

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, May 11, 2023**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, May 11, 2023, 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, Executive Assistant Yossie Nieblas, County Attorney Charles Kretek, Emergency Management Director Pablo Montoya, HR Director Rosa Porras, DA Mike Renteria, Clerk Berenda McWright, Deputy Clerk Toni Esparza, Probate Judge Diana Diaz, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Kristie Hobbs, Chief Deputy Treasurer Jonathan Richmond, Road Department Director David Bailey, Sheriff Mike Eby, Undersheriff Jimmy Garcia, LCDC Director Lee Cook, LCDC Operations Captain Robert Apodaca, LCDC Captain Crystal Lessau, and IT Technician Joseph "JT" Apodaca.

CALL TO ORDER: Chair Sweetser called the meeting to order at 10:07 a.m. after the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

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

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

MINUTES: Commissioner Chandler motioned to approve the minutes for the Regular Meeting on April 6, 2023, and Work Session on April 25, 2023. The motion was seconded by Commissioner Trejo and was unanimously approved.

SPECIAL AWARDS: County Manager Chris Brice presented Yossie Nieblas with her award for 10 years of service.

RETIREMENT: LCDC Director Lee Cook and LCDC Captain Crystal Lessau presented Detention Officer Sylvia A. Baeza with her retirement plaque for 24 years of service (1999-2023).

PRESENTATIONS:

- Mike Renteria, DA stated that he spent 38 days of the 60 days at the Legislative Session this year representing Luna County. Mr. Renteria stated that the District Attorney's Association tracked 164 Bills this last session, all criminal bills. Mr. Renteria stated that one bill was related to the double dipping issue of trying to allow law enforcement to come back especially those that are in good standing that would do a really good job for small rural communities. Mr. Renteria stated that this bill did not pass, but he will not give up on trying to get this passed. Mr. Renteria stated that another bill that was not passed was the Three Strikes Bill, meaning that after three felonies then an individual will receive a life sentence.

Mr. Renteria stated that this bill did not pass. Mr. Renteria stated that Fentanyl is one of the biggest things out there that is targeting our children, and the number of Fentanyl deaths has increased by 3,000%. Mr. Renteria stated that some of the other bills that were presented were the Pre-trial Detention Bill, the Parole for Juveniles, the Straw Purchase bill which was big for law enforcement, and the final bill that passed was sexual abuse of an animal. The Witness Protective Measures Act was designed to not re-traumatize children who were sexually abused, this would stop the child from having to testify and relive what they went through. The final Bill was Chemical Blood Testing in a DWI. Mr. Renteria stated that these were some of the bills that passed and as far as the ones that did not pass, he and the DAs from all other counties will keep trying until the necessary bills are passed.

- New Mexico Border Authority Deputy Director Julio Jimenez presented in place of Marco Grajeda. Mr. Jimenez was accompanied by Financial Coordinator David Espinoza. Mr. Jimenez stated that New Mexico Border Authority is a branch State agency that provides leadership in the development of States International Ports of Entry. Mr. Jimenez stated that New Mexico Border Authority is also the Governor's advisor on International Issues and Economic Development Issues. Mr. Jimenez stated that New Mexico Border Authority facilitated new infrastructure projects to expand our trade with partners in Mexico and others who would like to do business with our border or partners in the area. Mr. Jimenez stated that all major Port of Entry Projects in the fiscal year 2019 were all funded by New Mexico Border Authority totaling about \$90,000,000.00 this is including Luna County. Mr. Jimenez stated that this will be the first time in 32 years that the New Mexico Border Authority has had this major funding of more than \$90,000,000.00. Mr. Jimenez stated that the major project right now is the modernization and expansion of the Santa Teresa Port Of Entry being at the top of the list to receive this funding for this major project and working with. Mr. Jimenez stated that New Mexico Border Authority is working with partners in Mexico so that there is also expansion on their side also. Mr. Jimenez stated that once this project is done the total will be in the area of \$200,000,000.00. Mr. Jimenez stated that the New Mexico Border Authority invested around \$19,000,000.00 for the diversion BERM that is going to help in Columbus so that in the future an Industrial Park can be built to help with job opportunities in the area and bring more commercial infrastructure from Mexico. Mr. Jimenez stated that there is a new facultative wastewater pond, which will help out the old pond which is in need of constant maintenance with a cost of about 1.6 million dollars. Mr. Brice stated that the design for this project has been changed, but that now Wilson has been assigned to finish up the final design so that the county is able to go out to RFP hopefully by September or October 2023.

