

# **LUNA COUNTY BOARD OF COUNTY COMMISSIONERS**

**Linda M. Smrkovsky**  
**Member**

**Barbara L. Reedy**  
**Chair**

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

**Thursday, June 10th, 2021**

**10:00 a.m.**

**Agenda**

**Regular Meeting**

**Luna County Courthouse**

Meeting ID: **meet.google.com/wcm-iczv-vnr** To dial in: 1 414-909-4972 PIN: 939 182 389#

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

2. **Roll Call:**

3. **Minutes:**

- a. Regular Meeting: May 13, 2021
- b. Work Session Meeting: May 17, 2021
- c. Special Meeting: May 19, 2021

## **MOTION AND ROLL CALL VOTE**

4. **Service Awards:**

|                     |          |             |
|---------------------|----------|-------------|
| ● Raul Moreno-Felix | 5 years  | LCDC        |
| ● Lisa Maynes       | 15 years | Treasurer's |
| ● Anna Barraza      | 20 years | PAT         |

5. **Retirements**

|                 |          |      |
|-----------------|----------|------|
| ● Lionel Lozano | 29 years | LCDC |
|-----------------|----------|------|

**6. Presentation:**

- Veteran's Assistance Center: Cabrini Martinez and Richard Orona
- LEDA Presentation for Homegrown Produce LLC: Christie Ann Harvey
- Columbus Land Port of Entry Diversion Berm and Flood Control Project Update by Wilson Company- Eric Hamilton

**7. Elected Officials' Report:**

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

**8. County Manager's Report:**

**9. 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 June 10, 2021 \$707.68

**MOTION AND VOTE**

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

**MOTION AND VOTE**

**10. Call for Ordinance:**

- a. Resolution 21-47: Call to adopt Ordinance 104; Building and Facility Usage

**MOTION AND ROLL CALL VOTE**

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

**12. Consent Agenda:**

- a. Accounts Payable: \$736,335.36
- b. Payroll: \$1,071,440.57
- c. Oath of Office and Appointment of Deputy Sheriff Nicholas Soledad
- d. Oath of Office and Appointment of Deputy Sheriff Derick Lovelace
- e. Oath of Office and Appointment of Deputy Sheriff Osvaldo Lopez
- f. Oath of Office and Appointment of Deputy Sheriff Jacob Moreno

**MOTION AND ROLL CALL VOTE**

**13. Old Business:**

- a. Extraterritorial Zoning Authority

**MOTION AND ROLL CALL VOTE**

**14. New Business:**

- a. Resolution 21-38 Budget Increases  
**MOTION AND ROLL CALL VOTE**
- b. Resolution 21-39: Budget Transfers  
**MOTION AND ROLL CALL VOTE**
- c. Fiscal Year 21-22 Budget Discussion  
**MOTION AND VOTE**
- d. Resolution 21-40: Authorize the Budget Procurement Department to make necessary intra department budget adjustments to clean up line items before end of fiscal year  
**MOTION AND ROLL CALL VOTE**
- e. Resolution 21-41: Disposal of Personal Property  
**MOTION AND ROLL CALL VOTE**
- f. Resolution 21-42: Banning and Restricting the use or sale of certain fireworks  
**MOTION AND ROLL CALL VOTE**
- g. Resolution 21-43: Designation of Polling Places for 2022 and 2023  
**MOTION AND ROLL CALL VOTE**
- h. Resolution 21-44: Camino Doce Transportation Project, Luna County  
**MOTION AND ROLL CALL VOTE**
- i. Resolution 21-45: Columbus International Gateway Project, Luna County  
**MOTION AND ROLL CALL VOTE**
- j. Resolution 21-46 Appointment of Board of Registration  
**MOTION AND ROLL CALL VOTE**
- k. Proclamation 21-05: Supporting Repaying the Rural Borderland Act  
**MOTION AND ROLL CALL VOTE**
- l. Proclamation 21-06: Supporting Enhanced Security on the Border  
**MOTION AND ROLL CALL VOTE**
- m. NM Feeding CO Exemption from Special Tax assessment  
**MOTION AND ROLL CALL VOTE**

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

Regular Commission Meeting: July 8th, 2021 at 10:00 a.m.

**16. Jail Site Inspection**

**17. Adjourn:**

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Thursday, May 13, 2021**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, May 13, 2021 in the Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board. Due to the Covid-19 Pandemic and the Governor's Orders regarding social distancing, the commission meeting was also conducted via teleconference and webcasting with a minimum in attendance from the public and staff.

**The following staff and elected officials were present:** County Manager Chris Brice, Assistant to the County Manager Yossie Nieblas, Tech Assistant Debra Seats, Deputy Clerk Pilar Salcido, Clerk Berenda McWright, Chief Deputy Clerk Leslie Nabours, Probate Judge Diana May-Diaz, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Kristie Hobbs, County Services Specialist Cynthia Grado, Sheriff Kelly Gannaway, Captain Michael Brown, Road Department Director David Bailey, Community Development Director Premal Patel, Dispatch Director Lauree Sanchez, Economic Development & Community Director Christie Ann Harvey, Budget & Procurement Director Joanne Hethcox and County Attorney Charles Kretek. Other directors and elected officials were present virtually.

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

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

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

**MINUTES:** Upon a motion made by Commissioner Smrkovsky and a second by Commissioner Sweetser the Minutes for the Regular Meeting of April 8, 2021, and the Special Meeting of April 21, 2021, were unanimously approved.

**SERVICE AWARDS:** Treasurer Kristie Hobbs presented to Cindy Grado her five-year service pin award.

**ELECTED OFFICIALS REPORTS:** Assessor Michelle Holguin reported the 2021 Notice of Values were mailed out on March 31, 2021, there were 62,750 notices mailed. Included with the Notice of Values was an insert explaining the Notice of Value and an explanation that Luna County is now on a yearly re-appraisal cycle. The rendering period for all exemptions, limitations, and protests ran from March 31<sup>st</sup> thru April 30, 2021. A total of 381 building permits were pulled. A total of 52 protests were filed for 2021. The appraisal staff will be contacting owners for review and conducting informal meetings.

They will also be working on the market and making sure all necessary manufactured homes are processed. The GIS area is working on processing deeds and making sure the maps are updated. They are also issuing County addresses and processing flood plain applications. The staff is making sure all new values on construction, personal property, livestock, and market sales are reported and valued. We are also ensuring that all staff is cross-trained. Several of the staff will be moving forward with training and certifications. The Property Tax Division has gone to a fully automated system. The State is currently auditing documents and has an exit interview scheduled for May 19, 2021.

Clerk Berenda McWright reported on totals for the month of April. Luna County has 12,608 registered voters. A total of 537 documents have been recorded, four new business registrations, and ten new marriage licenses have been issued in the Clerk's office. The Probate Judge office opened 13 probates in April, and we have received \$287.47 in lodgers' tax for the month. Ongoing projects in the Clerk's office are PDA/Minutes, Voter Street File Maintenance, PDS microfilming images, Appointment of Board of Registration, business registration renewals of 237 businesses by July 1st, and certifying the tub and scanning into SERVICE.

Treasurer Kristie Hobbs reported that the due date for property taxes was April 10<sup>th</sup> and delinquent after May 10<sup>th</sup>. The total payments collected in the month of April is 2,873, they did 41 tax releases and collected 834 credit card payments as of April 30<sup>th</sup>. The total amount collected for 2020 property taxes is \$11,045,956. They are currently in conversation with the State in hopes to be chosen as one of the Counties which will start with tax auctions within the next two weeks.

