

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, January 12, 2017**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 9:00 a.m. on Thursday, January 12, 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 Assistant Yossie Nieblas, County Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk JoAnna Zurinsky, Treasurer Gloria Rodriguez, Chief Deputy Treasurer Dora Madrid, County Assessor Delilah Rojo, Chief Deputy Assessor Barbara Cobos, Captain Kelly Gannaway, Captain Jose Martinez, Lieutenant Luis Malina, Lieutenant Mike Brown, Administrative Assistant Estella Ortiz, Special Projects and Facilities Management Director Billy Ruiz, Interim Detention Director Mary Gooding, Dispatch Director Lauree Sanchez, Dispatch Operations Manager Yovanie Granillo, Community Projects Director Jessica Etcheverry, Road Director Marty Miller, Human Resources Director Danny Gonzales, Budget and Procurement Director Joanne Hethcox, Public Information Officer Matt Robinson, IT Technician Manny Armendariz, Emergency Services Director Mark Jasso.

CALL TO ORDER: Commissioner Milo called the meeting to order at 9:04 a.m., and Commissioner John Sweetser led the Pledge of Allegiance, and the salute to the flag of the State 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, District 2
John S. Sweetser, District 3

ELECT CHAIRMAN OF 2017: Commissioner Milo motioned to elect Linda M. Smrkovsky as 2017 Chairwoman. The motion was seconded by Commissioner Sweetser, and carried unanimously.

ELECTED OFFICIALS REPORTS: County Clerk Andrea Rodriguez reported that Early Voting for the School Board Election begins on January 13th.

County Treasurer Gloria Rodriguez announced that the Tax Season has finished, and it went well. She stated that 58 percent of taxes were collected, and this is one-percent more than last season. Ms. Rodriguez extended a welcome to Commissioner Sweetser, and invited the Commission, Manager's Office, and public to stop in if they had any questions in regards to the business of the Treasurer's Office.

County Assessor Delilah Rojo reported that her office currently has a team working out in the field, and is currently trying to get the books closed for 2016. Notices of Values have to be mailed out

before April 1st. Ms. Rojo also reported that her office is currently back to a full staff after having two employees temporarily out, and a current evaluation went very well due to her staff.

Captain Kelly Gannaway came before the Board and thanked them and the Community for their support during the recent passing of Sheriff John Mooradian. Captain Gannaway also reported that burglaries and larcenies were up, and contributed the rise in those numbers to the holidays.

SERVICE AWARDS: There were no Service Awards given during today's meeting.

ANNOUNCEMENTS: County Manager Ira Pearson thanked and recognized the Elected Officials for their efforts, and their communicating with him and the public.

Community Projects Director Jessica Etcheverry announced the second series of the Hump Day Academy Training Sessions. Ms. Etcheverry stated that there was a Quick Books session held yesterday, and that 24 people attended that class. On January 18th, there will be Excel for both beginners and intermediate levels. The classes are free, and can be reserved by e-mailing Ms. Etcheverry.

PUBLIC COMMENT: Ann Shine-Ring suggested moving the *Public Comment* portion of the agenda right before the *Consent Agenda* stating that it would be better served being more pertinent and timely.

James Paltza, Jr. commented on the Legislative Session, and stated that he hoped Luna County would support the Oversight Committee.

Larry Caldwell urged the Board to consider a five-member Commission. Mr. Caldwell further stated that he felt a work session was a waste of the public's time, and Mr. Caldwell also opined that he felt that the County should consider giving less money to Corre Caminos (*New Business Item B*) stating that the City of Deming uses the services more than the County does, and contributes less.

JoAnna Zurinsky asked the Board for their consideration on New Business item K.

