

**MINUTES
SPECIAL MEETING
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Monday, September 19, 2022**

BE IT REMEMBERED: That the Luna County Board of County Commissioners met at 10:00 a.m. on Monday, September 19, 2022, in Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Special Session.

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

ROLL CALL: Deputy Clerk Toni Esparza called roll. The following Commissioners constituting a quorum were present:

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

AGENDA: After a motion from Commissioner Sweetser to approve the agenda as presented, and a second from Commissioner Reedy, the motion was unanimously approved.

PUBLIC COMMENT: Chair Smrkovsky opened the floor to public comment. Alberta Morgan, Esequiel Salas Mayor of the Village of Columbus, and Linda Harmon all came forth and offered comments and concerns.

CALL FOR ORDINANCE:

- a. **Resolution 22-67: Call to Adopt Ordinance 115; increasing the size of the Board of County Commissioners to Five Members:** All County Commissioners and County Manager Chris Brice offered comments and concerns. After a brief explanation, it was said that the approval of the ordinance would allow the Luna County Board of Commissioners to research and see if this is something that the Commission Board would actually like to move forward with. There will be a work session at a later date in order to discuss this agenda item further. After a motion by Commissioner Reedy to approve 22-67: Call to Adopt Ordinance 115; increasing the size of the Board of County Commissioners to five, and a second by Chair Smrkovsky, the motion approved following a roll call vote.

NEW BUSINESS:

- a. **Resolution 22-68: Amending Resolution 21-50 Luna County School Bus Routes (SBR) Project** Mr. Brice offered a brief explanation that the amendment of this Resolution was due to cost and funding. After a motion by Commissioner Reedy to approve Resolution 22-68: Amending Resolution 21-50 Luna County School Bus Routes

(SBR) Project and a second by Commissioner Sweetser the motion was unanimously approved.

- b. **Resolution 22-69; Amending Resolution 21-45: Authorization to Participate in a Transportation Project Fund by NMDOT: Columbus International Gateway Project.** Mr. Brice stated that the amendment of this Resolution was also due to cost and funding. After a motion by Commissioner Reedy to approve Resolution 22-69; Amending Resolution 21-45: Authorization to participate in a Transportation Project Fund by NMDOT: Columbus International Gateway Project and a second by Commissioner Sweetser the motion was unanimously approved.
- c. **Resolution 22-70; Authorization to Participate in a Transportation Project Fund (TPF) by NMDOT: Camino Doce Roadway & Drainage.** After a motion by Commissioner Sweetser to approve Resolution 22-70; Authorizing to Participate in a Transportation Project Fund (TPF) by NMDOT: Camino Doce Roadway and a second by Commissioner Reedy the motion was unanimously approved.
- d. **Resolution 22-71; Authorization to Participate in a Transportation Project Fund (TPF) by NMDOT North Boundary Road.** After a motion to approve Resolution 22-71; Authorization to Participate in a Transportation Project Fund (TPF) by NMDOT North Boundary Road and a second by Commissioner Sweetser the motion was unanimously approved.
- e. **Resolution 22-72; Authorizing Submission of an application to the Water Trust Board for Construction Services for the Florida Mountains, Rockhound Park, and Cookes Peak Flooding Areas.** Mr. Brice explained that this Resolution is just to do design and discovery on the flood issues to be able to find solutions. After a motion by Commissioner Reedy to approve Resolution 22-72; Authorizing Submission of an Application to the Water Trust Board for Construction Services for the Florida Mountains, Rockhound Park, and Cookes Peak Flooding Areas, and a second by Commissioner Sweetser the motion was unanimously approved.
- f. **Certification of 2022 Property Tax Rates:** Assessor Michelle Holguin explained that tax rates had increased due to covid. She explained that there was also a significant drop in personal property due to self-rendering causing the rates to go up due to the overall value decreasing. After a motion by Commissioner Sweetser on Certification of 2022 Property Tax Rates and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.
- g. **Letter of Intent Fort Sill Apache Tribe and Luna County:** Mr. Brice explained that this is an intergovernmental agreement to see how the county will work together with the construction of the gaming area, truck stop, etc. Pablo has been working with a representative of the tribe on getting money from Capital Outlay to put a volunteer fire station and maybe even a new fire truck in that area. At this point, this will be is a truck stop and restaurant for now. After a motion by Commissioner Reedy on the Letter of Intent Fort Apache Tribe and Luna County and a second by Commissioner Sweetser, the motion was unanimously approved.