CONSENT AGENDA:

- Accounts Payable: \$991,275.74
- Payroll: \$1,296,395.42
- Resolution 23-43: Budget Increases
- Resolution 23-44: Budget Transfers

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

NEW BUSINESS:

Final contract award for RFP FY-111-01-LCDC Medical and Behavioral Health Services.

Commissioner Trejo motioned to approve the Final contract award for RFP FY-111-01-LCDC Medical and Behavioral Health Services. The motion was seconded by Commissioner Chandler and was unanimously approved following a roll call vote.

Indigent Claims Report: Commissioner Chandler motioned to Recess as a County Commission Board and convene as Claims Board. The motion was seconded by Commissioner Trejo and unanimously approved.

County Manager Chris Brice reported that in April there were \$12,293.87 in indigent claims of that \$11,807.87 went to Mimbres Memorial Hospital and other services \$486.00. Indigent Claims Fund Balance right now is \$1,928,292.50 with \$495,144.69 of that encumbered as of April 30, 2023.

Commissioner Trejo motioned to approve the Indigent Claims report as submitted. The motion was seconded by Commissioner Trejo and was unanimously approved.

Commissioner Trejo motioned to recess as a Claims Board and reconvene as a County Commission Board. The motion was seconded by Commissioner Chandler and was unanimously approved.

Community Support Reports: Sandy Foster reported that the Humane Society will partner with Starmax on June 9, 2023, to have an on-site adoption that will be put together by the student staff at the Starmax Facility. Ms. Foster stated that the event will be taking place from 10:00 am to 2:00 pm or 11:00 am to 3:00 pm either in the Stamax patio area or inside the facility itself. Ms. Foster stated that for the event there will be dogs and puppies for adoption, no cats and kittens because they are hard to manage in a situation like that and many people are allergic. Ms. Foster stated that in addition, the students that are working with this will be doing some volunteering and community service at the shelter. Ms. Foster stated that the Humane Society had applied for a grant for more spay and neuter money and it was approved in the amount of \$30,000.00 dedicated only to be used for spay or neuter and nothing else.

Elected Officials Report:

Assessor: Assessor Michelle Holguin reported that the Assessor's Office is done with their rendering period for the year 2023 which ended on May 1, 2023. Ms. Holguin stated that her office is receiving a lot of change of addresses from the Notice of Values which helps cut down on the amount of return mail their office receives. Ms. Holguin stated that as usual, the County Service Specialists are busy fulfilling daily tasks such as processing deeds, affidavits, address changes, tax levies for the realtors, and helping customers on the phone, online, and in the office. Ms. Holguin stated that online services are available along with all forms for those who are unable to come to the office physically. Ms. Holguin stated that the Assessor's Office currently has two vacancies that need to be filled. Ms. Holguin stated that the appraisal staff is busy working up the protest which ended May 1, 2023, there were 46 protests filed this year. Ms. Holguin stated that her office now has six certified appraisers, with Renee Rivera recently passing her final course and congratulating

her on her accomplishment in becoming a certified appraiser. Ms. Holguin stated that the last two people needing their certification will be attending classes from July 17, 2023, to July 21, 2023, in Socorro NM. Ms. Holguin stated that the GIS Department has put all of the subdivision scans in the system for easier access. Ms. Holguin stated that they are in the middle of working up their budget for the upcoming year and also are in the middle of their evaluation with the Property Tax Division, with the entrance interview having taken place yesterday and the exit interview taking place on May 17, 2023.

Clerk: No report was given.

