara Cobos with a 20-year service award.

PRESENTATIONS: New Mexico Association of Counties (NMAC) President/Los Alamos County Clerk Sharon Stover and NMAC Executive Director Steve Kopelman gave a presentation on the NMAC Organization. Highlighted in the presentation were facts about the NMAC, policy Committees and Task Forces, the Board of Directors and Council Members. The NMAC Policy Statement, Legislative Session Accomplishments, and Federal Legislative Initiatives were also outlined, and information concerning the County Employee benefits program and NACo Boards and Steering Committees was also presented.

Colonel Eric Kivi, USAF, Retired, Director, Office of Military Base Planning and Support, presented information to the Board pertaining to the Sun Zia transmission lines at the White Sands Missile Range. Colonel Kivi's presentation outlined possible scenarios as to what may happen if the transmission lines are put in the proposed route, and why there is opposition to Sun Zia at the State and Federal levels.

Mark Valenzuela of G.K. Baum Associates and Osceola Energy gave a presentation on an Energy Initiative for Starmax and the Luna County Detention Center. Mr. Valenzuela presented Bond Information and Osceola Energy associates presented information on solar energy panels.

PUBLIC HEARING ON SOCIAL HOST ORDINANCE NUMBER 95: Chairman Milo opened the floor to receive testimony regarding Social Host Ordinance Number 95. County Manager Charles "Tink" Jackson introduced Partnerships for Success II Director Jessica Jara to the Board. Ms. Jara presented a chain of events pertaining to the Social Host ordinance since the October 7th Community Forum. A discussion ensued amongst the Board, the County Manager and Ms. Jara about the changes made in the Ordinance, and various ways the Ordinance can be enforced, and the potential legal ramifications of enforcing the ordinance. Sheriff John Mooradian stated that he felt the Ordinance was a good idea, and applauded Ms. Jara's efforts on getting the Ordinance passed. Sheriff Mooradian discussed

with the Board the State Statutes, and requested that the language in the Ordinance be changed from *shall* to *may*, leaving enforcement at the citing officer's discretion. Lieutenant Richard Cowles commented that it was important to include in the Ordinance penalties for failure to comply. With no other testimony forthcoming, Chairman Milo closed the public hearing.

SOCIAL HOST ORDINANCE NUMBER 95: Commissioner Diaz motioned to amend and approve Social Host Ordinance Number 95, changing the '*Shall*' on Paragraph 8, item B, (third sentence) to '*May*'. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll-call vote.

PUBLIC HEARING ON PERSONNEL ORDINANCE NUMBER 23 AS AMENDED: Chairman Milo announced this item is postponed on the agenda. Mr. Jackson stated that this item is still pending legal review.

PERSONNEL ORDINANCE NUMBER 23 AS AMENDED: Commissioner Diaz motioned to table Personnel Ordinance Number 23 as Amended. Commissioner Smrkovsky seconded the motion which carried unanimously.

PUBLIC COMMENT: Chairman Milo opened the floor to Public Comment pertaining to items on the agenda, however there was none forthcoming.

COUNTY MANAGER'S REPORT: County Manager Charles "Tink" Jackson reported on the following items:

- The New Mexico CAP Entity-The New Mexico Unit Agreement as negotiated by the NM CAP Negotiation Team was approved by the Secretary of the Interior on November 23rd. The NM CAP Entity now has a year to begin the NEPA process.
- Interstate Stream Commission Canadian River Application- The protesting parties are still waiting for a copy of the settlement agreement to be sent by the Office of the State Engineer for consideration. The latest correspondence received by the County Manger informed the parties that they may not see the document until February.
- Capital Outlay- County Staff met with the City of Deming to discuss potential joining of forces for Capital Outlay requests for the upcoming legislative session. The only area that was agreed upon was to submit a combined request for the Corridor Study for the bypass road. The need for this is immediate. While the County Manager does not believe that the County's capital outlay funds should be used to fund these type of projects, the reality is that it is not getting done, and if the lead is not taken, it will just be another setback. The Corridor Study is on the ICIP.
- The annual County/City Christmas Party was held last Friday evening at the Mimbres Valley Learning Center. Over 250 people attended. Thank You to all of the County and City staff members for making it a very nice celebration, and a big Thank You to Cesar Moreno for providing the music for the dance.

- The annual *Shop with a Cop* event was held this last Saturday. As always, the event was a huge success. Our local law enforcement and staff members do a great job of making this event extra special each year, and they deserve extra recognition for their efforts towards this great program.
- Santa did the honors of lighting the community Christmas trees this past Saturday night after the lighted Christmas Parade. This is the first year the County has had the trees, and hopes to make this a bigger event each year.
- Dispatch- Dispatch has been flooded with calls over the last couple of weeks. For some undisclosed reason, the city began forwarding all of their after-hour calls to their main line to the administration line for Dispatch. Additionally, the public calls to Dispatch requesting information about law enforcement events occurring in the community have increased. During a recent emergency event in the City, all of this became almost overwhelming for the dispatchers. The Dispatch staff handled it very professionally; however changes must be made to ensure that emergency personnel are not put in harm's way. The County will be reviewing new policies that not only allow, but require dispatchers to disconnect non-emergency calls during emergencies. Dispatchers are NOT allowed to give any details related to law enforcement actions. Dispatch is an emergency service, and must be treated as such.
- Adult Drug Court- Planning continues for implementation of a Luna County Adult Drug Court. The first cases are targeted for January 2016. The hoped for outcomes from this pilot project are lower recidivism rates, drop in detention center populations, and increased community involvement for substance abuse, housing, counseling and mental health services for participants.
- Senate Joint Memorial (SJM)4- Work on SJM 4 Task Force has been completed, and the report has been presented to the Legislative Courts, Corrections and Justice Committee. This Task Force was established to study and make recommendations for clinically appropriate housing options for individuals with serious mental illness who are in custody in county detention centers.
- Just a reminder that as we enter the holiday season, we will have staff members taking time off to spend with family. We ask the public to please bear this in mind, and we appreciate their understanding as we get through the holiday season.
- Luna County Dispatch received/sent 10,911 calls for the month of November. The Luna County Sheriff's Office generated 194 calls for service. The Deming Police Department generated 448 calls for service. The Deming Fire Department generated 239 calls for service. The Volunteer Fire Departments generated 2 calls for service. Tipsoft generated 9 calls.
- Community Projects Department: Free "Green" Build and Energy Efficiency Training will be held on December 18th from 8:00 a.m. till 3:00 p.m. at the Mimbres Valley Learning Center. Lunch will be served.
 - Growing Food Connections (GFC): The Steering Committee met on November 18th to plan the Farmer's Meeting that will be held on January 13th at Noon. GFC is hosting a workshop on December 16th from 10 a.m. to 2 p.m. on Leadership for Responsive and Responsible Change Making.