- h. **Deming Luna County Commission on Aging Appointment of Board-Member Debra French:** This is due to a vacancy needing to be filled. After a motion by Commissioner Sweetser on Deming Luna County Commission on Aging Appointment of Board-Member Debra French and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.

PUBLIC HEARING:

- a. **Ordinance 76 Amended; Tax Obligation for Land Transfers, Divisions and recombinations:** County Attorney Charles Kretek explained that this amendment was to show the change that the taxes on a property will need to be paid before the transfer is approved by the Assessor. Treasurer Kristie Hobbs also explained that the taxes will need to be paid in advance to avoid a double assessment. After a motion by Commissioner Reedy to approve Ordinance 76 Amended; Tax Obligation for land Transfers, Divisions, and recombinations, and a second by Commissioner Sweetser, the motion was unanimously approved following a roll call vote.
- b. **Ordinance 113; An Ordinance Approving a Local Economic Development Project for USDA Certified Meat Processing Facility in Luna County** Mr. Brice stated that this Ordinance gives the County the ability to negotiate on buying the property and all of the structures on the property. Mayor Salas commented on this agenda item. The meat processing plant is out of Arizona and it will have its main corporate headquarters here in Luna County. All waste will be sent to other places to be used in other ways such as dog food. After a motion by Commissioner Reedy to approve Ordinance 113; An Ordinance Approving a Local Economic Development Project for USDA Certified Meat Processing The facility in Luna County and a second from Commissioner Sweetser, the motion was unanimously approved following a roll call vote. The facility in Luna County and a second from Commissioner Sweetser, the motion was unanimously approved following a roll call vote.
- c. **Ordinance 114; An Ordinance Approving Application for a loan from the New Mexico Clean Water State Revolving Fund:** Mr. Brice explained that this Ordinance is for the Lescombes Winery to be able to use the County as a conduit for the States Revolving Trust Fund for water reclamation to build a project to prevent the winery from having to have the water brought in from other sources. After a motion by Commissioner Sweetser to approve Ordinance 114; Ordinance Approving Application for a loan from the New Mexico Clean Water State Revolving Fund and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.
- d. **Variance Request for the Village of Columbus Berm Project Surrounding Properties: Ordinance 56; Subdivision Regulations, and from having to file a Claim of Exemption:** Mr. Brice explained that the County is now in the process of getting the purchase agreements to property owners to be able to start purchasing the property needed to start the BERM Project. Mayor Salas commented on this agenda item, requesting that the Commission Board change the wording on this Variance for it to read (Variance Request for the village of Columbus Berm Project Surrounding *Luna County* Properties: Ordinance 56; Subdivision Regulations, and from having to file a Claim of Exemption.) After a motion by Commissioner Reedy for Variance Request for the Village of Columbus Berm Project Surrounding properties: Ordinance 56; Subdivision

Regulations, and from having to file a Claim of Exemption and a second by Commissioner Sweetser, the motion was unanimously approved following a roll call vote.

- e. **Variance Request for Luna County Property; Deming Ranchettes Lots 9,10,35, and 36 Block 10 Unit 83. Allowing a motorhome as a permanent Occupied Residence:** Chair Smrkovsky stated and verified with Mr. Brice that this Variance was being put into place for one property owner only. With a motion from Commissioner Sweetser to approve Variance Request for the Luna County Property; Deming Ranchettes Lots 9, 10, 35 & 36 Block 10 Unit 83. Allowing a motorhome as a permanent Occupied Residence and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.

Upcoming Meetings/Events (unless otherwise specified):

Regular Meeting: October 6, 2022, at 10:00 a.m.

ADJOURN: Chair Smrkovsky adjourned the meeting at 11:20 a.m..

ATTEST:

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Berenda McWright

Berenda McWright, Luna County Clerk
by Resley Adams
Approved: *10-6-22*

Barbara L. Reedy

Barbara L. Reedy, District 1

Linda M. Smrkovsky

Chair, Linda M. Smrkovsky, District 2

John S. Sweetser

John S. Sweetser, District 3

