

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, March 9, 2017**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, March 9, 2017 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 Ira Pearson, Assistant County Manager Glory Juarez, Executive Administrative Assistant Yossie Nieblas, County Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Elections Administrator Leslie Nabours, Deputy Clerk JoAnna Zurinsky, Treasurer Gloria Rodriguez, Sheriff Kelly Gannaway, Lieutenant Mike Brown, Lieutenant Luis Malina, Special Projects and Facilities Management Director Billy Ruiz, Human Resources Director Danny Gonzales, Budget and Procurement Director Joanne Hethcox, Community Projects Director Jessica Etcheverry, Road Director Marty Miller, Equipment Operator Mike Hatch, Dispatch Director Lauree Sanchez, IT Network Administrator Judit Hatch, IT Technician Manny Armendariz, Partnerships for Success II Program Coordinator Jecca Jara, Public Information Officer Matt Robinson, Safety Director Mark Jasso.

CALL TO ORDER: Chairwoman Smrkovsky called the meeting to order at 10:06 a.m., and County Manager Ira Pearson led the Pledge of Allegiance and the salute to the flag of New Mexico.

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

**Joe L. Milo, Jr., District 1
Linda M. Smrkovsky, Chairwoman, District 2
John S. Sweetser, District 3**

APPROVAL OF AGENDA: The Agenda for today's Regular Meeting was presented to the Board for approval. Commissioner Sweetser motioned to amend and approve the agenda, amending *Consent Agenda* item 9 F as previously recommended by County Manager Ira Pearson, citing a name (spelling) correction in the Resolution. The motion was seconded by Commissioner Milo, which carried unanimously.

ELECTED OFFICIALS REPORTS: Treasurer Gloria Rodriguez reported her office is doing well collecting taxes, and is almost finished with the financial report for February. Ms. Rodriguez introduced Jacob Portillo from the New Mexico State Property Tax Division, and explained that Mr. Portillo is an essential part of helping the Treasurer's office collect delinquent accounts and conduct the Tax Sales.

Sheriff Kelly Gannaway reported that Administrative Assistant Estella Ortiz has been with the County for 25 years, and thanked her for her dedication and service. Sheriff Gannaway stated his department

is in the process of promoting Lieutenant, and the department currently has five new vehicles, four of which are on the street. Sheriff Gannaway also reported that he is having his department become more involved in community policing, and a Career Day is coming up. Burglaries are up and there are 24 felony cases currently open.

Elections Coordinator Leslie Nabours stated that the Board of Registration appointed by the Commission met on Tuesday, and reviewed a list of 1,018 voters that had not voted in two election cycles and the County Clerk's office has received undeliverable mail from those voters. Ms. Nabours also provided details on the ERIC project that the New Mexico Secretary of State's office is participating in conjunction with several other states to clean up voter rolls.

ANNOUNCEMENTS: Community Projects Director Jessica Etcheverry announced the Alta Luna Ribbon Cutting ceremony to take place at 10:00a.m. on March 16th at the Alta Luna solar facility. The public is invited.

Ms. Etcheverry also announced Hump Day Academy training courses, each Wednesday, from 10:00 a.m. to 12:00 p.m. or 1:00 p.m. to 3:00 p.m., and the Deming Business Expo on March 23rd from 10:00 a.m. to 4:00 p.m. Both events are being held at the Learning Center.