Probate Judge Diana May-Diaz explained that we have single document probate, which are included in the probate total numbers. She thanked the County for the masks and thanked Berenda for including marriages and probates in her report.

Sheriff Kelly Gannaway reported on the criminal side for the month of April there were no homicides, no rapes, two assaults, burglaries are six and larceny are eight. We had two vehicle thefts, and no robberies for the month. The overall criminal totals are down. The non-criminal paper service is up, accidents are down and no DWI's to report. The total for non-criminals is even and the overall grand totals for the month are down. Sheriff Gannaway reported Deputy Solano and Deputy Garcia completed their certification for Deputy. Deputy Peredes is next to go to Dona Ana Academy. They have just hired four individuals for the Sheriff's office. Israel Valdez was promoted to Lieutenant. The Luna County auction will be held on May 15<sup>th</sup>. Chair Reedy thanked Sheriff Gannaway for what he does for Luna County.

Commissioner Smrkovsky reported that on Friday the NMC Board of Directors held a zoom meeting and she was glad to report the next meeting in June will be an in-person meeting. They went over the status of Bills, the ones that passed and the ones that did not pass. There was also a Chief Elected Officials meeting for the Workforce Solutions. The Feds made some changes about three years ago that make government entities liable to repay WIOLA funds if the programs were not successful or were not utilized properly.

**COUNTY MANAGER'S REPORT:** County Manager Chris Brice reported that the Courthouse will be opened to the public, and back to business as usual on Monday, 5/17/2021. The County is currently

in turquoise because of the Governor's changes to the criteria including vaccination rates. Many businesses have opened and now we can also have a mass gathering of a maximum of 150 people:

- Dispatch: A total of 6,686/911 calls were received for the month of April, with 341 warrants, 38 new protection orders, and 64 city alarm triggers. We will be spending quite a bit of money on dispatch. They need a new CAD system which is part of the operations of dispatch, and they are going to need new radios. It is looking close to about an \$800,000 expense. Rescue funds can probably be used for dispatch's new building. They are also looking for grants which can assist with that.
- LCD: A total of 323 people were booked and 172 were released. The average daily population was 257 and the Marshalls was 156. They are doing a Prison Rate Elimination Act (PREA) mock audit which is a vital program and every detention center and correction facility has to have it as a federal standard requirement. Tyler has been working hard to get ready for this.
- Road Department: The County received 2,092 tires this month. Construction has started at Rockhound Colonias which should be completed in July. The Project Application Waivers for the Majestic View/People's Water Coop and the Keeler Farms water projects have been approved. We anticipate that we will get approved for both of those Colonias next year. We are working with US Customs, Border Protection, and Spaceport America to collect, shred, and recycle 141 plus tons of used scrap tires. They need them for one of their projects. They are paying us for the delivery of the scrap tires. We are still working with NMDOT for the improvements to Hwy 180 between here and Silver City. The Auction is scheduled on May 15<sup>th</sup> if you have not signed up you still can do so. The auction starts at 9:00 a.m. we have a notice out to get local food trucks to serve food during the auction. We are still working on the railroad project on Uvas Valley Rd. We submitted a NM RAID grant application for tire recycling and illegal dumping. Road Department Director David Bailey explained they submitted two RAID grant applications, one from the road department and one from Premal's office basically for illegal dumping and scrap tire abatement to keep it out of the desert. One grant was approved for \$204,000 for the road department and \$60,000 for the community development department making it \$264,000 total awarded. The entire State was given \$420,000 so we were allocated more than half of the entire State's allocation. We do continue to have a problem with illegal dumping but when the staff is out doing their rounds and working on the roads they grab anything they see. The County website has a new link for any trash concerns. They can pick up mattresses and tires or whatever is thrown.
- Budget and Procurement: He and Joanne continue to work on the 2021 budget. Joanne is also working simultaneously with OpenGov which is going to be the system you see for budgets next year.
- Human Resources: One maintenance worker, a Starmax server, and a maintenance worker at the Detention Center were hired. We are working with Angie from Cesar Chavez to get us a few of the kids wanting to do an internship at Starmax. We are also getting some YCC kids to do projects throughout the County, they will be with us for a month or a month and a half. We still have openings for Detention Center officers, Starmax needs a part-time cook, the

Healing House needs one full-time and one part-time advocate. The LCDC has a total of 19 open positions.

- **Starmax:** The sales for the month of March are \$10,169. League and opened bowling will resume Wednesday through Saturday. We submitted the requisition for the drive-in movie theatre system. We are shooting for the first of June to start showing movies at the drive-in. The drive-in location will be on the west-facing wall of Starmax. The City of Deming was looking to buy a theatre system so we are going to share the system.
- **Emergency Management:** Currently the Covid spread is 3.03% which is up from 2.24% previously. The increase is possibly due to the schools reopening and some kids getting Covid. We are still okay with the border situation we are nowhere near the situation that Texas is in. A total of 56.3% of the population has had at least one Covid shot and 45.2% are fully vaccinated. They are working on the mobile command unit and trying to get it up to speed. Deming Police Department would like to use the mobile command unit for graduation. Nothing new with Border Patrol or ICE. We have about 1,000 migrants scheduled to cross under the Migrant Protection Protocol in the next few weeks. Which should be easily handled through the El Paso sector.
- **Safety Management:** Safety Program Coordinator Joann Moorman continues to do Covid-19 tracking and reporting for all County employees. She is also managing RAP and the Road Ready training is ongoing. The Workers Compensation PowerPoint presentation for the new hires has been implemented. Joann conducted the appraisals for the County buildings.
- **Luna County Volunteer Fire Department:** They responded to two car fires, six brush fires and had to do one extraction from a building. Because of the work that the Fire Department did with the Forestry Division, and all the training done with the brush trucks and the relationship Pablo built with them they let us have a 2011 Ford F550 4 wheel drive for as long as we want it.
- **DWI:** They are tracking 91 misdemeanor DWI offenders. The teen court program has 21 participants. They have six attendees in the outpatient treatment program and three DWI arrests were reported.
- **Community Health and Well Being:** We are doing renovations to the Healing House, spending some of the Capital Outlay we received two years ago, we are doing the floors. A total of 15 clients were sheltered throughout the month and 32 people were in the Battered Intervention Program. We hired two contracted positions for the Health Council to connect families to services in the community. Casa has 41 kids in Luna and Grant Counties. They have recently started having home visits. They will be back in the office in July. Parents as Teachers are serving 166 clients in Luna and Hidalgo Counties. They did 328 home visits and they are still distributing food.
- **IT:** A total of 801 work orders were completed. There were 1,000 or more attacks on our networks.
- **Planning:** Premal and his people are working with environmental people to assist Columbus with high nitrate levels. We did get approval to move 10-acre feet of water rights to Starmax and at the Detention Center just in case we need it.



- Maintenance: They are replacing the cabinets and flooring at the Healing House. They completed the pavilion. They are ready and standing by for the mural that should be going up on the pavilion wall.
- Economic Development: Christie Ann Harvey has been working on vocational training with Ken Leupold on possible AWS welding and other certified vocations. We are waiting on the final quote for the 21ft. by 15 ft. County sign which will say Deming and Columbus. There is going to be another mural painted on the north wall of Starmax. Ms. Harvey is busy trying to get businesses back up and running.

**INDIGENT CLAIMS REPORT:** Upon a motion by Commissioner Sweetser and a second 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 & Procurement Director Joanne Hethcox reported two claims for the month of April. The total expenditures for the month of April were \$1,036.36 to the Mimbres Memorial Hospital. The year-to-date total to Mimbres Memorial Hospital was \$21,899.18 and \$969.00 for other services with a total of year-to-date expenses being \$22,868.18. The balance for the Indigent Claims Fund totaled \$1,880,781.22, of that \$260,646.77 is encumbered. Commissioner Smrkovsky motioned to approve the Indigent Claims Report as presented. Commissioner Sweetser seconded the motion which carried unanimously.