- Keep Luna County Beautiful: Hosted a Community Cleanup on November 7th. The area cleanup was Hwy 418 (Dona Ana to Florida) and 8th Street (Dona Ana to Florida). Girl Scouts, Deming Youth Soccer League, Red Mountain Enrichment, and Boy Scouts picked up and properly disposed of 2,160 lbs. of litter.
- Luna County Detention Center: For the month of November, the inmate daily average population was 363. The U.S. Marshal's Service daily average population was 205. Local daily inmate population was 158. The average length of stay for inmates was 46 days. The average daily population for Sierra County inmates was 37.
 - Luna County Drug Court Meetings continue first cases are targeted for January 2016.
- Special Projects: Worked with the State Board of Finance on Property Transfer for Tulip Landfill, and continues to respond to numerous public records requests: Detention Center, Personnel Request, Land Parcels and Data, and Sheriff Reports.
 - Coordinated and Worked on Personnel Ordinance Revision.
 - Participated in Social Host Ordinance Initiative.
- Road Department: The department has been busy working on the State Projects, and has finished the Carzalia Road SW project (CAP) and has begun work on the Uvas Valley Project (SB-Stetson Road NE) and (Coop- Uvas Valley Road NE). The Road Department appreciates and thanks everyone for their patience, and realizes between the weather and completing state projects, many have been inconvenienced at one time or another. Please accept our apologies; we are doing the best that we can.
- Budget and Procurement: Starmax has received a total of \$189,460.80 towards the digital reimbursement program through 11/30/2015. Remaining balance on conversion expenses is \$199,200.47. Funds are put back into Fund 416 for use on other projects.
- Human Resources and Payroll re-posted for Detention Officer and Medical Detention Officer Positions. The following positions were advertised for and hired for: Central Dispatch: A Dispatcher position. On the website, a part-time position for Partnerships for Success II, Data and Records Specialist. The department is working with Triadic and Erisa Administrative Services to be able to complete the ACA reporting requirements for this year, for 1095, that employees will need in order to be able to file. Form 1095 needs to be available to all employees by January 31, 2016, just like Form W-2.
- Maintenance Department worked on Inspection Work Orders for NMAC Inspection and did Christmas lights in front of Courthouse for the Christmas Trees.
- Mimbres Valley Special Events Center: The Main Hall and Conference Rooms were utilized for 4 events during the month of November: Included in these were 2 Weddings, 1 Quinceanera, and WNMU Early Childhood Public Policy Institution.
- Planning: Manufactured Housing Inspection Permit (MHIP): 3 permits, Moving Mobile Home Permit-1, Building Permit- 9 permits issued.

- Starmax sales for the month of November \$118,700. Starmax hosted the Shop with a Cop Bowling Tournament on November 14th. The *Star Wars* premier is December 17th.
- Emergency Services Department: For the month of November, there were 0 tort claims, 5 workers comp claims, and 0 vehicle accidents.
- Community Health and Well-Being: CASA is currently providing services to Luna, Grant, and Hidalgo Counties. Deming has 20 clients, Silver City 38, and Lordsburg 3. Between the Tri-County Area, there are currently 21 volunteers.
 - The Parents as Teachers program is providing services to 107 clients. Performed 290 visits for the month of November, and held 2 breastfeeding support groups and 1 group connection. 14 pregnancy tests were administered. A car seat class was completed and 8 car seats were inspected, installed and distributed.
- Volunteer Fire Departments- No fire calls.

CONSIDER MINUTES: Upon motion of Commissioner Diaz, seconded by Commissioner Smrkovsky, the minutes of the Friday, November 20, 2015 Regular Meeting was unanimously approved.

CONSENT AGENDA: Upon motion of Commissioner Diaz, seconded by Commissioner Smrkovsky, Accounts Payable Registers totaling \$391,850.91 and Payroll Registers totaling \$1,032,837.72 were unanimously approved.

NEW BUSINESS: County Manager Charles “Tink” Jackson reviewed each item on the New Business agenda with the commissioners:

- RESOLUTION 15-58 BUDGET INCREASES:** Six intra/inter departmental Budget Increases in the amount of \$138,546.51 were proposed. Commissioner Diaz motioned to approve Resolution 15-58 Budget Increases. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll-call vote.
- RESOLUTION 15-59 BUDGET TRANSFERS:** One intra/inter departmental Budget Transfer in the amount of \$949.00 was proposed. Commissioner Smrkovsky motioned to approve Resolution 15-59 Budget Transfers. Commissioner Diaz seconded the motion which carried unanimously following a roll-call vote.
- RESOLUTION 15-60 ADDRESSING FENCING FOR LIVESTOCK:** Mr. Jackson explained this Resolution stems from a request by the Soil and Water Conservation District, and introduced Don Hartmann to the Board to explain the necessity of the Resolution. Mr. Hartmann stated there are three points of inspection for cattle at the port, but along the border fences, cattle can roam freely, where fences are in poor repair or not maintained, leaving livestock and the public susceptible to tuberculosis, brucellosis, and other diseases.

Commissioner Smrkovsky motioned to amend and approve Resolution 15-60 Addressing Fencing for Livestock (adding BLM). Commissioner Diaz seconded the amended motion which carried unanimously following a roll-call vote.