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

- Lauree Sanchez has been named the new Dispatch Director.
- The issue of Wireless 911 calls and a proposed tax continues to be an issue, as there is not a tax on all cell phones (TracPhones and pay-by-minute phones).
- The Maintenance Department removed containers at the Luna County Detention Center, and continues to prepare for the construction of the facility.
- The Maintenance department also replaced temporary sensors at Starmax.
- Four interviews were conducted for Detention Director, and the County is taking careful consideration to research all candidates.
- The Luna County Detention Center Daily Average Population for December was 334 Inmates. U.S. Marshals Service 157, Local -176.
- The Road Department completed all state road projects, and also assisted the Maintenance Department with removing containers from the Detention Center.
- Budget and Procurement has completed the RFP process, and is now working with Detention Center contractors.
- Human Resources has begun the GovU online training classes with County Employees, and they are working well. The Department is also updating the Luna County Salary plan.

- Starmax sales for the month of December were \$133,563. Starmax will be hosting the USBC (United States Bowling Congress) Women's Qualifier set in January.
- Healing House had a walk through inspection last month and inside work is needed on the floors, windows and appliances.
- Volunteer Fire Departments: Membership is over 30 between both stations.
- Capital Outlay requests (funding for Healing House improvements, Career Tech Center, road improvements)

CONSIDER MINUTES: Upon motion of Commissioner Milo, seconded by Commissioner Sweeter, the minutes of the December 1, 2016 Work Session and Regular Meeting were unanimously approved.

CONSENT AGENDA: Assistant County Manager Glory Juarez recommended moving item C. Resolution 17-01 Notice of Meetings to allow the Board to decide their preference for meeting times. Upon a motion of Commissioner Milo, seconded by Commissioner Sweetser item C. was moved to New Business and the following items on the Consent Agenda were unanimously approved following a roll-call vote:

- a. Accounts Payable:** Accounts Payable Registers totaling \$1,273,664.20.
- b. Payroll Registers:** Payroll Registers totaling \$1,112,441.01.
- d. Resolution 17-02 Timely Payments**
- e. Resolution 17-03 Notice of Fees**
- f. Resolution 17-04 Depositories, Board of Finance, and Media Designation**
- g. Resolution 17-05 Designating Treasurer to Require Collateralization**
- h. Resolution 17-06 Luna County Section 3 Plan**
- i. Resolution 17-07 ADA Grievance Procedures**
- j. Resolution 17-08 Residential Anti-Displacement**
- k. Resolution 17-09 CDBG Citizen Participation Plan**
- l. Resolution 17-10 Budget Increases**
- m. Resolution 17-11 Budget Transfers**
- n. Resolution 17-12 Notice of Right to Inspect Public Records**
- o. Resolution 17-15 Authorizing Application for DWI Grant and Distribution Program**
- p. Statement of Assurances for Luna County DWI FY-18**
- q. Department of Health Assurances and Cooperative Agreement**
- r. Memorandum of Understanding between NM Department of Finance and Admin/Local Government and Luna County**
- s. Appointment of Deputy Sheriff- Tommy Mora**

NEW BUSINESS: County Manager Ira Pearson reviewed each item on the New Business agenda with the Commissioners:

- a. Resolution 17-13 Creating the Luna County Community and Economic Development Advisory Committee (Replacing Resolution 14-39):** Community Projects Director Jessica Etcheverry stated the Resolution is being amended to add a subcommittee under the Deming-Luna County Economic Development Board. Ms. Etcheverry stated that Zack Penn was appointed by former District 3 Commissioner Javier Diaz, and if Commissioner Sweeter would like for Mr. Penn to keep his appointment for District 3, he will be able to do so. Ms. Etcheverry further informed Commissioner Smrkovsky that her District 2 appointment, Lori Coleman, was no longer residing in the area, and resigned her position on the advisory committee, and a new appointment would need to be made. Commissioner

Milo motioned to approve Resolution 17-13 Creating the Luna County Community and Economic Development Advisory Committee (Replacing Resolution 14-39). Commissioner Sweetser seconded the motion, which carried unanimously following a roll-call vote.