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

**PUBLIC COMMENT:** Chair Reedy opened the floor to public comment. Russ Howell went before the Board and stated she is unable to hear as the presenters are speaking. She stated we use to provide headsets to the public but she did not see any available. She also asked that the Board of Commissioners plan a meeting to explain their plan to handle the illegal immigrant situation.

Justin Franzoy went before the Board to express his concern about one of his neighbors subdividing their 40-acre property.

Andrew Bill went before the Board to express his concern on what the County Commissioners are going to do to prevent another border crisis with the illegals. "He does not want County funds spent on that mess again".

Susan Schiffner went before the Board to express her concerns with the severe health issue being presented with the excessive fly situation with Keeler Farms dumping their onions. She stated she has been trying to resolve this situation for four years.

Cliff Denshire went before the Board to express his concerns regarding the immigrant issues and would like to see the County take similar action as they did with the Second Amendment issue.

Interim Director for the Deming Luna County Main Street Program Chelsea Evans gave an update on the program.

Cal Wenzel representing Billy the Kid Farms went before the Board to express his concerns with the loss of employment in Luna County if Billy the Kid and the Sensient companies close down. He also expressed his concern about the lack of water in the area.

Alberta Morgan went before the Board to state that there is a trash pickup program in place now. She also expressed her concerns with the lack of information getting out to the public.

Mr. Brice explained he is working extremely hard with the City of Deming and Dona Ana County on the immigrant situation. The County will pay for hotel rooms in El Paso before we decide to house immigrants here. We do not have the people to help and in the Covid environment, we just cannot house immigrants again. All agencies are aware of where we stand with this respect. The current processing system is working well in Santa Teresa. The Annunciation House in El Paso has a network that can process thousands of immigrants. There is also Dona Ana County who would be the next step for immigrants if needed. They are prepared to use the fairgrounds for housing in Dona Ana County. We would be the very last effort for housing. Both Aaron at the City and he have agreed if they had to house anyone it is going to be overnight then they will be bused to Dona Ana County or El Paso the following day. Mr. Brice also stated that Greyhound no longer has a bus stop in Deming which is great for us.

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

- a. Accounts Payable: \$776,949.01
- b. Payroll: \$1,061,789.36

**NEW BUSINESS:**

- a. **Resolution 21-34: Budget Increases:** Budget and Procurement Director Joanne Hethcox explained they are asking for five budget increases. The first one is to supplement the IT department as they have had a lot of extra expenditures with Covid and there are some things at the end of the year deals that we need take advantage of in respect to discounts. Another increase is for the mapping and to replace mapping equipment needed. Indigent claims were increased due to more indigent burials than in the past. Ms. Hethcox is also asking for an increase to pay for mandatory training for a grant program called The Connection Program. The revenue for the commissary needs to be increased as they have to ask for an increase as well. Commissioner Sweetser asked what it cost to bury an indigent. Ms. Hethcox responded that it cost \$600 to bury an indigent person. Commissioner Smrkovsky motioned to approve Resolution 21-34 Budget Increases. The motion was seconded by Commissioner Sweetser and approved unanimously following a roll call vote.
- b. **Resolution 21-35: Budget Transfers:** Budget and Procurement Director Joanne Hethcox explained that they are asking for eleven transfers. Most of them are line item transfers within the same intra-budget where people need money more than what they added. The last three are money transfers from the bonds from the Entertainment Complex, Judicial Complex, and the Detention Center addition. Two of those are going into the local ICIP fund for upcoming projects for next year. The other one is going directly into Starmax just to ensure they have proper operating cash. We are moving some of the excess bond funds to their operating fund. Commissioner Sweetser motioned to approve Resolution 21-34: Budget Transfers: The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.

- c. **Resolution 21-36: FY 2021-2023 MSA between City of Deming and Luna County:** Mr. Brice explained there is not much difference from the previous year MSA. Aaron increased the money the City sent to dispatch. We went back because we had not been paying tipping fees to the dump to let our residents dump at the transfer station at Hwy 549. The biggest reason it was opened was because of the planning combination or consolidation of planning which fell through. We took that back out until the City can get their side of planning figured out and we are ready to consolidate for one County Planning department. Those are the only changes. Commissioner Smrkovsky motioned to approve Resolution 21-36 FY 2021-2023 MSA between City of Deming and Luna County. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.
- d. **Resolution 21-37: Certification of Assets:** Commissioner Sweetser motioned to approve Resolution 21-37 Certification of Assets. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.
- e. **Proclamation 21-04: Supporting Economic Development in Luna County:** Chair Reedy read Proclamation 21-04 in its entirety out loud to the public. Commissioner Smrkovsky motioned to approve Proclamation 21-04. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.
- f. **Luna County Volunteer Fire Pay-Per -Call Policy:** Mr. Brice explained that our firefighters are strictly volunteering. The Chiefs have worked hard to build up this fire department and to get the rating up so we can get more money throughout the year for the fire department. Mr. Brice has reached out to other volunteer fire departments to find out how they encourage volunteers to stay as the turnover rate is high in the volunteer fire department. With that and the rising gas prices, we would like to reward the volunteers for showing up and fighting the fires. We have agreed to a stipend of \$20 per call and would be required to not only show up but put the fire out and go back to the station and help with cleaning the equipment and preparing the equipment for the next call. Once that cycle is completed the Chief will sign off to get payment of \$20 for that call. We have capped the monthly stipend to \$200. Commissioner Sweetser motioned to approve Luna County Volunteer Fire Pay-Per-Call Policy. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.
- g. **Extraterritorial Zoning Authority:** County Attorney Charles Kretek explained that back on November 12<sup>th</sup> of 2020 the Commission repealed Ordinance 87 with the intent of going back to the 2014 regulations. That act means that the three of the Commissioners sit on the Extraterritorial Zoning Authority. Mr. Kretek is asking for permission to solicit the County members to join the committee. The Extraterritorial Zoning Committee would consist of four County members, and four City members and those eight individuals will appoint one more member. Commissioner Smrkovsky motioned to approve Mr. Kretek to solicit County members for the Extraterritorial Zoning Committee. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

#### **EXECUTIVE SESSION:**

**Executive Session pursuant to Section 10-15-1H (7) NMSA 1978 – pertaining to pending litigation update – GRT and Section and Section 10-1H (5) NMSA 1978 to discuss bargaining**

**strategy for collective bargaining sessions with AFSCME Local #1764 (LCSO).** Commissioner Smrkovsky motioned to go into Executive Session pursuant to Section 10-15-1H (7) NMSA 1978 – for the purpose of discussing pending litigation update - GRT and Section 10-1H (5) NMSA 1978 to discuss bargaining strategy for collective bargaining sessions with AFSCME Local #1764 (LCSO). The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

Commissioner Smrkovsky motioned to return from Executive Session pursuant to Section 10-15-1H (7) NMSA 1978 – for the purpose of discussing pending litigation update - GRT and Section 10-1H (5) NMSA 1978 to discuss bargaining strategy for collective bargaining sessions with AFSCME Local #1764 (LCSO). The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

The Commissioners went into Executive Session at 11:10 a.m. and returned from Executive Session at 12:17 p.m.

**ACTION TAKEN:**

- a. **Collective Bargaining Agreement for LCSO – AFSCME #1764:** Commissioner Sweetser motioned to approve the Collective Bargaining Agreement for LCSO – AFSCME #1764. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.