- d. **RESOLUTION 15-61 LUNA COUNTY ROAD SURVEY:** County Manager Jackson outlined the history of this Resolution, and explained that this item stemmed from a conversation from an item from a previous meeting with Commissioner Smrkovsky. Commissioner Smrkovsky stated that the Bureau of Land Management will survey their roads in Luna County, and have contracted High School Students to do this job for them, and further felt that it was important that Luna County has a presence during the survey because the County knows the roads. Commissioner Smrkovsky motioned to deny approval of the resolution, and directed the County Manager's office to write a letter expressing the County's desires to have the Luna County Road Department staff assist with the Road Survey. Commissioner Diaz seconded the motion which carried unanimously following a roll-call vote.
- e. **PROCLAMATION COMMEMORATING LUNA COUNTY SCHOOL CHOICE WEEK:** Mr. Jackson explained this proclamation highlights education and states that the choice of education in Luna County is important. Commissioner Diaz motioned to approve the Proclamation Commemorating Luna County School Choice Week. Commissioner Smrkovsky seconded the motion which carried unanimously.
- f. **2016 HOLIDAY SCHEDULE:** Mr. Jackson recommended approval of the 2016 Holiday Schedule, and stated that there is the same number of Holidays off as last year. Commissioner Diaz motioned to approve the 2016 Holiday Schedule. Commissioner Smrkovsky seconded the motion which carried unanimously.

APPROVAL OF TRAVEL REQUESTS: There were no travel requests submitted; therefore no action was taken on this item.

INDIGENT CLAIMS REPORT: Upon motion of Commissioner Diaz seconded by Commissioner Smrkovsky, the meeting of the Board of County Commissioners was unanimously recessed and the meeting of the Indigent Hospital Claims Board convened. Budget and Procurement Director Joanne Hethcox recommended approval of zero claims dated December 10, 2015 in the amount of zero dollars and zero denials. The monies received for November 2015 totaled \$53,675.60. The balance in the Indigent Funds Accounts as of November 30, 2015 is \$782,765.28. Commissioner Diaz moved to approve zero claims dated December 10, 2015 in the amount of zero dollars and zero denials. Commissioner Smrkovsky seconded the motion which carried unanimously. Commissioner Diaz moved to recess as claims board and to reconvene as the Board of County Commissioners. Commissioner Smrkovsky seconded the motion which was approved unanimously.

EXECUTIVE SESSION: Chairman Milo entertained a motion to enter into Executive Session to discuss pending litigation matters pursuant to 10-15-1 (H) 7 NMSA 1978 pertaining to

Hermanas Grade and Limited Personnel Matters pursuant to 10-15-1 (H)2 NMSA 1978 pertaining to the Commissioners' and County Manager's Roles and Responsibilities. Commissioner Diaz so moved and announced no other matters would be discussed. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.

Commissioner Diaz motioned to return from Executive Session where no other matters were discussed but Pending Litigation Matters and Limited Personnel Matters during the Executive Session, and motioned to allow Javier Diaz to negotiate the pending litigation matters pertaining to Hermanas Grade. Commissioner Smrkovsky seconded the motion, which carried unanimously.

ANNOUNCE NEXT MEETINGS: Chairman Milo announced that the Next Regular Meeting will take place on January 14, 2016. Commissioner Smrkovsky motioned for the meeting time of 9:00 a.m. Commissioner Diaz seconded the motion which carried unanimously following a roll call vote.

ADJOURN: Chairman Milo adjourned the meeting at 1:09 p.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

ANDREA RODRIGUEZ,
1
LUNA COUNTY CLERK

CHAIRMAN, JOE L. MILO, JR., DISTRICT

APPROVED: _____

LINDA M. SMRKOVSKY, DISTRICT 2

R. JAVIER DIAZ, DISTRICT 3

LCBCC Meeting Jan 14th, 2016

Accounts Payable

12/04/2015	\$109,717.07
12/04/2015	\$15,991.38
12/04/2015	\$8,723.86
12/14/2015	\$14,945.59
12/18/2015	\$355,180.54
12/18/2015	\$21,810.75
12/18/2015	\$4,062.32
12/18/2015	\$214.15
12/31/2015	\$56,941.51
12/31/2015	\$15,837.63
12/31/2015	\$16,982.86

P-Cards

12/28/2015	\$141,584.31
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Total \$761,991.97

Luna County
Board of County Commissioners

AGENDA 01/14/16

PAYROLL

12/11/2015	Register#20160066	\$516,862.23
12/11/2015	Register#20160068	\$33,552.95*
12/16/2015	Register#20160069	\$1,702.08
12/16/2015	Register#20160070	\$476.99
12/24/2015	Register#20160071	\$499,121.18
12/24/2015	Register#20160072	\$28,228.39*
12/24/2015	Register#20160073	\$959.16

Total \$1,080,902.98

*Special Payroll that is reimbursable through Grants and/or Contractual Payments.

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 14th day of January 2016, the following proceedings were had and entered of record.

RESOLUTION #16-02

TIMELY PAYMENTS RESOLUTION

WHEREAS, it is sometimes necessary to pay bills to take advantage of discounts or for timely payments between meetings of the Luna County Board of County Commissioners.

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 AND ORDERED 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 14th day of January, 2016

Luna County Board of County Commissioners

ATTEST:

Joe L. Milo, Jr., Member

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Member

R. Javier Diaz, Member

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 14th day of January 2016, the following proceedings were had and entered of record.

RESOLUTION #16-03

NOTICE OF FEES

WHEREAS, the Luna County Board of County Commissioners find it necessary to implement certain fees pertaining to copying, recording, business registrations, transaction 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:
Letter size, (8 1/2" x 11"), legal size, (8" 1/2 x 14"), or tabloid size, (11" x 17") \$0.50
2. Black and white paper map size:
Above tabloid size (11" x 17") up to three (3') feet by four (4') feet \$10.00
3. Black and white paper map size:
Above three (3') feet by four (4') feet up to six (6') feet \$25.00
4. Luna County Addressing Atlas:
Black and White Version \$40.00
Color Version \$60.00
USB Flash Drive \$25.00
Each Additional Layer of 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 14-8-15, et seq., NMSA, 1978 Compilation, as amended. 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.

If a document being filed or recorded contains fewer than ten entries to the county recording index and is filed or recorded in person in the office of the county clerk by one of the interested persons named on the document, the county clerk shall collect a fee of ten dollars (\$10.00). For each fee of ten dollars (\$10.00) collected by the county clerk, three dollars (\$3.00) 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 Compilation, as amended.

