

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Tuesday, September 19, 2017**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Tuesday, September 19, 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 to County Manager Glory Juarez, Executive Assistant Yossie Nieblas, Luna County Attorney Charles Kretek, County Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Myrna Duarte, Treasurer Gloria Rodriguez, Chief Deputy Treasurer Dora Madrid, County Assessor Delilah Rojo, Chief Deputy Assessor Barbara Cobos, Sheriff Kelly Gannaway, Captain Michael Brown, Budget and Procurement Director Joanne Hethcox, Road Department Director Marty Miller, Community Projects Director Jessica Etcheverry, Luna County Detention Executive Secretary Yvonne Baca, Luna County Detention Deputy Director Mary Gooding Captain Lionel Lozano, Officer Betty Quiroz, Billing Jennifer Tone, Health Service & Administrator Pablo Montoya, Public Information Officer Matt Robinson, Community Health and Well-Being Director Jecca Jara.

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

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

**Linda M. Smrkovsky, Chair, 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 approve the agenda. The motion was seconded by Chair Smrkovsky, which carried unanimously.

**ELECTED OFFICIALS REPORTS:** County Clerk Andrea Rodriguez reported that her department had a new hire, Pilar Salcido.

Treasurer Gloria Rodriguez reported that her department has finished with the Treasurer's report. The reports have been distributed to all departments. The end of month for August, was balanced. The Treasurer's Department is getting ready for the tax season starting in October. The department has finished up the Fiscal Year.

Sheriff Kelly Gannaway reported crime statistics for the month of August increased, Burglaries 5-9, Vehicle Theft 6, DWI's have decreased while accidents have increased. The total value of recovered

property was approximately twenty thousand. The Sheriff's Department has hired a new deputy, Robert Carreon and promoted Josh Elford to Sergeant.

Luna County Assessor Delilah Rojo reported that her office is still processing protests, and has submitted them to the board. The protest hearing will be held from October 23, 2017 to October 26, 2017. Several hotels have protested and the Chief Appraiser and Certified Appraiser are working on the protests. Tax Rates are in and are not ready to be submitted. An Abstract is being processed and will be submitted by October 1, 2017.

**ANNOUNCEMENTS:** Chair Smrkovsky announced FY 2018 Final Budget was approved by DFA. She also announced and welcomed Luna County's new County Attorney Charles Kretek.

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

- a. Dispatch calls for August: Intake on landline phone calls are decreasing, and wireless phone calls are increasing.
  - Landline 911 Calls- 177.
  - Wireless 911 Calls- 1245.
- b. Detention Center: Preliminary quotes to have the roof fixed estimate around two hundred to three hundred thousand dollars. Estimate to completely replace the roof is approximately six hundred thousand to seven hundred thousand dollars. Maintenance department has consistently been fixing leaks. The roof is an issue and will be addressed accordingly.  
LCDC Daily average population for August:
  - 274 - Inmates.
  - U.S. Marshals Service- 138 Inmates.
  - Local Population- 136 Inmates.
  - Average length of stay- 36 days.
- c. Road Department: The department has completed tire shredding. The rented tire shredder has been returned. Road Department Supervisor Marty Miller briefed the council on the process of tire shredding.
- d. Budget and Procurement: Starmax VPN program.
  - \$305,735.40 is the total amount payed back.
  - \$72,071.62 is the outstanding balance.
- e. Maintenance Department: The department is working with the Safety Department making sure the County is in compliance with all ordinances.
- f. Starmax: August sales were \$83,837. Bowling leagues have started.
- g. Safety: Tort Claims: 0 Workers Compensation: 1
- h. IT Department: Close to finalizing the policy and procedures.
- i. Healing House:
  - Served 12 clients in shelter
  - 15 new clients
  - 7 returning clients

Luna County sent 10 employees to a "Being a contributing team member", Class. Feedback is being analyzed. Future leadership classes / training is being considered.

**PUBLIC COMMENT:** Chair Smrkovsky opened the floor to Public Comment: Larry Caldwell, requested the record reflect his objection to Senate Bill 202 which is Consent Agenda Item E regarding the Forfeiture Act.



**CONSIDER MINUTES:** Upon motion of Commissioner Sweetser, seconded by Chair Smrkovsky, the minutes of the August 10, 2017 Work Session were unanimously approved.

Upon motion of Commissioner Sweetser, seconded by Chair Smrkovsky, the minutes of the August 10, 2017 Regular Meeting were unanimously approved following a roll call.