**UPCOMING MEETINGS:** Chair Reedy announced the following upcoming meetings:

Budget Work Session – May 17, 2021 at 10:00 a.m.

Special Meeting – May 19, 2021 at 10:00 a.m.

Regular Commission Meeting – June 10, 2021 at 10:00 a.m.

**ADJOURN:** The meeting was adjourned by Chair Reedy at 12:18 p.m.

**ATTEST:**

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

\_\_\_\_\_  
**BERENDA MCWRIGHT, LUNA COUNTY CLERK**

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

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

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

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

**MINUTES  
WORK SESSION  
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS  
Monday, May 17, 2021**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met at 9:00 a.m. on Monday, May 17, 2021 in Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Work Session. Due to the Covid-19 Pandemic and the Governor's Orders regarding social distancing, the commission meeting was conducted via teleconference and webcasting with a minimum in attendance from the public and staff.

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

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

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

**Linda M. Smrkovsky, District 2**

**John S. Sweetser, District 3**

**DISCUSSION ITEM: 2021-2022 Preliminary Budget Review:** The Luna County Board of County Commissioners were presented the Preliminary Budget items for review and discussion. County Manager Chris Brice and Budget and Procurement Director Joanne Hethcox summarized the budget. Respectively, both County Manager Chris Brice and Joanne Hethcox stood for questions. (\*Note: Items were presented for discussion only and no actions were taken.)

**PUBLIC COMMENT:** Chair Reedy opened the floor to public comment. No public comment was forthcoming.

**NEW BUSINESS:** No new business was discussed.

**ANNOUNCEMENTS:** Special Meeting – May 19, 2021 at 10:00 a.m.

**ADJOURN:** Chair Reedy adjourned the meeting at 11:00 a.m.

**ATTEST:**

**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

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

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

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

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

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

**MINUTES  
SPECIAL MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Wednesday, May 19, 2021**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in Special Session at 10:00 a.m. on Wednesday, May 19, 2021 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 Chris Brice, Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Chief Deputy Assessor Isabel Encisco, Treasurer Kristy Hobbs, Road Department Director David Bailey, Sheriff Kelly Gannaway, Capitan Michael Brown, Economic Development & Community Director Christy Ann Harvey, Community Director Premal Patel, IT Technician Joseph Apodaca and Budget and Procurement Director Joanne Hethcox.

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

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

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

**PUBLIC COMMENT:** Chair Reedy opened the floor for public comment, to which none was forthcoming.

**NEW BUSINESS:**

- a. **2021-2022 Preliminary Fiscal Budget:** Budget and Procurement Director Joanne Hethcox presented the budget re-cap to the Board for discussion. There were minimal changes made to the current budget from the previous year. Commissioner Smrkovsky motioned to approve the 2021-2022 Preliminary Fiscal Budget. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

**ADJOURN:** Upon a motion by Chair Reedy the meeting was adjourned at 10:30.

**ATTEST:**

**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

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

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

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

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

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

# Indigent Hospital Claims Office

Chris A. Brice, County Manager

IHC Board Meeting June 10, 2021

| Month  | Number                       | Amount      | Number             | Denied         |
|--|------------------------------|-------------|--------------------|----------------|
| January  | 0                            | \$0.00      | 0                  | \$0.00         |
| Feburary   | 7                            | \$21,048.89 | 0                  | \$0.00         |
| March  | 2                            | \$782.93    |                    | \$0.00         |
| April  | 2                            | \$1,036.36  |                    | \$0.00         |
| May  | 1                            | \$707.68    |                    | \$0.00         |
| June   |                              | \$0.00      |                    | \$0.00         |
| July   |                              | \$0.00      |                    | \$0.00         |
| August   |                              | \$0.00      |                    | \$0.00         |
| September  |                              | \$0.00      |                    | \$0.00         |
| October  |                              | \$0.00      |                    | \$0.00         |
| November   |                              | \$0.00      |                    | \$0.00         |
| December   |                              | \$0.00      |                    | \$0.00         |
| Total  | 12                           | \$23,575.86 | 0                  | \$0.00         |
| This Month's Total   | Mimbres Memorial Hospital    |             |                    | \$707.68       |
| 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  |                              |             |                    | \$707.68       |
| Year to Date Total   | Mimbres Memorial Hospital    |             |                    | \$22,606.86    |
| 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           |             |                    | \$969.00       |
| Total  |                              |             |                    | \$23,575.86    |
| Care of Prisoners This Month - Not including SNCP Funds            |                              |             |                    | \$7,029.51     |
| Care of Prisoners Year to Date Indigent - Not including SNCP Funds |                              |             |                    | \$327,539.32   |
| Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds       |                              |             |                    | \$21,714.28    |
| Care of Prisoners Year to Date Dr. Bills                           |                              |             |                    | \$0.00         |
| Total Cost of Care of Prisoners Year to Date                       |                              |             |                    | \$349,253.60   |
| Monies Received - May 2021   |                              |             |                    | \$61,993.94    |
| Balance in IHC Fund as of May 31, 2021                             |                              |             |                    | \$2,057,152.68 |
| Encumbrances as of May 31, 2021                                    |                              |             |                    | \$257,652.69   |
|  |                              | Date        | Amount<br>Approved |                |
|  | Signatures                   | 6/10/2021   | \$707.68           | \$0.00         |
| Barbara L. Reedy   |                              |             |                    |                |
| Linda M. Smrkovsky   |                              |             |                    |                |
| John S. Sweetser   |                              |             |                    |                |



**June 10, 2021**

[illegible]

*Be it remembered that at the Special Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 10<sup>th</sup> day of June 2021, the following proceedings were had and entered of record.*

**RESOLUTION NO. 21-47**

**CALL TO ADOPT ORDINANCE 104**

**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 104; Building and Facility Usage, at the Regular Meeting on July 8, 2021, 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 104 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 July 8<sup>th</sup>, 2021 meeting.

**DONE THIS 10<sup>th</sup> DAY OF JUNE, 2021**

by the Board of County Commissioners of Luna County

**ATTEST:**

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

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

**REVIEWED FOR LEGAL SUFFICIENCY:**

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

\_\_\_\_\_  
Charles C. Kretek, County Attorney

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

LCBCC Meeting June 10, 2021  
Accounts Payable

|           |              |
|-----------|--------------|
| 5/05/2021 | \$1,396.42   |
| 5/06/2021 | \$61,231.38  |
| 5/13/2021 | \$1,852.31   |
| 5/13/2021 | \$170,003.00 |
| 5/20/2021 | \$5,150.36   |
| 5/20/2021 | \$126,566.86 |
| 5/27/2021 | \$726.60     |
| 5/27/2021 | \$241,462.62 |

P-Cards

|            |              |
|------------|--------------|
| April 2021 | \$127,945.81 |
|------------|--------------|

Total    \$736,335.36

*Luna County*  
*Board of County Commissioners*

**AGENDA 06/10/2021**

**PAYROLL**

|            |                      |               |
|------------|----------------------|---------------|
| 05/07/2021 | Register # 20210027  | \$ 504,046.22 |
| 05/07/2021 | *Register # 20210028 | \$ 36,800.76  |
| 05/21/2021 | Register # 20210029  | \$ 511,823.93 |
| 05/19/2021 | *Register # 20210030 | \$ 3,273.89   |
| 05/31/2021 | *Register # 20210031 | \$ 15,495.77  |

**Total \$ 1,071,440.57**

\* Special

# APPOINTMENT OF NICHOLAS SOLEDAD

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

This is to certify that I have on this 2<sup>nd</sup> day of June, 2021 A.D. appointed Nicholas Soledad as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing Nicholas Soledad to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 2<sup>nd</sup> DAY OF June, 2021 A.D.