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 advalorem taxes is authorized by New Mexico statutes 7-38-51, 52, 53, 54, 55, and 56.

The delinquent personal property tax sale is authorized by New Mexico statutes 7-38-57, 58, and 7-38-59.

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>
\$1,000 and less	\$20.00
\$1,001.00 to \$3,000.00	\$20.00 + \$5.00 per \$500.00 increment in value over \$ 1,001.00
\$3,001.00 and over	\$40.00 + \$1.50 per \$1,000.00 increment in value

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	\$10.00
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Subdivision Ordinance Fees:

See Attachment A

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

Done at Deming, New Mexico this 14th day of January, 2016

Luna County Board of County Commissioners

ATTEST:

Joe L. Milo, Jr., Member

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Member

R. Javier Diaz, Member

ATTACHMENT A

Schedule of Administrative Fees for Administering the Luna County Subdivision Ordinance

Summary Review Application	\$100.00 or \$10.00 per lot
Preliminary Plat Application	\$200.00 or \$15.00 per lot
RE-submittal of revised or corrected plat application	\$100.00
Final Plat Application	\$100.00 or \$25.00 per lot
Replat	(Same as preliminary and final plat)
Vacation of Plat (including partial vacation)	\$75.00
Vacation of Easement	\$50.00
Variance	\$100.00 per variance
Appeals to County Commission	\$50.00
Claim of Exemption	\$25.00

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.

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming, New Mexico, on the 14th day of January 2016, the following proceedings were had and entered of record.

RESOLUTION #16-04

DEPOSITORIES, BOARD OF FINANCE AND MEDIA DESIGNATION

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

OFFICIAL DEPOSITORIES OF COUNTY FUNDS

First New Mexico Bank,
Wells Fargo New Mexico,
N.A., Deming, NM, First
Savings Bank, FSB, Deming,
NM, New Mexico State
Treasurer's Local
Government Investment
Pool

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 14th day of January, 2016
Luna County Board of County Commissioners**

ATTEST:

Joe L. Milo, Jr., Member

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Member

R. Javier Diaz, Member

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 14th day of January 2016, the following proceedings were had and entered of record.

RESOLUTION #16-05

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 AND ORDERED that the Luna County Treasurer, Dora L. Madrid, with consultation of the Chairman of the Board or, in his 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 100% 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 14th day of January, 2016

Luna County Board of County Commissioners

ATTEST:

Joe L. Milo, Jr., Member

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Member

R. Javier Diaz, Member

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming, New Mexico on the 14th day of January 2016, the following proceedings were had and entered of record.

Resolution #16-06

LUNA COUNTY SECTION 3 PLAN

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 Danny Gonzales as the Section 3 Coordinator, to advise and assist key personnel and staff on Section 3 and to officially serve as focal point for Section 3 complaints.

Therefore, the County of Luna shall:

- I. Hiring
 - a. Advertise for all County positions in local newspapers.
 - b. List all County job opportunities with the State Employment Service.
 - c. Give preference in hiring to lower income persons residing in the County. This means that if two equally qualified persons apply and one is a resident of the County and one is not, the resident will be hired.
 - d. Maintain records of County hiring as recommended by this form sample.

County of Luna			HIRING 2015-2016	
PLANNED			ACTUAL	
Job Classification	# of Positions to be Filled	# of Positions to be Filled by Lower Income City or County Residents	# of Positions Filled	Positions Filled by Lower Income County Residents

II. Contracting

- a. The County will compile a list of businesses, suppliers and contractors that are vendors of the County of Luna.
- b. These vendors will be contacted for quotes whenever the County requires supplies or services under a specific dollar amount as defined in the Luna County Procurement Guidelines. Legal notices for projects that require competitive bids will be published in the local newspaper to notify local companies of the prospective project.
- 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 and one from outside the County, the contract will be awarded to the business located within the community.

III. 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. 170. 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 shall require each prime 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 County's Equal Opportunity Section 3 Compliance Officer and retained for monitoring by the state.

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

IV. LOWER INCOME CLARIFICATION

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

Done at Deming, New Mexico this 14th day of January, 2016.

Luna County Board of Commissioners

ATTEST:

Joe L. Milo, Jr., Member

Andrea Rodriguez County Clerk

Linda M. Smrkovsky, Member

R. Javier Diaz, Member

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 14th day of January 2016, the following proceedings were had and entered of record.

RESOLUTION #16-07

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:

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

1. A complaint should be filed, preferable 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 allegations 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 14th day of January, 2016.

Luna County Board of Commissioners

ATTEST:

Joe L. Milo, Jr., Member

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Member

R. Javier Diaz, Member

Be it remembered that at a regular meeting of the Luna County Board of Commissioners in Deming, New Mexico on the 14th day of January, 2016, the following among the proceedings were had and entered of record.

Resolution #16-08

**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION
ASSISTANCE PLAN & CERTIFICATION**

Section 104(d) of the Housing and Community
Development Act of 1974, as Amended

Section 509 of the Housing and Community Development Act of 1987 (Public Law 100-242, approved February 5, 1988) amended section 104 of the Housing and Community Development Act of 1974 (the Act) by adding a new subsection (d).

The new subsection 104(d) of the Act provides that a grant under section 106 (CDBG Programs) may be made only if the grantee certifies that it is following a "residential anti-displacement and relocation plan."

Local governments, recipients under the New Mexico CDBG Program, must make this certification to the State. The requirement applies only to those recipients of CDBG funds awarded to the State by HUD after October 1, 1988.

ACCORDINGLY, the foregoing plan represents the effort of the County of Luna to comply with the requirements of Section 104(d) of the Act and is certified herewith:

PLAN AND CERTIFICATION

The County of Luna herewith certifies that it will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.496 a(b).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the County of Luna will make public and submit to the Local Government Division of the Department of Finance and Administration the following information in writing:

1. A description of the proposed activity;
2. The location on a map and the approximate number of units, described by size (number of bedrooms), that will be demolished or converted;
3. A time schedule for commencement and completion of the demolition or conversion;
4. The location on a map and the approximate number of dwelling units described by size (number of bedrooms) that will be provided as replacement dwelling units;

5. The source(s) of funding and a time schedule for the provision of replacement units; and
6. The basis for concluding that each replacement unit will remain a low/moderate-income dwelling unit for ten (10) years from the date of initial occupancy.