Probate Judge: No report was given

Treasurer: No report was given

Sheriff: Sheriff, Mike Eby reported that for the month of April, there were burglaries in the following areas 4000 block of Northwest Cherokee Trail, 8000 block of Southeast Winson Rd, 4000 Block of Southeast San Francisco Rd., 400 block of East Jesus Carreon St in Columbus. Sheriff Eby reported nine larcenies in the following areas, Southwest Ash and Fir Rd, 800 block of Southwest Sylvia Rd, 800 block of Southeast Sylvia Rd, 2000 block of Southeast "J" Street, 3000 block of Southeast McCan Rd, 17000 block of Southeast Coyote Rd, 3000 block of Southeast HWY 418. Sheriff Eby reported Larceny of mail on Southwest Hermanas and Rockhound Rd, 600 block of Santa Monica St. Sheriff Eby reported one DWI, seven assaults, seven motor vehicle thefts of which four were recovered, eight motor vehicle accidents, there were a total of 182 calls with 154 being civil non-criminal.

Commissioners: No comments from the Commissioners were forthcoming.

County Managers Report: County Manager Chris Brice gave the following report. Mr. Brice stated that he has offered to speak to the public about any concerns that they may have about funding, and explain why certain funds cannot be used for other things besides what the money is specified for. This will allow the issues to be discussed and maybe resolved outside of the Regular Meeting time.

Mr. Brice congratulated Edith Vasquez from the DWI department who was awarded a very prestigious award from Presbyterian Medical Services in Albuquerque last week. Mr. Brice stated that this award is for the work that she does with the Health Council and everything that she does in Luna County and assisting surrounding counties as well.

- **Dispatch:**
- **LCDC:**
- **Road Department:**
- **Budget and Procurement:**
- **Risk Management:**
- **Compliance Manager:**
- **Safety and Emergency Management:**
- **Luna County Fire:**

- **CASA:** Mr. Brice Reported that the CASA Program just graduated 80 kids in Hidalgo County from Girl's Circle and the Boy's Club. Mr. Brice stated that Program Coordinator Anadely Martinez has done a really good job with this, whereas Hidalgo County had only a total of two or three graduates to the present with 80 is a great accomplishment.
- **PAT:**
- **JJCS:**
- **IT:**
- **Planning Department:**
- **Starmax:**
- **HR:**
- **DWI and Teen Court:**
- **Miscellaneous:** Mr. Brice briefly reported on Title 42 letting everyone know that it is to expire tonight at midnight. Mr. Brice stated that he, Emergency Services Director Pablo Montoya, Emergency Safety Coordinator Phillip Rodriguez, and City Administrator Arron Sera, have all been in constant contact with the Cabinet Secretary for Home Land Security with the State, also met with law enforcement yesterday including Border Patrol and the Port Authority. Mr. Brice stated that the plan right now is the same as it has always essentially been. Mr. Brice stated that the CPC in El Paso is the Central Processing Station and that is where everyone is being taken at this time and will continue to be taken. Mr. Brice stated that Port Authority will be metering the flow of immigrants coming across the border to five per day at the Columbus Port of Entry. Mr. Brice stated that right now there are about 50 asylum seekers in shelters in Palomas waiting to come across and five is the max per day that are allowed to come across and be processed. Mr. Brice stated that if there are any issues at the Ports of Entry permission has been granted to close down the Port in the area where the issues are taking place. Mr. Brice reported that if in case the NGOs and the CBC get over their max capacity Dona Ana is prepared to assist with setting up a shelter at the Dona Ana Fairgrounds, and Luna County would help transport any immigrants to that shelter. Mr. Brice stated that Luna County is working with the Border Patrol now just in case they need assistance with transport by contacting the Detention Center.

Mr. Brice reported on some of the projects and money received and spent last year.