  
\_\_\_\_\_  
SHERIFF, LUNA COUNTY, NEW MEXICO

## OATH OF OFFICE

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss


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

  
\_\_\_\_\_  
SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO  
COUNTY OF LUNA

Subscribed and sworn before me by Kelly Gannaway,  
Sheriff and Nicholas Soledad, appointee.

This 2<sup>nd</sup> day of June, 2021.

  
\_\_\_\_\_  
NOTARY  
My Commission Expires 03-03-2023

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2021 A.D., by the Board of County Commissioners, Luna County, New Mexico.

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

# APPOINTMENT OF DERICK LOVELACE

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

This is to certify that I have on this 2<sup>nd</sup> day of June, 2021 A.D. appointed Derick Lovelace as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing Derick Lovelace to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 2<sup>nd</sup> DAY OF June, 2021 A.D.

  
\_\_\_\_\_  
SHERIFF, LUNA COUNTY, NEW MEXICO

## OATH OF OFFICE


STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

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

  
\_\_\_\_\_  
SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO  
COUNTY OF LUNA

Subscribed and sworn before me by Kelly Gannaway,  
Sheriff and Derick Lovelace, appointee.  
This 2<sup>nd</sup> day of June, 2021.

  
\_\_\_\_\_  
NOTARY  
My Commission Expires 03-03-2023

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2021 A.D., by the Board of County Commissioners, Luna County, New Mexico.

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

# APPOINTMENT OF OSVALDO LOPEZ

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

This is to certify that I have on this 2<sup>nd</sup> day of June, 2021 A.D. appointed Oswaldo Lopez as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing Oswaldo Lopez to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 2<sup>nd</sup> DAY OF June, 2021 A.D.

  
\_\_\_\_\_  
SHERIFF, LUNA COUNTY, NEW MEXICO

## OATH OF OFFICE

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss


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

  
\_\_\_\_\_  
SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO  
COUNTY OF LUNA

Subscribed and sworn before me by Kelly Gannaway,  
Sheriff and Oswaldo Lopez, appointee.

This 2<sup>nd</sup> day of June, 2021.

  
\_\_\_\_\_  
NOTARY  
My Commission Expires 03-03-2023

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2021 A.D., by the Board of County Commissioners, Luna County, New Mexico.

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

# APPOINTMENT OF JACOB MORENO

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss

This is to certify that I have on this 2<sup>nd</sup> day of June, 2021 A.D. appointed Jacob Moreno as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing Jacob Moreno to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 2<sup>nd</sup> DAY OF June, 2021 A.D.

  
\_\_\_\_\_  
SHERIFF, LUNA COUNTY, NEW MEXICO

## OATH OF OFFICE

STATE OF NEW MEXICO )  
COUNTY OF LUNA ) ss


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

  
\_\_\_\_\_  
SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO  
COUNTY OF LUNA

Subscribed and sworn before me by Kelly Gannaway,  
Sheriff and Jacob Moreno, appointee.

This 2<sup>nd</sup> day of June, 2021.

  
\_\_\_\_\_  
NOTARY  
My Commission Expires 03-03-2023

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2021 A.D., by the Board of County Commissioners, Luna County, New Mexico.

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



**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**RESOLUTION NO. 21-38  
Proposed Inter/Intra Fund Budget Increases**

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

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

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

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

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Luna County hereby adopts the changes to the County's Fiscal Year 109, July 1, 2020 through June 30, 2021 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 10<sup>th</sup> DAY OF JUNE 2021.**

BOARD OF COUNTY  
COMMISSIONERS OF LUNA  
COUNTY

---

Barbara L. Reedy, Chairperson

ATTEST:

---

Berenda McWright, Luna County Clerk

Be it remembered that at a Regular meeting of the Board of County Commissioners of Luna County in Deming NM on the 10th day of June, 2021, the following budget adjustments are proposed and entered of record.

**Budget Resolution Number 21-38**  
Proposed Inter/Intra FUND Budget Increase/Decrease

**Budget Resolution Number 21-38**  
Proposed Inter/Intra FUND Budget Increase/Decrease

DFA  
Resolution  
Number

| ITEM NO | Adjustment Type | Fund/ DFA Fund | Dept.                  | From      | Amount            | To   | Amount            | Purpose   | Approved Budget Balance | Adjusted Budget Balance |
|---------|-----------------|----------------|------------------------|-----------|-------------------|--|-------------------|---|-------------------------|-------------------------|
| One     | Increase        | 411/21800      | Community Improvements | 411/21800 | \$ (3,465,000.00) | 411-77-1486 (Revenue) NMBA-POE Flood Control | \$ (3,465,000.00) | To purchase land and to plan, design and construct flood control infrastructure at the Columbus Port of Entry | \$ -                    | \$ (3,465,000.00)       |
|         |                 |                |                        |           | \$ (1,485,000.00) | 411-77-1486 (Revenue) NMBA-POE Flood Control | \$ (1,485,000.00) | To purchase land and to plan, design and construct flood control infrastructure at the Columbus Port of Entry | \$ (3,465,000.00)       | \$ (4,950,000.00)       |
|         |                 |                |                        |           | \$ 3,465,000.00   | 411-00-2486 NMBA-POE Flood Control           | \$ 3,465,000.00   | To purchase land and to plan, design and construct flood control infrastructure at the Columbus Port of Entry | \$ -                    | \$ 3,465,000.00         |
|         |                 |                |                        |           | \$ 1,485,000.00   | 411-00-2486 NMBA-POE Flood Control           | \$ 1,485,000.00   | To purchase land and to plan, design and construct flood control infrastructure at the Columbus Port of Entry | \$ 3,465,000.00         | \$ 4,950,000.00         |
|         |                 |                |                        |           |                   |  |                   |   |                         |                         |
|         |                 |                |                        |           |                   |  |                   |   |                         |                         |
|         |                 |                |                        |           |                   |  |                   |   |                         |                         |
|         |                 |                |                        |           |                   |  |                   |   |                         |                         |
|         |                 |                |                        |           |                   |  |                   |   |                         |                         |
|         |                 |                |                        |           |                   |  |                   |   |                         |                         |
|         |                 |                |                        |           |                   |  |                   |   |                         |                         |
|         |                 |                |                        |           | \$ -              |  | \$ -              |   | \$ -                    | \$ -                    |

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

Done at Deming New Mexico this **Thursday the 10th day of June 2021.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

---

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

*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 10th day of June 2021.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

---

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

*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 10th day of June 2021.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

---

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

---

Barbara L Reedy, District 1

---

---

Linda M. Smrkovsky, District 2

---

---

John S. Sweetser, District 3

---

ATTEST:

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

ATTEST:

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

Entered By: \_\_\_\_\_ Date: \_\_\_\_\_

Checked By: \_\_\_\_\_ Date: \_\_\_\_\_

Entered By: \_\_\_\_\_ Date: \_\_\_\_\_

Checked By: \_\_\_\_\_ Date: \_\_\_\_\_

Entered By: \_\_\_\_\_ Date: \_\_\_\_\_

Checked By: \_\_\_\_\_ Date: \_\_\_\_\_

Entered By: \_\_\_\_\_ Date: \_\_\_\_\_

Checked By: \_\_\_\_\_ Date: \_\_\_\_\_



**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**RESOLUTION NO. 21-39**  
**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 109, July 1, 2020 through June 30, 2021 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 10<sup>th</sup> DAY OF JUNE 2021.**

BOARD OF COUNTY  
COMMISSIONERS OF LUNA  
COUNTY

---

Barbara L. Reedy, Chairperson

ATTEST:

---

Berenda McWright, Luna County Clerk

Be it remembered that at a Regular meeting of the Board of County Commissioners of Luna County in Deming NM on the 10th day of June, 2021 the following budget adjustments are proposed and entered of record.