The County of Luna will provide relocation assistance, as described in 570.496a, to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

To the extent the County of Luna participates in Federal Assistance Programs wherein the following anti-displacement strategies can be applied, and consistent with the goals and objectives of activities assisted under the Act, the County of Luna will take the following steps to minimize the displacement of persons from their homes:

DISPLACEMENT STRATEGY UTILIZED FOR CDBG HOUSING PROJECTS THROUGH PARTNERSHIPS WITH THE SOUTHWESTERN REGIONAL HOUSING AND COMMUNITY DEVELOPMENT CORPORATION AND THE WESTERN REGIONAL HOUSING AUTHORITY

A. Steps to Minimize or Prevent Displacement

1. Plan, organize and stage the rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation so as to provide the most convenient, safe and economically sound rehabilitation effort possible.
2. Assist in the identifying and locating of temporary relocation facilities in order to house families whose displacement will be of short duration, so that they can move back to their neighborhood after rehabilitation or new construction.
3. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent the placing of undue financial burdens on long-established owners or on tenants of multi-family buildings.
4. Counsel and advise homeowners and renters to understand the range of assistance that may be available to meet and protect their housing rights and interests.
5. In cooperation with neighborhood organizations, continuously review neighborhood development trends, identify displacement problems, and identify individuals facing displacement who need assistance.

B. Actions to Assist Displaced Persons to Remain in Their Present Neighborhoods

1. Provide lower-income housing in the neighborhood through HUD housing programs; purchase units as is; rehabilitate vacant units; or construct housing units.
2. Give priority in assisted housing units in the neighborhood to area residents facing displacement.

3. Target Section 8 existing programs and certificates to households being displaced, and recruit area landlords to participate in the program.
4. Provide counseling and referral services to assist displacees in finding alternate housing in the neighborhood.
5. Work with area landlords and real estate brokers to locate vacancies or households facing displacement.

C. Actions to Otherwise Mitigate Adverse Effects of Displacement

1. Uses of public funds, such as CDBG, to pay moving costs and provide relocation payments, or, to the extent permissible by local or state law, require private developers to provide compensation to persons displaced by development activities.
2. Give displacees priority in obtaining subsidized housing.
3. Provide counseling and referral services to assist displacees to locate elsewhere in the community.

It shall be the policy of County of Luna that all persons displaced by CDBG activity shall be relocated into housing that is:

- a) Decent, safe and sanitary;
- b) Adequate in size to accommodate the occupants;
- c) Functionally equivalent;
- d) In an area not subject to adverse environmental conditions.

Done at Deming, New Mexico this 14th day of January, 2016.

Luna County Board of Commissioners

ATTEST:

Joe L. Milo, Jr., Member

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Member

R. Javier Diaz, Member

Be it remembered that at a regular meeting of the Luna County Board of County commissioners in Deming, New Mexico, on the 14th day of January 2016, the following proceedings were had and entered of record.

RESOLUTION #16-09

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CITIZEN PARTICIPATION PLAN

Introduction

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 upcoming meetings, actions, and functions.
2. Develop press releases on County meetings, actions, and hearings and circulate to newspapers, radio, and/or television media.

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.

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. 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 upon request.
2. Document technical assistance provided to such groups and have 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 or post notices in the community in areas of high visibility. 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.

Done at Deming, New Mexico this 14th day of January, 2016.

Luna County Board of Commissioners

ATTEST:

Joe L. Milo, Jr., Member

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Member

R. Javier Diaz, Member

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming, New Mexico, on the 14th day January, 2016, the following proceedings were had and entered of record.

RESOLUTION 16-12

NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

WHEREAS, Luna County Government shall comply with the Inspection of Public Records Act of New Mexico; and

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; and

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

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; and

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; and

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; and

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 Assistant to the County Manager/Special Projects Supervisor as the Custodian of Public Records. Contact information is as follows:

Glory Juarez
Luna County Courthouse
County Manager's Office
700 S. Silver Avenue
Deming, NM 88030
Phone: (575) 546-0494
Fax: (575) 544-4293
glory_juarez@lunacountynm.us

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF _____, 2016.

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

ATTEST:

Joe L. Milo, Jr., Commissioner

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Commissioner

R. Javier Diaz, Commissioner

PROPOSAL A

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 14th day of January 2016, the following proceedings were had and entered of record.

RESOLUTION #16-01

NOTICE OF MEETINGS

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

WHEREAS, meetings of the Luna County Board of County Commissioners desire 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 shall annually make a determination regarding what shall be considered reasonable notice to the public for 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, 700 S. Silver Avenue, Deming, New Mexico. Notice of any other regular meetings 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 except that a majority of County Commissioners at any regular meeting may set the agenda for any future meeting(s).
3. 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 before any special meeting.

PROPOSAL A

4. Emergency meetings will be called only under unforeseen circumstances which 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 hours 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 Clerk's 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.

Done at Deming, New Mexico this 14th day of January, 2016

Luna County Board of County Commissioners

ATTEST:

Joe L. Milo, Jr., Member

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Member

R. Javier Diaz, Member

PROPOSAL B

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 14th day of January 2016, the following proceedings were had and entered of record.

RESOLUTION #16-01

NOTICE OF MEETINGS

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

WHEREAS, meetings of the Luna County Board of County Commissioners desire 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 shall annually make a determination regarding what shall be considered reasonable notice to the public for 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, 700 S. Silver Avenue, Deming, New Mexico. Notice of any other regular meetings 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 except that a majority of County Commissioners at any regular meeting may set the agenda for any future meeting(s).
3. A special work session will be held on the 2nd Thursday of each month prior to the regular meeting at 9:00 a.m. The purpose of the work session is to provide the commissioners with an opportunity to discuss agenda items and other necessary items with the Public and Staff.
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 before any special meeting.

PROPOSAL B

5. Emergency meetings will be called only under unforeseen circumstances which 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 hours 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 Clerk's 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.