COUNTY MANAGER'S REPORT: County Manager Ira Pearson reported on the following items:

- There are 10 days left in the legislative session.
- The New Mexico Association of Counties is keeping the County abreast on where the bills are, and what they are seeing.
- The 36 Mile Corridor Study application to EDA was awarded to the Council of Governments and the Village of Columbus for \$504,300.
- Luna County is working with the City of Deming on a monthly newsletter- more details will be available soon.
- Dispatch: The Department is fully staffed, and new hires are training. 911 Calls: There were 170 Landline Calls made and 931 Wireless calls made.
- Community Projects: The Skate Park Committee had a recent competition to raise money, and came up with innovative ways to better their community and their skate park.
- Hump Day Academies continue to be a success with great community involvement.
- Detention Center: New Detention Director Chris Brice has immersed himself into the position, and observing all practices of the operation. LCDC Daily average population for February: 344 inmates. Local 204, U.S. Marshals Service 140.
- Road Department: New email system is working well, and the Department is currently working on a "Road Rules" informational sheet for distribution in late March.
- Maintenance: Built a new metal fence near Depot and Maintenance Building.
- Starmax: December sales were \$116,091. The Deming High school Bowling Team took 2nd Place in State. This is their first full year in competition.
- Emergency Services: Safety review committee is back to meeting on a regular basis. The purpose of the committee is to review all accident reports and make recommendations.
- Community Health and Well Being: CASA swore in 4 new volunteers in Deming- 1 in Lordsburg.
- Healing House assisted 50 new clients and 9 returning clients.

PUBLIC COMMENT: Chairwoman Smrkovsky opened the floor to Public Comment:

Ray Krecji came before the Board and stated his opinion that the Commission has a Constitutional obligation to conduct Town Hall meetings.

Laurie Findley informed the Board that the Mainstreet Committee will most likely bring on a new intern that is currently a Western New Mexico University student. Ms. Findley also stated the committee is working on several grants and projects. Mainstreet is currently collaborating with the museum for a "Night at the Museum" event, and a Rockabilly Food and Wine Event.

Edward Khanbabian addressed his concerns about Starmax and Hospital loans and the budget. Mr. Khanbabian also inquired about the Pegasus Project.

Christie Ann Harvey gave the Board updates on the fountain in Leyendecker Plaza and the Mainstreet Brick Pavers sale, and an art project in the works.

Fred Williams commented on Starmax sales and budgetary numbers.

Manny Armendariz stated his support for Starmax, and how pirated movies and lax laws affect the movie industry. Mr. Armendariz stated he felt the community could be more supportive by not downloading pirated movies.

CONSIDER MINUTES: Upon motion of Commissioner Sweetser, seconded by Commissioner Milo, the minutes of the February 10, 2017 Work Session and Regular Meeting were unanimously approved.

CONSENT AGENDA: Upon motion of Commissioner Milo, seconded by Commissioner Sweetser the following items on the Consent Agenda were unanimously approved following a roll-call vote.

- a. **Accounts Payable:** Accounts Payable Registers totaling \$2,078,283.30.
- b. **Payroll Registers:** Payroll Registers totaling \$1,072,160.14.
- c. **Resolution 17-21 Budget Increases**
- d. **Resolution 17-22 Budget Transfers**
- e. **Resolution 17-23 Adoption of Required Community Development Block Grant Annual Certifications and Commitments**
- g. **Healing House Confidentiality Statement**
- h. **2017 Annual Certified County Maintained Mileage Report**
- i. **Disapproval of Road Applications- Bandito Road & San Acacia Road (due to not meeting criteria)**

NEW BUSINESS: The following items were submitted to the Board for consideration, and each item was summarized accordingly:

- a. **Luna County Driver's License Policy:** County Manager Ira Pearson summarized this item by explaining this existing policy reiterates or states that County Employees must have a valid driver's license in order to conduct (drive a Luna County vehicle) County business, and if for any reason a valid driver's license is taken away, the employee is not able to perform an essential duty of their job, and may no longer be employed by Luna County. Mr. Pearson further stated that by the Commission approving the policy, employees will sign an agreement to put in their file, and make the policy county wide, and take the policy to a higher level. Commissioner Sweetser motioned to approve Luna County Driver's License Policy. Commissioner Milo seconded the motion which carried unanimously.
- b. **Agreement between Luna County and AFSCME Council 18 Detention Bargaining Unit:** County Manger Ira Pearson stated the approval of this item is the agreement with the County and the union for the Detention Center, and are the 28 Articles that have been negotiated thus

far, and members have signed off that they agree (with the Articles). Other Articles will be negotiated at a later date. Commissioner Milo motioned to approve the Agreement between Luna County and AFSCME Council 18 Detention Bargaining Unit. Commissioner Sweetser seconded the motion which carried unanimously.