## Budget Resolution Number 21-39

### Proposed Inter Department Transfer

| ITEM NO | Adjustment Type | Fund/<br>DFA<br>Fund | Dept.                                | From  | FROM Current<br>Balance | Transfer amount | TO Line Number                                   | Transfer Amount | Purpose  |
|---------|-----------------|----------------------|--------------------------------------|---|-------------------------|-----------------|--|-----------------|--|
| One     | Transfer        | 401/11000            | General Fund -<br>Dispatch           | 401-20-2084<br>Safety/Equip/<br>Supplies/Training | \$3,215.13              | \$774.00        | 401-20-2069<br>Membership Dues/<br>Subscriptions | \$774.00        | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
| Two     | Transfer        | 402/20400            | Road Department                      | 402-10-2075<br>Equip Operating<br>Expense         | \$56,766.51             | \$16,006.00     | 402-10-2079<br>Road Construction/<br>Maintenance | \$16,006.00     | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
| Three   | Transfer        | 415/21800            | Community Services -<br>Juv Fld Svcs | 415-13-2020<br>Supplies                           | \$6,687.02              | \$477.00        | 415-13-2060<br>Match - Medicare<br>1.45%         | \$67.00         | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
|         |                 |                      |                                      |   |                         |                 | 415-13-2063<br>Match - PERA<br>16.67%            | \$111.00        | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
|         |                 |                      |                                      |   |                         |                 | 415-13-2064<br>Match - FICA 6.2%                 | \$282.00        | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
|         |                 |                      |                                      |   |                         |                 | 415-13-2066<br>Workers' Comp<br>Assmnt           | \$2.00          | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
|         |                 |                      |                                      |   |                         |                 | 415-13-2070<br>Match - RHCA 2.0%                 | \$15.00         | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
| Four    | Transfer        | 609/22600            | Adult Detention                      | 609-21-2011<br>Vehicle Expense                    | \$21,417.08             | \$200.00        | 609-21-2006<br>Postage                           | \$200.00        | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
| Five    | Transfer        | 609/22600            | Adult Detention                      | 609-21-2011<br>Vehicle Expense                    | \$21,217.08             | \$10,000.00     | 609-21-2181<br>Inmate Housing                    | \$10,000.00     | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
| Six     | Transfer        | 610/21800            | Drug Investigation -<br>HIDTA        | 610-43-2011<br>Vehicle Expense                    | \$13,295.55             | \$1,300.00      | 610-43-2010<br>Mileage/Per Diem                  | \$1,300.00      | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
| Seven   | Transfer        | 610/21800            | Drug Investigation -<br>HIDTA        | 610-43-2011<br>Vehicle Expense                    | \$11,995.55             | \$148.00        | 610-43-2002<br>Salaries - Full-Time              | \$148.00        | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
| Eight   | Transfer        | 610/21800            | Drug Investigation -<br>HIDTA        | 610-43-2392<br>Lordsburg PD                       | \$1,104.32              | \$1,104.00      | 610-43-2357<br>Grant Co. SO                      | \$400.00        | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
|         |                 |                      |                                      | 610-43-2005<br>Salaries - Overtime                | \$52.53                 | \$52.00         | 610-43-2395<br>Town of Silver City               | \$756.00        | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
| Nine    | Transfer        | 610/21800            | Drug Investigation -<br>HIDTA        | 610-43-2011<br>Vehicle Expense                    | \$11,847.55             | \$3,500.00      | 610-43-2020<br>Supplies                          | \$3,500.00      | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
|         |                 |                      |                                      | 610-43-2007<br>Telephone                          | \$1,926.64              | \$179.00        | 610-43-2101<br>Professional/Contract<br>Services | \$179.00        | To clean up negative line item and allow for<br>spending through remainder of fiscal year. |
|         |                 |                      |                                      |   |                         |                 |  |                 |  |

| ITEM NO | Adjustment Type | Fund/<br>DFA<br>Fund | Dept. | From | <i>FROM Current<br/>Balance</i> | Transfer amount | TO Line Number | Transfer Amount | Purpose |
|---------|-----------------|----------------------|-------|------|---------------------------------|-----------------|----------------|-----------------|---------|
|         |                 |                      |       |      |                                 |                 |                |                 |         |
|         |                 |                      |       |      |                                 |                 |                |                 |         |
|         |                 |                      |       |      | \$149,524.96                    | \$33,740.00     |                | \$33,740.00     |         |

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 10th day of June 2021.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

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

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

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



ATTEST:

Entered By:

Date

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

Checked By:

Date

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

**RESOLUTION NO. 21-40**

**Authorizing the  
Budget and Procurement Director  
To Make Final Intra-Departmental  
Line Item 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 109, July 1, 2020 through June 30, 2021 Budget proposed by the County's management staff by authorizing the entry of final intra-departmental line item adjustments at end of fiscal year, as amendments to the previously adopted operating budget.

**PASSED, APPROVED AND ADOPTED THIS 10<sup>th</sup> DAY OF JUNE 2021.**

BOARD OF COUNTY  
COMMISSIONERS OF LUNA  
COUNTY

---

Barbara L. Reedy, Chairperson

ATTEST:

---

Berenda McWright, Luna County Clerk

*Be it remembered that at a Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 10<sup>th</sup> day of June 2021, the following proceedings were had and entered of record.*

## **LUNA COUNTY**

### **RESOLUTION 21-41**

#### **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 10<sup>th</sup> day of June 2021.**

**BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY**

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

---

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





*Be it remembered that at the Regular Meeting of the Luna County Board of County Commissioners in Deming, New Mexico, on the 10<sup>th</sup> day of June 2021, the following proceedings were had and entered of record.*

**RESOLUTION NO. 21-42**

**BANNING AND RESTRICTING THE USE OR SALE OF CERTAIN FIREWORKS IN THE UNINCORPORATED AREAS OF THE COUNTY**

**WHEREAS**, the fire danger in New Mexico is currently severe; and

**WHEREAS**, the unincorporated areas of Luna County and the surrounding jurisdiction are particularly vulnerable with no less than three (3) and up to nine (9) monthly rangeland or brush fires being reported this year; and

**WHEREAS**, the New Mexico Energy, Minerals and Natural Resources Department, through the State Forester, banned all smoking, fireworks, campfires and open fires from all non-municipal, non-federal and non-tribal lands; and

**WHEREAS**, the risk of life, property and the environment clearly exist within the unincorporated areas of Luna County, (due to the severe drought conditions); and

**WHEREAS**, the extreme fire situations severely burden local, state and federal resources; and

**WHEREAS**, the 4<sup>th</sup> of July weekend is approaching, and fireworks are traditionally used to celebrate; and

**WHEREAS**, fireworks constitute a high-risk source of ignition in the severely dry drought conditions currently existing in Luna County; and

**WHEREAS**, the State of New Mexico has enacted the Fireworks Licensing and Safety Act, Sections 60-2C-1 through 11, NMSA 1978; and

**WHEREAS**, Section 60-2C-8.1 authorizes local governing bodies to ban the use of fireworks in severe or extreme drought conditions; and

**WHEREAS**, fireworks are defined in Section 60-2C-2 as a device intended to produce a visible or audible effect by combustion, deflagration or detonation, and

**WHEREAS** the Board of County Commissioners of Luna County is holding a public hearing to determine if fireworks restrictions should be imposed within the unincorporated portions of Luna County affected by extreme or severe drought restrictions.