- b. Resolution 17-14 Providing Financial Support to Corre Caminos:** Jessica Etcheverry explained that the New Mexico Department of Transportation requires not only a support letter but also a Resolution for Corre Caminos when they apply for funding. The amount is not to exceed \$70,000 because through the County's Multi-Services agreement with the Village of Columbus, the Village pays \$10,000 for Corre Caminos services, and they are not a member of the Southwest RTD. The County is paying \$60,000 for Corre Caminos, and is contingent on funding for the budget cycle for FY 18. Commissioner Sweetser motioned to approve Resolution 17-14 Providing Financial Support to Corre Caminos. Commissioner Milo seconded the motion which carried unanimously following a roll-call vote.
- c. Resolution 17-16 Agreement between Luna County and Southwest New Mexico Council of Governments for Annual Membership & Appointment of Members:** Jessica Etcheverry stated that this is a regular and yearly agreement with the Council of Governments (COG) She explained there is no longer a requirement for an Elected Official as an a appointment on the Board per the funding requirement, and recommended Jessica Etcheverry as the designate, and Glory Juarez as the alternate. Chairwoman Smrkovsky stated that she had an issue with the contract, as it was not written correctly, and as written, it stated that an Elected Official needed to be appointed. Commissioner Milo motioned to approve Resolution 17-16 Agreement between Luna County and Southwest New Mexico Council of Governments for Annual Membership & Appointment of Members. Appointing Chairwoman Smrkovsky Designate, Jessica Etcheverry first alternate, and Glory Juarez second alternate. Commissioner Sweetser seconded the motion which carried unanimously following a roll-call vote.
- d. Approval of Amended 2017 Holiday Schedule:** Mr. Pearson explained the reason for the amendment is that the County followed the State holiday schedule, and Christmas will fall on a Monday, by amending the schedule and giving Tuesday off, instead off Friday, this will allow employees an extra travel day (so they will not need to travel on Christmas Day), or an extra day to spend with their family. Commissioner Sweetser motioned to approve the Approval of Amended 2017 Holiday Schedule. Commissioner Milo seconded the motion which carried unanimously.
- e. Luna County Title VI Plan:** Jessica Etcheverry summarized this item as the application a multi-use path from Dona Ana and between 11th and 8th Streets, and will make a square around the community for an alternate pass. Commissioner Milo moved to approve the Luna County Title VI Plan. Commissioner Sweetser seconded the motion which carried unanimously.
- f. Financial Audit Letter:** Mr. Pearson stated this item allows the state to release the County's audit findings, and there were six findings. Mr. Pearson stated the majority of the findings have been corrected, and they are available for review in the County Manager's office. This item was a presentation item only, and no action was taken.
- g. Disposal of Assets (Fire Truck):** Mr. Pearson stated this item is a transfer of assets (Fire Truck) to the Village of Columbus. Commissioner Sweetser motioned to approve the Disposal of Assets (Fire Truck). Commissioner Milo seconded the motion which carried unanimously.