- c. **Agreement between Luna County and AFSCME Council 18 Sheriff's Bargaining Unit:** County Manager Ira Pearson recommended amending the motion to reflect a correction of the misspelling in *Reuction in Force* to *Reduction in Force* (Table of Contents Page 2, Article 15). Commissioner Milo motioned to amend and approve Agreement between Luna County and AFSCME Council 18 Sheriff's Bargaining Unit reflecting a correction on a typographical error located on page 2 of the *Table of Contents: Article 15: Reduction in Force*. Commissioner Sweetser seconded the motion which carried unanimously following a roll-call vote.

- d. **5 Member Luna County Board of Commissioners:** Assistant County Manager Glory Juarez outlined the history of this item, and stood for questions from the Board. Factors such as cost for research and polling for redistricting for each Commission District was outlined by Chairwoman Smrkovsky, and stated that she would like to see how Grant County fares with their recent conversion to a five member board. A discussion ensued amongst the Board with other (population and legal) criteria and requirements the County must meet to convert to a five member Board. Chairwoman Smrkovsky stated she would like to revisit this at a later time, but a balanced budget must be obtained first. *This item was presented as a discussion item only, and no action was taken.*

- f. **Resolution 17-24 Approving Luna County Maintained Roads:** *(This item was moved from the Consent Agenda to the New Business portion of the agenda to amend a name change.)* The name change in the resolution should reflect *Gomes* to *Gomez*. Commissioner Milo motioned to amend and approve Resolution 17-24 Luna County Maintained Roads. Commissioner Sweetser seconded the motion which carried unanimously following a roll-call vote.

APPROVAL OF TRAVEL REQUESTS: There were no Travel Requests submitted, therefore no action was taken on this item.

INDIGENT CLAIMS REPORT: Upon motion of Commissioner Milo seconded by Commissioner Sweetser, the meeting of the Board of County Commissioners was unanimously recessed and the meeting of the Indigent Hospital Claims Board convened. Budget and Procurement Director Joanne Hethcox recommended approval of zero claims dated March 9, 2017 in the amount of zero dollars and zero denials. The monies received for February 2017 totaled \$60,738.60. The balance in the Indigent Funds Accounts as of February 28, 2017 is \$632,430.42 with an Encumbered Balance of \$219,192.74. Commissioner Sweetser moved to approve zero claims dated March 9, 2017 in the amount zero dollars and zero denials. Commissioner Milo seconded the motion which carried unanimously. Commissioner Milo moved to recess as claims board and to reconvene as the Board of County Commissioners. Commissioner Sweetser seconded the motion which was approved unanimously.

ANNOUNCE NEXT MEETING: Chairwoman Smrkovsky announced that a Work Session will be conducted on Thursday, April 13, 2017 at 9:00 a.m. and the next regular meeting will be held on Thursday, April 13, 2017 at 10:00 a.m.

REQUESTS FOR FUTURE AGENDA ITEMS: There were no requests for future agenda items.

ADJOURN: Chairwoman Smrkovsky adjourned the meeting at 11:15 a.m.

ATTEST:

Andrea Rodriguez
ANDREA RODRIGUEZ, LUNA COUNTY CLERK

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

ABSENT
JOE L. MILO, JR., DISTRICT 1

APPROVED: 04/13/2017

Linda M. Smrkovsky
LINDA M. SMRKOVSKY, CHAIR, DISTRICT 2

John S. Sweetser
JOHN S. SWEETSER, DISTRICT 3