**NOW, THEREFORE**, be it resolved that the Board of County Commissioners of Luna County declare that extreme drought conditions exist that have created an extreme fire hazard that poses an immediate and significant threat to the peace, safety, health and welfare of Luna County citizens and their property, and therefore:

1. The sale and use of missile-type rockets, helicopters, aerial spinners, stick-type rockets and ground audible devices within the unincorporated areas of Luna County is prohibited.
2. The use of ground and hand-held sparkling and smoke device type 15 fireworks, as defined in Section 60-2C-7, is limited to areas within the unincorporated area of Luna County that are paved or barren or that have a readily accessible source of water for use by the homeowner or general public. The use of all fireworks on all property owned by Luna County is prohibited.
3. The use of display type fireworks within the unincorporated area of Luna County is prohibited.
4. Open fires, campfires, open burning of vegetation or rubbish within the unincorporated area of Luna County is prohibited except for the burning of trash within a container used for such purpose and located near a readily accessible source of water.
5. The limitations and bans contained herein shall be in effect for the next ninety (90) days.

**Done at Deming, New Mexico this 10<sup>th</sup> day of June 2021**

**Board of County Commissioners of Luna County**

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

---

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

*Be it remembered that at a Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 10<sup>th</sup> day of June 2021, the following proceedings were had and entered of record.*

## **RESOLUTION 21-43**

### **DESIGNATION OF POLLING PLACES FOR 2022 AND 2023**

**WHEREAS**, Section 1-3-2A, NMSA 1978, requires the Board of County Commissioner, by resolution, to designate the polling places;

**WHEREAS**, Section 1-3-7 NMSA 1978, requires that no less than one polling place be designated for each precinct, subject to the provisions of Section 1-3-4 NMSA 1978, regarding consolidation of precincts for the establishment of voter convenience centers;

**WHEREAS**, the designation of the polling place shall be for the period beginning on January 1 of the next succeeding even-numbered year (January 1, 2022) until December 31 of the odd-numbered year thereafter (December 31, 2023);

**WHEREAS**, the Board of County Commissioners find that each polling place designated in this resolution complies with the provisions of Section 1-3-7, NMSA 1978;

**WHEREAS**, the Board of County Commissioners find that those precincts that are consolidated to create Voting Convenience Centers meet the requirements of Section 1-3-4, NMSA 1978; will be available to voters of any precinct in the County to cast a vote at the Voting Convenience Center; will make voting more convenient and accessible to voters of the consolidated precinct; will not result in delays for voters in the voting process and are centrally located within the consolidated precinct;

**WHEREAS**, the Board of County Commissioners find that each polling place provides individuals with physical mobility limitations unobstructed access to at least one voting machine.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Luna County designates the polling locations for the period beginning January 1, 2022 and ending December 31, 2023 as follows:

#### **Precinct Numbers**

#### **Location and Address**

##### **Voter Convenience Centers:**

*(All voters in the county may vote at these locations, regardless of where they live.)*

2, 3, 8, 9, 10, 11, 15, 17 & 18

Mimbres Valley Learning Center  
2300 E. Pine Street, Deming, NM

1, 5, 6, 7, 12, 13, 14 & 16

Holy Family Parish Hall  
615 S. Copper St., Deming, NM

4

Columbus Village Library  
112 West Broadway, Columbus, NM

**Early Voting Locations:**

In-Person  
Absentee

Luna County Clerk's Office  
700 S. Silver St., Deming, NM

Alt. In-Person  
Absentee

Mimbres Valley Learning Center  
2300 E. Pine Street, Deming, NM

**DONE AT DEMING, NEW MEXICO THIS 10<sup>TH</sup> DAY OF JUNE 2021**

By the Luna County Board of County Commissioners

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

---

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

## RESOLUTION No. 21-44

### ***CAMINO DOCE TRANSPORTATION PROJECT, LUNA COUNTY***

#### PARTICIPATION IN THE TRANSPORTATION PROJECT FUND PROGRAM ADMINISTERED BY THE NEW MEXICO DEPARTMENT OF TRANSPORTATION

**WHEREAS**, the New Mexico Department of Transportation is soliciting applications for the Department's Fiscal Year 2022 Transportation Project Fund; and

**WHEREAS**, the purpose of the Transportation Project Fund is to assist local and tribal governments with the following: (1) environmental and other studies; (2) planning; (3) design; (4) construction; and (5) acquisition of rights of way necessary for the development of transportation infrastructure, which includes highways, streets, roadways, bridges, crossing structures and parking facilities, including all areas for vehicular use for travel, ingress, egress and parking; and

**WHEREAS**, having reviewed and considered the regulations and the application covering administration and use of said funds; and

**WHEREAS**, ***LUNA COUNTY*** and the New Mexico Department of Transportation have entered into a joint and coordinated effort.

**WHEREAS**, the total cost of the project will be ***\$6,618,905*** to be funded in proportional share by the parties hereto as follows:

- a) New Mexico Department of Transportation's share shall be 95% or ***\$6,287,959.75***  
And
- b) ***LUNA COUNTY***'s proportional matching share shall be 5% or ***\$330,945.25***

TOTAL PROJECT COST IS ***\$6,618,905***

***LUNA COUNTY*** shall pay all costs, which exceed the total amount of ***\$6,618,905***.

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 June 30, 2024 and that ***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 **LUNA COUNTY** to enter into a Cooperative Agreement for Project Control Number **CAMINO DOCE** with the New Mexico Department of Transportation for the TPF Program for year 2021 – 2022 for the **Plan, Design, and Construction** of roadway and drainage improvements on Camino Doce Road SE 2 miles West from McCan Road SE to HWY 11 and 4 miles West from HWY 11 to Hermanas Road within **Luna County** rights of way to include engineering professional services required for a complete and successful project consisting of 2–12 foot driving lanes, 2 foot shoulders on each side of Camino Doce Road, and 4:1 side slopes, along with replacement of existing cattle guards and fencing within the control of **LUNA COUNTY** in **DEMING**, New Mexico.

**HEREBY** requests that the New Mexico Department of Transportation consider and approve said application being in accordance with the regulations governing use and expenditures of said funds.

**PASSED, APPROVED, and ADOPTED** by the governing body of **Luna County** at its regular meeting of June 10, 2021.

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

**ATTEST:**

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

\_\_\_\_\_  
DATE

## **RESOLUTION No. 21-45**

### ***COLUMBUS INTERNATIONAL GATEWAY PROJECT, LUNA COUNTY***

#### **PARTICIPATION IN THE TRANSPORTATION PROJECT FUND PROGRAM ADMINISTERED BY THE NEW MEXICO DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the New Mexico Department of Transportation is soliciting applications for the Department's Fiscal Year 2022 Transportation Project Fund; and

**WHEREAS**, the purpose of the Transportation Project Fund is to assist local and tribal governments with the following: (1) environmental and other studies; (2) planning; (3) design; (4) construction; and (5) acquisition of rights of way necessary for the development of transportation infrastructure, which includes highways, streets, roadways, bridges, crossing structures and parking facilities, including all areas for vehicular use for travel, ingress, egress and parking; and

**WHEREAS**, having reviewed and considered the regulations and the application covering administration and use of said funds; and

**WHEREAS**, ***LUNA COUNTY*** and the New Mexico Department of Transportation have entered into a joint and coordinated effort.