- h. Elect Multi Line Pool Member and Alternate:** Mr. Pearson summarized that former County Manager Charles "Tink" Jackson and former District 3 Commissioner Javier Diaz had served as the Multi Line Pool Member and Alternate. Chairwoman Smrkovsky recommended County Manager Ira Pearson and Assistant County Manager Glory Juarez as replacements. Commissioner Sweetser motioned to approve the Election of Ira Pearson as Multi Line Pool Member and Glory Juarez as Alternate. Commissioner Milo seconded the motion which carried unanimously.
- i. Appointment of Luna County Sheriff:** Mr. Pearson recommended the Appointment of Captain Kelly Gannaway as Luna County Sheriff due to the recent passing of Sheriff Johnathan Mooradian. Commissioner Milo motioned to approve the Appointment of Captain Kelly Gannaway as Luna County Sheriff. Commissioner Sweetser seconded the motion which carried unanimously.
- j. Discussion of Road Applications:** Road Director Marty Miller presented the applications for County Road Maintenance to the Board. This item was presented as a discussion item only, therefore no action was taken.
- k. Resolution 17-01 Notice of Meetings: Proposal A & Proposal B:** Mr. Pearson recommended approval of the resolution which provides for notice of meetings. Mr. Pearson presented two proposals of this Resolution. *Proposal A:* Meetings would be at 9:00 a.m. on the second Thursday of every month. *Proposal B:* Meetings would be conducted at 10:00 a.m. on the second Thursday of every month, with an open forum for the public at 9:00 a.m. to 10:00 a.m. The hour will be for the public to address Commissioners and Elected Officials for any agenda items and interact and a question and answer session. A discussion ensued amongst the Board and members of the public about the feasibility and necessity for a Work Session, and if a Work Session needed to be conducted before each meeting. Assistant County Manager Glory Juarez outlined the Open Meetings rules for *Notice of Meetings*. Commissioner Sweetser motioned to approve Resolution 17-01 Notice of Meetings: and motioned Proposal B for meetings to be held the second Thursday of each month at 10:00 a.m. following a Work Session at 9:00 a.m. Commissioner Milo seconded the motion, which carried unanimously following a roll-call vote.

APPROVAL OF TRAVEL REQUESTS: There were no Travel Requests submitted, and 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. Joanne Hethcox recommended approval of zero claims dated January 12, 2017 in the amount of zero dollars and zero denials. The monies received for November and December 2016 totaled \$88,646.14. The balance in the Indigent Funds Accounts as of December 31, 2016 is \$653,334.77 with an encumbered balance of \$398,088.23. Commissioner Sweetser moved to approve zero claims dated January 12, 2017 in the amount of 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.

EXECUTIVE SESSION: Chairwoman Smrkovsky entertained a motion to enter into Executive Session to discuss Limited Personnel Matters pursuant to 10-15-1 (H) 2 NMSA 1978 pertaining to the Commissioners' and County Manager's & County Commissioner's Roles and Responsibilities.

Commissioner Milo so moved and announced no other matters would be discussed. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

Commissioner Milo motioned to return from Executive Session where no other matters were discussed but Limited Personnel Matters. Commissioner Sweetser seconded the motion which carried unanimously.

Chairwoman Smrkovsky motioned to approve Commissioner Sweetser as the Representative for the Central Arizona Project (CAP) Entity Board and Billy Ruiz as an alternate. Commissioner Milo seconded the motion which carried unanimously.


ANNOUNCE NEXT MEETING: Chairwoman Smrkovsky announced that a Work Session will take place on February 9, 2017 at 9:00 a.m. and the next Regular Meeting will take place on February 9, 2017 at 10:00 a.m.

REQUESTS FOR FUTURE AGENDA ITEMS: Chairwoman Smrkovsky requested a Legislative Update be included in next month's meeting.

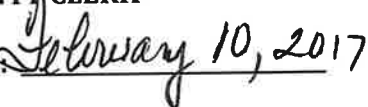
Larry Caldwell requested the Board's consideration for a five-member Board of Commissioners be included in the agenda.

ADJOURN: Chairwoman Smrkovsky adjourned the meeting at 11:33 a.m.

ATTEST:



ANDREA RODRIGUEZ,
LUNA COUNTY CLERK

APPROVED: 

February 10, 2017



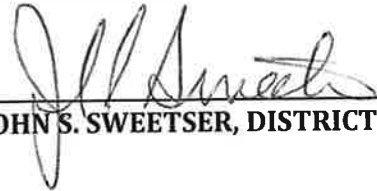
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

ABSENT

JOE L. MILO, JR., DISTRICT 1



CHAIRWOMAN, LINDA M. SMRKOVSKY DISTRICT 2



JOHN S. SWEETSER, DISTRICT 3