Done at Deming, New Mexico this 14th day of January, 2016

Luna County Board of County Commissioners

ATTEST:

Joe L. Milo, Jr., Member

Andrea Rodriguez, County Clerk

Linda M. Smrkovsky, Member

R. Javier Diaz, Member

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 16-10
Proposed Inter/Intra Fund Budget Increases**

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

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

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

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

NOW THEREFORE BE IT RESOLVED that the Luna County Board of County Commissioners hereby adopts the changes to the County's Fiscal Year 104, July 1, 2015 through June 30, 2016 Budget proposed by the County's management staff and attached hereto in spreadsheet form, as amendments to the previously adopted operating budget.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF JANUARY, 2016.

LUNA COUNTY

_____,
Chairperson

ATTEST:

Andrea Rodriguez, Luna County Clerk

Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming NM on the 14th day of January, 2016, the following budget adjustments are proposed and entered of record.

SCHEDULE OF BUDGET Of ADJUSTMENTS				Budget Resolution Number 16-10 Proposed Inter/Intra FUND Budget Increase					Entity Code DFA Resolution Number		
ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance	
One	Increase	415/299	Community Services - Grant (NM DOH - Health Council)	415/299	\$ (13,750.00)	415-77-1363 (Revenue) MCH Grant Adm Fee	\$ (10,000.00)	Received additional grant award for deliverables as required by Department of Health.	\$ -	\$ (10,000.00)	
						415-77-1363 (Revenue) MCH Grant Adm Fee	\$ (3,750.00)	Received additional grant award for deliverables as required by Department of Health.	\$ (10,000.00)	\$ (13,750.00)	
Two	Increase	415/299	Community Services - Grant Health Council	415/299	\$ 13,750.00	415-17-2363 Grant - MCH - 2363	\$ 10,000.00	To allow for the expenditure of additional grant award for deliverables required by Department of Health.	\$ 4,629.10	\$ 14,629.10	
Three	Increase	424/223	DWI - Screening Fees	424/223	\$ (3,000.00)	415-17-2363 Grant - MCH - 2363	\$ 667.12	To allow for the expenditure of additional grant award for deliverables required by Department of Health.	\$ 14,629.10	\$ 18,379.10	
						415-17-2363 Grant - MCH - 2363	\$ 8,307.80	To allow for spending of monies carried over to continue with Luna County Health Council activities	\$ 18,379.10	\$ 26,686.90	
						415-77-1629 (Revenue) Other Revenue Sources	\$ (667.12)	Received monies for the Health Council from First New Mexico Bank for support.	\$ -	\$ (667.12)	
						415-17-2363 Grant - MCH - 2363	\$ 667.12	To allow for spending of monies received for the Health Council from First New Mexico Bank for support.	\$ 26,686.90	\$ 27,354.02	
						424-77-1193 (Revenue) DWI Screening Fees	\$ (3,000.00)	Anticipated increase in revenue generated from DWI Screening Fees paid from DWI offenders	\$ (4,500.00)	\$ (7,500.00)	
						424-00-2193 DWI Screening Fees	\$ 3,000.00	To allow for spending of the new Healthy Kids NM Grant through remainder of fiscal year.	\$ 4,000.00	\$ 7,000.00	

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
Four	Decrease	411/299	County Maintenance and Improvements	411/299	\$ (19,200.00)	411-00-2457 Match - SFM- CPVFD Water Tank Grant	\$ (19,200.00)	To zero out line item as SFM funds were reverted back to State of New Mexico.	\$ 19,200.00	\$ -
Five	Decrease	411-299	County Maintenance and Improvements	411/299	\$ (96,000.00)	411-00-2456 SFM-CPVFD Water Tank Grant	\$ (96,000.00)	To zero out line item as SFM funds were reverted back to State of New Mexico.	\$ 96,000.00	\$ -
					\$ (106,892.20)		\$ (106,892.20)		\$ 169,024.20	\$ 62,132.00

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

Done at Deming New Mexico this Thursday the 14th day of January, 2016.

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Joe L. Milo, Jr., District 1

Linda M. Smrkovsky, District 2

R. Javier Diaz, District 3



ATTEST:

Andrea Rodriguez, Luna County Clerk

Entered By:

Date

Checked By:

Date

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 16-11
Proposed Intra/Inter Department Transfers**

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

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

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

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

NOW THEREFORE BE IT RESOLVED that the Luna County Board of County Commissioners hereby adopts the changes to the County's Fiscal Year 104, July 1, 2015 through June 30, 2016 Budget proposed by the County's management staff and attached hereto in spreadsheet form, as amendments to the previously adopted operating budget.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF JANUARY, 2016.

LUNA COUNTY

_____,
Chairperson

ATTEST:

Andrea Rodriguez, Luna County Clerk

Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming NM on the 14th day of January, 2015 the following budget adjustments are proposed and entered of record.

Budget Resolution Number 16-11

Proposed Intra/Inter Department Transfer

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	FROM Current Balance	Transfer amount	TO Line Number	Transfer Amount	Purpose
One	Transfer	428-218	CASA Program	428-54-2002 Salaries - Full-Time	\$50,653.74	\$4,000.00	428-54-2007 Telephone	\$3,400.00	To clean up line items and allow for spending through remainder of fiscal year.
				428-54-2025 Utilities	\$3,084.61	\$2,005.00	428-54-2020 Supplies	\$1,775.00	To clean up line items and allow for spending through remainder of fiscal year.
							428-54-2063 Match - PERA 16.42%	\$300.00	To clean up line items and allow for spending through remainder of fiscal year.
							428-54-2064 Match - FICA 6.2%	\$225.00	To clean up line items and allow for spending through remainder of fiscal year.
							428-54-2070 Match - RHCA 2.00%	\$300.00	To clean up line items and allow for spending through remainder of fiscal year.
							428-54-2066 Workers' Compensation Assmnt	\$5.00	To clean up line items and allow for spending through remainder of fiscal year.
Two	Transfer	401/101	General Fund - Sheriff's Department	401-08-2037 Transportation/ Extradition	\$18,314.61	\$12,113.09	401-08-2002 Salaries - Full-Time	\$21,040.00	To allow for two court security positions for transports and district court duties.
				401-08-2003 Salaries - Part-Time	\$25,848.75	\$24,000.00	401-08-2004 Salaries - Holiday Pay	\$788.00	To allow for two court security positions for transports and district court duties.
							401-08-2060 Match - Medicare 1.45%	\$334.08	To allow for two court security positions for transports and district court duties.
							401-08-2063 Match - PERA 22.975%	\$3,783.17	To allow for two court security positions for transports and district court duties.
							401-08-2064 Match - FICA 6.2%	\$1,428.48	To allow for two court security positions for transports and district court duties.