**WHEREAS**, the total cost of the project will be ***\$5,129,543*** to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 95% or ***\$4,873,065.85***  
and
- b. ***LUNA COUNTY***'s proportional matching share shall be 5% or ***\$256,477.15***

**TOTAL PROJECT COST IS *\$5,129,543***

***LUNA COUNTY*** shall pay all costs, which exceed the total amount of ***\$5,129,543***.

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 June 30, 2024 and that ***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 **LUNA COUNTY** to enter into a Cooperative Agreement for Project Control Number **PLATA ROAD** with the New Mexico Department of Transportation for the TPF Program for year 2021 – 2022. The scope of the project is for final plan, design, permitting, construction and construction management services for the Columbus International Gateway Roadway Improvement Project within the control of **LUNA COUNTY** in **DEMING**, New Mexico to include full roadway reconstruction consisting of existing roadway demolition, site clearing and grubbing, subgrade preparation, base course, prime coat application, hot mix asphalt, new curb and gutter and permanent signing and striping. Drainage improvements consist of a proposed subsurface drainage system network, curb drop inlets, roadside concrete swale drainage appurtenances and excavation and grading of a detention pond.

Proposed Routes and Termini include:

1. Contento Avenue from NM-11 to Calle Quinta Road
  - a. Length = 1,400 linear feet.
2. Calle Quinta Road from Contento Avenue to Plata Road
  - a. Length = 1,250 linear feet.
3. Plata Road from NM-11 to 3,650 linear ft. west of NM-11.
  - a. Length = 3,650 linear feet.

**HEREBY** requests that the New Mexico Department of Transportation consider and approve said application being in accordance with the regulations governing use and expenditures of said funds.

**PASSED, APPROVED, and ADOPTED** by the governing body of **Luna County** at its regular meeting of June 10, 2021.

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

**ATTEST:**

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

\_\_\_\_\_  
DATE

*Be it remembered that at a Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 10<sup>th</sup> day of June 2021, the following proceedings were had and entered of record.*

## **RESOLUTION 21-46**

### **APPOINTMENT OF BOARD OF REGISTRATION**

**WHEREAS**, per Section 1-4-34 NMSA 1978, the Board of County Commissioners shall, at its first regularly scheduled meeting in June of each odd-numbered year, appoint three voters who shall constitute the board of registration for the county;

**WHEREAS**, the members appointed to the Board of Registration shall not, during their service, be county employees, elected officials or candidates for public office, and not more than two members of the Board of Registration shall be members of the same political party;

**WHEREAS**, no member of the board of registration may have changed political parties in the two years preceding their appointment in such a manner that member's prior registration would have made that member ineligible to serve;

**WHEREAS**, the current Board of Registration, appointed in 2019 in Resolution 19-37, consists of Debbie French, Charles Bacon and Keith Harris; with Olivia Counce and Paul Hoylen appointed as alternates.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Luna County hereby appoints the following voters, who meet the qualifications, to serve on the Board of Registration, with their term beginning July 1, 2021, and ending June 30, 2023:

1. Tamara Williams (D)
2. Rebecca Lescombs (L)
3. Chuck Bacon (R)

**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Luna County hereby appoints the following voters, who meet the qualifications, to serve as Alternates on the Board of Registration, from July 1, 2021, through June 30, 2023:

1. John Uriberri (R)
2. Carol Felsing (D)

**DONE AT DEMING, NEW MEXICO THIS 10<sup>TH</sup> DAY OF JUNE 2021.**

By the Luna County Board of County Commissioners

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

---

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

*Be it remembered that at the Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 10<sup>th</sup> day of June, 2021, the following proceedings were had and entered of record.*

## **PROCLAMATION 21-05**

### **SUPPORTING REPAYING THE RURAL BORDERLAND ACT**

**WHEREAS**, Luna County is one of three New Mexico Counties forming the 180 mile border with the Republic of Mexico, with 60 miles of border lying within Luna County;

**WHEREAS**, the border between the United States of America and the Republic of Mexico is the most frequently legally and illegally crossed international boundary in the world;

**WHEREAS**, Luna County has long suffered the consequences of illegal border crossings, inconsistent immigration enforcement and ill-advised federal government policies;

**WHEREAS**, in 2019 alone, the Federal Government began releasing thousands of asylum seekers in Luna County without regard for the ability of the asylees to care for themselves or for Luna County to accommodate the large number of asylees released into the community which resulted in at least \$250,000.00 in direct costs to Luna County trying to mitigate the humanitarian crisis created as a result; and

**WHEREAS**, the Board of County Commissioners of Luna County supports all efforts to recognize and address the strain on our community due to illegal immigration.

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Board of County Commissioners of Luna County, on behalf of employees and citizens of Luna County, declares its support for the Repaying the Rural Borderland Act of 2021 proposed by Representative Yvette Herrell (R-NM).

**Done at Deming, New Mexico this 10<sup>th</sup> day of June, 2021**

**Luna County Board of County Commissioners**

**ATTEST:**

---

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

---

**Berenda McWright, County Clerk**

---

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

---

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

*Be it remembered that at the Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 10<sup>th</sup> day of June, 2021, the following proceedings were had and entered of record.*

**PROCLAMATION 21-06**

**SUPPORTING ENHANCED SECURITY ON THE BORDER**

**WHEREAS**, Luna County is one of three New Mexico Counties forming the 180 mile border with the Republic of Mexico, with 60 miles of border lying within Luna County;

**WHEREAS**, the border between the United States of America and the Republic of Mexico is the most frequently legally and illegally crossed international boundary in the world;

**WHEREAS**, Luna County has long suffered the consequences of illegal border crossings, inconsistent immigration enforcement and ill-advised federal government policies;

**WHEREAS**, in addition to the harm done to our community by illegal immigration, the release of any migrants, legal or otherwise, without comprehensive investigation into each migrant, has resulted in the release from Federal custody of individuals with criminal convictions, charges or affiliations and poses a direct and immediate threat to the health, safety and well-being of the citizens of Luna County;

**WHEREAS**, Federal immigration policies, or lack thereof, pose a continuing threat to human life as crime flourishes along the border, including damage to and loss of property, trespassing, home invasion, the expense of law enforcement efforts and the costs of services and benefits to the victims of border crimes;

**WHEREAS**, the power granted by New Mexico law to County Commissioners to provide for the safety, preserve the health, promote prosperity and improve morals, order, comfort and convenience in the county and for its inhabitants is wholly ineffective in addressing the risks created as a direct result of the current release policies of the United States Government; and,

**WHEREAS**, the Board of County Commissioners of Luna County supports all efforts to enhance border security and improving the safety of border communities like Luna County.

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Board of County Commissioners of Luna County, on behalf of employees and citizens of Luna County, declares its support for the Protect Americans from Foreign Criminals Act of 2021 proposed by Representative Yvette Herrell (R-NM).

**Done at Deming, New Mexico this 10<sup>th</sup> day of June, 2021**

**Luna County Board of County Commissioners**

**ATTEST:**

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

**Berenda McWright, County Clerk**

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

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

New Mexico Feeding Co., Inc.

PO Box 661

Deming, NM 88031

Office (575) 546-2651

Fax (575) 546-2652

April 6, 2021

Luna County Manager  
Chris Brice  
700 South Silver Ave.  
Deming, NM 88030

Subject: Certification of Feedlot status and exemption from Special Tax Assessment for the predator control program.

I hereby re-certify that New Mexico Feeding Co. is a feedlot in a confined area where cattle are fattened on full feed for slaughter. The monthly average head count of the beef cattle on feed as of this date is 876 head. These cattle are on the tax rolls, but should be exempt from the predator control special tax assessment due to the nature of this operation and confined feeding.

Sincerely,



Asa Porter

President