**CONSENT AGENDA:** Upon motion of Commissioner Sweetser, seconded by Chair Smrkovsky, the following items on the Consent Agenda were unanimously approved.

- a. **Accounts Payable: \$1,151,504.03**
- b. **Payroll: \$993,050.23**
- c. **Amended Resolution 17-48 Budget Increases**
- d. **Amended Resolution 17-49 Budget Transfers**
- e. **Amended Resolution 17-50 Supporting the 2018 NMAC Legislative Priorities**
- f. **Amended Resolution 17-53 Providing Financial Support for Corre Caminos**
- g. **Appointment to the Deming Luna County Commission of Aging Inc., Board of Directors**
- h. **Disposal of Assets**

**NEW BUSINESS:** County Manager Ira Pearson and Assistant to County Manager Glory Juarez reviewed each item on the New Business agenda with the Commissioners:

- a. **Amended Agreement between Luna County and AFSCME (American Federation State County and Municipal Employees) Council 18 Detention Bargaining Unit:** Mr. Pearson stated there are two different agreements which are very similar and include the complete reorganization of the articles so the Detention Center and the Sheriff's Office agreements match. Mrs. Juarez went over the changes that were made to the agreement. Chair Smrkovsky requested a motion to approve the amended agreement between Luna County and AFSCME Council 18 Detention Bargaining Unit. Commissioner Sweetser so moved. The motion was seconded by Chair Smrkovsky and carried unanimously.
- b. **Amended Agreement between Luna County and AFSCME Council 18 Sheriff's Bargaining Unit:** Chair Smrkovsky requested a motion to approve the amended agreement between Luna County and AFSCME Council 18 Sheriff's Bargaining Unit. Commissioner Sweetser so moved. The motion was seconded by Chair Smrkovsky and carried unanimously.
- c. **Resolution 17-51 Approving the County Continental Divide Trail Promotion Committee.** Chair Smrkovsky requested a motion to approve Resolution 17-51 approving the County Continental Divide Trail Promotion Committee. Commissioner Sweetser so moved. Chair Smrkovsky seconded the motion which carried unanimously following a roll call vote.
- d. **Resolution 17-52 Agreement between Luna County & Southwest New Mexico Council of Governments.** Chair Smrkovsky requested to appoint Community Projects Director Jessica Etcheverry to the Board, in which Chair Smrkovsky will be the first alternate and Assistant to County Manager Glory Juarez will be the second alternate. Commissioner Sweetser motioned to approve. Chair Smrkovsky seconded the motion which carried unanimously followed by a roll call.

**INDIGENT CLAIMS REPORT:** Upon motion of Commissioner Sweetser seconded by Chair Smrkovsky, 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 63 claims dated August 31, 2017 in the amount of \$41,016.95 and zero denials. The Gross receipt for August 2017 totaled \$58,362.20. The cash balance in the Indigent Funds Accounts as of August 31, 2017 is \$830,160.41 with an Encumbered Balance as of August 31, 2017 \$83,248.00. Which the county has encumbered an excessive \$301,000 in the safety net pool as of September 19, 2017. Commissioner Sweetser moved to approve 63 claims dated August 31, 2017 in the amount \$46,101.47 dollars and zero denials. Chair Smrkovsky seconded the motion which carried unanimously. Commissioner Sweetser moved to recess as claims board and to reconvene as the Board of County Commissioners. Chair Smrkovsky seconded the motion which was approved unanimously.

**ANNOUNCE NEXT MEETING:** Chair Smrkovsky announced: The October meetings are normally held on the second Thursday of every month. The meetings are being moved to the following: A Work Session will be held on October 11, 2017 at 9:00 a.m. and a Regular Meeting will be held on October 11, 2017 at 10:00 a.m.

**REQUESTS FOR FUTURE AGENDA ITEMS:** Larry Caldwell requested that a discussion of the minimum wage for Luna County to petition Pearce to get behind the Dream Act in the House of Representatives so that the 800,000 young people will be protected from deportation.

**ADJOURN:** Chair Smrkovsky adjourned the meeting at 10:39 a.m.

**ATTEST:**


  
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**ANDREA RODRIGUEZ, LUNA COUNTY CLERK**

**LUNA COUNTY BOARD OF COUNTY COMMISSIONERS**

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(DISTRICT 1 vacant pending appointment by the Governor)

**APPROVED:** Oct. 11, 2017

  
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**LINDA M. SMRKOVSKY, DISTRICT 2**

  
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**JOHN S. SWEETSER, DISTRICT 3**