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	FROM Current Balance	Transfer amount	TO Line Number	Transfer Amount	Purpose
							401-08-2065 Match - Group Insurance	\$8,278.56	To allow for two court security positions for transports and district court duties.
							401-08-2070 Match - RHCA 2.5%	\$460.80	To allow for two court security positions for transports and district court duties.
Three	Transfer	415/299	Community Services - Juvenile Field Services	415-13-2003 Salaries - Part-Time	\$18,982.80	\$4,000.00	415-13-2020 Supplies	\$4,000.00	To clean up line items and allow for spending through remainder of fiscal year.
Four	Transfer	610/218	Drug Investigations - ENDWI Program	610-67-2005 Salaries - Overtime	\$10,040.17	\$1,766.82	610-64-2005 Salaries - Overtime Traffic Safty - 100 Days/Nights	\$1,766.82	To clean up line items that were initially paid from the wrong line item.
				610-67-2060 Match - Medicare 1.45%	\$145.59	\$25.66	610-64-2060 Match Medicare 1.45% - Overtime Traffic Safty - 100 Days/Nights	\$25.66	To clean up line items that were initially paid from the wrong line item.
Five	Transfer	411/299	Community Services			\$19,200.00	708/222	\$19,200.00	To revert matching funds from grant that was returned to the SFM for a water tank for CPVFD
					\$127,070.27	\$67,110.57		\$67,110.57	

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

Done at Deming New Mexico this **Thursday the 14th day of January, 2016.**

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Joe L. Milo, Jr., District 1

Linda M. Smrkovsky, District 2

R. Javier Diaz, District 3



ATTEST:

Entered By:

Date

Andrea Rodriguez, Luna County Clerk

Checked By:

Date



Luna County Detention Center
1700 East 4th Street
Deming, NM 88030

Policy and Procedures Manual 2016

This Policy and Procedures Manual contains changes in procedures and additional policies generated for operation of the Luna County Detention Center. The policies and the procedures, by which they are implemented, are issued to ensure efficient and proper operation of the Center.

The goal of this manual is to instruct and increase the level of professionalism and competence of the personnel. It is anticipated this manual will increase security consciousness, efficiency and job knowledge. The goal is to create an understanding of the policies and procedures to establish sound principle of administration.

The philosophical intent of the Luna County Detention Center is to establish a re-socializing community, providing the offender with basic reintegration skills required to adapt back into society. It is vital that the Corrections system maintains its traditional posture of restraint, but equally important is to incorporate a philosophy that is preventive and rehabilitative in nature. The re-socialization and re-education of the offender is essential to restore his/her status as a productive citizen.

Recommended:


Matthew A. Elwell, CJM Director

Approved:


Charles Tink Jackson, County Manager

LUNA COUNTY BOARD OF COMMISSIONERS

Joe L. Milo, Jr. Chairman

ATTEST:

Andrea Rodriguez, County Clerk

R. Javier Diaz, Commissioner

Linda M. Smrkovsky, Commissioner

DUE TO THE SIZE OF THIS
DOCUMENT, THE POLICY AND
PROCEDURE MANUAL IS
AVAILABLE FOR REVIEW IN THE
COUNTY MANAGER'S OFFICE.

Memorandum of Understanding Working Together Throughout the Promise Zone Term

THIS AGREEMENT is by and between Catron County, New Mexico, Grant County, New Mexico, Hidalgo County, New Mexico, and Luna County, New Mexico (counties), the City of Deming, New Mexico, the City of Bayard, New Mexico, and the City of Lordsburg, New Mexico (cities), the Town of Hurley, New Mexico, the Town of Silver City, New Mexico (towns), the Village of Columbus, New Mexico, the Village of Reserve, New Mexico, the Village of Santa Clara, the Village of Virden, New Mexico (villages), the Catron County Sheriff's Office, Grant County Sheriff's Office, Hidalgo County Sheriff's Office, Luna County Sheriff's Office (Sheriff's departments), City of Bayard Police Department, City of Deming Police Department, Town of Hurley Police Department, City of Lordsburg Police Department, Village of Santa Clara Police Department, City of Silver City Police Department (police), United States Border Patrol, United States Forest Service, the Southwest New Mexico Council of Governments (SWNMCOG), The Wellness Coalition (TWC), Hidalgo Medical Center (HMS), Center for Health Innovations (CHI)(nonprofits), Freeport McMoRan (private sector). It is agreed and understood that the Boards of County Commissioners, City Councils, Town Councils, Village Trustees, and Non-profit Directors, and private sector businesses shall act on behalf of the counties, cities, towns, villages, non-profits, and businesses respectively to plan and support the regional Promise Zone application and implementation.

WHEREAS, it is the opinion of the counties, cities, towns, villages, non-profits, and businesses that this Memorandum of Understanding will support regional strategies for new economic development, educational, and housing opportunities, decrease crime, poverty, and unemployment rates and enhance the quality of place throughout the region (counties, cities, towns, and villages identified above).

PURPOSE AND SCOPE

The Promise Zone designation partners the Federal government with local leaders who are addressing multiple community revitalization challenges in a collaborative way and have demonstrated a commitment to results. Promise Zone Designees will receive:

- An opportunity to engage five AmeriCorps VISTA members in the Promise Zone's work
- A federal liaison assigned to help designees navigate federal programs
- Preferences for certain competitive federal grant programs and technical assistance from participating federal agencies
- Promise Zone tax incentives, if enacted by Congress

Altogether, this package of assistance will help local leaders accelerate efforts to revitalize their communities. The Promise Zone designation will be for a term of 10 years and may be extended as necessary to capture the full term of availability of the Promise Zones tax incentives, pending the enactment of tax incentives by Congress. During this term, the specific benefits made available to Promise Zones will vary from year to year, and

sometimes more often than annually, due to changes in the agency policies and changes in appropriations and authorizations for relevant programs.