- \$450,000.00 to be used for the purchase of vehicles which included new units for the Sheriff's Department
- \$500,000.00 for heavy equipment for the Road Department
- \$500,000.00 will go to the batting cages and the youth recreation at Starmax with the total project costing about \$1,000,000.00.
- \$250,000.00 in fiber optic upgrades within County buildings
- \$250,000.00 for Luna County Road equipment
- \$ 5,000,000.00 for the Emergency Operations Center (to upgrade the Armory), This being about \$3,500,000.00 from the state, and about \$1,500,000.00 from FIMA at the Federal level through Congressional Directed Spending.
- \$850,000.00 from Congressional Directed Spending for a mobile command unit for Emergency Operations.
- \$650,000.00-The County applied for this grant for Columbus to get more aid with the wastewater facility.
- \$20,000,000.00 for the BERM Project (Columbus)

- \$5,000,000.00 for roads in the Industrial Park Area in Columbus

Mr. Brice stated that there is a tremendous amount of money that is coming to the County and a lot of it is the County making themselves known with Legislatures, and requesting the amounts which are the County's priority to fund different projects, etc. Mr. Brice stated that getting the money is one thing and managing the money is a whole different thing, involving everyone in the Manager's Office staff to really pay attention to and make sure that the funds are being distributed and handled in the correct manner. Mr. Brice stated that the County is also a Fiscal Agent for a lot of Non-Profits. A lot of the things that Columbus does, the County has to be the Fiscal Agent, which means that the money does not come directly to the County, but the Manager's Office staff does have to monitor how that money is distributed and spent as well as doing all of the reporting.

Executive Session: Pursuant to Section 10-15-1H (2) NMSA 1978 Limited Personnel Matters matter pertaining to LCSO; 10-15-1H(7) NMSA 1978 pending litigation pertaining to LCSO and property acquisition; and 10-15-10-1H(5) NMSA 1978 to discuss collective bargaining strategy.

Commissioner Trejo motioned to enter into Executive Session at 11:45 a.m.: Pursuant to Section 10-15-1H (2) NMSA 1978 Limited Personnel Matters matter pertaining to LCSO; 10-15-1H(7) NMSA 1978 pending litigation pertaining to LCSO and property acquisition; and 10-15-10-1H(5) NMSA 1978 to discuss collective bargaining strategy. The Motion was seconded by Commissioner Chandler and unanimously approved following a roll call vote.

The Commission Board returned from Executive Session at 12:49 p.m. Commissioner Chandler motioned to return from Executive Session: Pursuant to Section 10-15-1H (2) limited to Personal Matters and Collective Bargaining where no other matters were discussed and no action was taken. The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.

Upcoming Meetings/Events (Unless otherwise specified):

County College: Public Safety: May 24, 2023, at 5:30 p.m.

County Offices Closed: May 29, 2023, in Observance of Memorial Day

Regular Meeting: June 8, 2023, at 10:00 a.m.

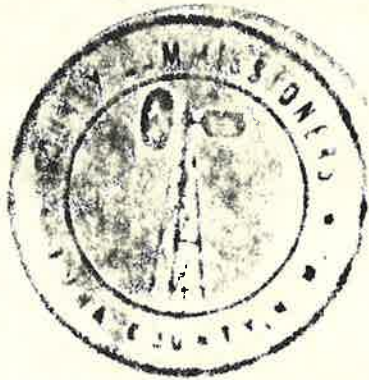
Public Comment: Susan Shiffner offered comment concern on non-agenda items. Carmen Mcdonald commented on the purchase of the new jeeps and asked when the Sheriff's Department would be getting new vehicles. Linda Harmon commented on the help the Sheriff's office has received if any, with new vehicles and more deputies. Kristie Kennedy was unable to comment due to technical issues.

Adjourn: Commissioner Trejo motioned to adjourn the meeting. The motion was seconded by Commissioner Chandler and was unanimously approved and adjourned at 1:08 p.m.

ATTEST:

Berenda McWright
Berenda McWright, Luna County Clerk

Approved: 6-8-23



LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS

Ray J. Trejo
Ray J. Trejo, District 1

Collette M. Chandler
Collette M. Chandler, District 2

John S. Sweetser
John S. Sweetser, District 3