Catron County

Ian Fletcher, Catron County Sherriff

Brett Kasten, Grant County

Raul Villanueva, Grant County Sheriff

Darr Shannon, Hidalgo County
Sherriff

Walter Warren, Hidalgo County

Joe Milo, Jr., Luna County

John Mooridian, Luna County Sherriff

Charles Kelly, City of Bayard

Bayard Police Chief

Philip Skinner, Village of Columbus

Benny Jasso, City of Deming

Brandon Gigante, Deming Police Chief

Fernando Martinez, Town of Hurley

Peter Ordonez, Hurley Police Chief

Arthur Clark Smith, City of Lordsburg

Arthur De La Garza, Lordsburg Police Captain

Constance Cordell, Village of Reserve

Richard Bauch, Village of Santa Clara

Lonnell Sandoval, Santa Clara Police Chief

Michael Morones, Town of Silver City

Ed Reynolds, Silver City Police Chief

Rulene Jensen, Village of Virden

Aaron Sera, SWNM Council of Governments

Jose Gardea, United States Border Patrol

Christy Ortiz, The Wellness Coalition

John Brack, Freeport McMoRan

Priscilla Lucero, Grant County Health Council

Adam Mendonca, United States Forest Service
HMS

Darrick Nelson, Chief Medical Officer,

Charlie Alfero, Center for Health Innovations

COUNTY OF LUNA, NEW MEXICO

CAPITAL ASSETS-CAPITALIZATION

Effective Date: 01/14/2016	Revised:
Distribution: County Manager Budget and Procurement Director Accounts Payable/Fixed Assets Specialist Grants Administrators	Kind: Commission Policy

PURPOSE

To establish the County's cost threshold, classification, useful lives and depreciable methods for capital assets and construction in process.

1. The County defines capital assets as assets with an initial individual cost of more than \$5,000.00 and an estimated useful life in excess of one year.
2. Capital assets are classified and depreciated using the straight line method over the following estimated useful lives:

	Governmental Activitie	Business-type Activitie
Buildings and improvements	20-50	20-50
Water and sewer system	50	50
Furniture, equipment and library books	5-10	5-10
Vehicles	5-10	5-10
Capital lease		5-10
Infrastructure	20-50	

3. The Budget and Procurement Director will supervise the capital asset record maintenance and physical inventory in accordance with the Audit Act (Section 12-6-10 NMSA 1978).
4. The Budget and Procurement Director may identify highly sensitive assets with an original cost greater than \$5,000 to be inventoried and tracked separately from those noted above purely for control purposes; not to be included in capital assets for financial reporting purposes.
5. The Budget and Procurement Director may identify construction in process projects to be recorded and tracked separately from those noted above purely for control purposes; not to be included in capital assets for financial reporting purposes. Upon completion of the project the Budget and Procurement Director shall meet with the project manager to verify costs and ensure that the asset is properly identified and added to the depreciation schedule as noted above.

Approved by the Luna County
Board of County Commissioners

_____, Chairperson

RESOLUTION 16-13

AMENDED AND REPLACING RESOLUTION NO. 15-50

**DONATIVE CONVEYANCE OF PROPERTY FROM LUNA COUNTY TO CITY OF
DEMING**

WHEREAS, Luna County received Brownfields Assessment Cooperative Agreement No. BF00F14001 from the U.S. Environmental Protection Agency to perform Phase I and Phase II Environmental Site Assessments at the Tulip Landfill; and

WHEREAS, both Phase I and Phase II assessments have been completed and the FY13 Brownfields Cleanup Grant is complete; and

WHEREAS, Luna County was the owner of the Tulip Landfill during Brownfield Cleanup Grant; and

WHEREAS, for the City of Deming to be eligible to receive a Colonias Infrastructure Grant the applicant must be the sole owner of the site that is the subject of the Colonias Infrastructure Grant Proposal;

NOW THEREFORE, BE IT RESOLVED by signature of Luna County Board of Commissioners that County of Luna agrees to convey ownership of the Tulip Landfill to the City of Deming and pay for Luna County Abstract settlement and recording fees.

FUTHERMORE, BE IT RESOLVED that the donation of property to the City of Deming from Luna County is contingent upon New Mexico State Board of Finance approval.

PASSED, ADOPTED, AND APPROVED this 14th day of January, 2016

Luna County Board of Commissioners

Chairperson

ATTEST:

Andrea Rodriguez, County Clerk

Indigent Hospital Claims Office

Charles "Tink" Jackson, County Manager

IHC Board Meeting January 14, 2016

Month	Number	Amount	Number	Denied
January	11	\$29,086.83	0	\$0.00
Feburary	47	\$64,715.59		
March	0	\$0.00		
April	3	\$3,644.36		
May	0	\$0.00		
June	0	\$0.00		
July	2	\$2,070.80		
August	0	\$0.00		
September	8	\$20,328.49		
October	0	\$0.00		
November	0	\$0.00		
December	4	\$14,741.82		
Total	75	\$134,587.89	0	\$0.00
This Month's Total	Mimbres Memorial Hospital			\$14,741.82
This Month's Total	Gila Regional Medical Center			\$0.00
This Month's Total	Memorial Medical Center			\$0.00
This Month's Total	Deming Fire Dept./EMS			\$0.00
This Month's Total	All Other Services			\$0.00
Total				\$14,741.82
Year to Date Total	Mimbres Memorial Hospital			\$133,221.01
Year to Date Total	All Other Hospitals			
Year to Date Total	Deming Fire Dept./EMS			\$500.00
Year to Date Total	All Other Services			\$866.88
Total				\$134,587.89
Care of Prisoners This Month				\$25,738.11
Care of Prisoners Year to Date Indigent				\$106,523.08
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$188,980.30
Care of Prisoners Year to Date Dr. Bills				\$29,106.61
				\$324,609.99
Monies Received for December 2015				\$46,812.61
Balance in IHC Fund as of December 31, 2015				\$745,868.46
	Amount	Signatures	Date	Denied
Joe L. Milo, Jr	\$14,741.82		01/14/16	\$0.00
Linda M. Smrkovsky				
R. Javier Diaz				

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