

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, January 10, 2019**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, January 10, 2019 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: Attorney Charles C. Kretek, Administrative Assistant Erica Carlos, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Probate Judge Diana May-Diaz, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Gloria Rodriguez, Chief Deputy Treasurer Dora Madrid, Sheriff Kelly Gannaway, Community Projects Administrator Joe Padilla, Risk Director Mark Jasso, /Dispatch Director Lauree Sanchez, Detention Director Chris Brice, Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox, Road Department Director Marty Miller and IT Technician Henry Burkerson.

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 Pilar Salcido called roll. The following members of the Board constituting a quorum were present:

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

APPROVAL OF AGENDA: Chair Smrkovsky requested item k. (Resolution 19-09 Designating Treasurer to Require Collateralization) of the Consent Agenda be pulled for discussion and put in New Business item b. Commissioner Sweetser motioned to approve the amended agenda removing item k. Commissioner Reedy seconded the motion which carried unanimously.

MINUTES:

- **Work Session- December 13, 2018:** Upon a motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the December 13, 2018 Work Session were unanimously approved.
- **Regular Meeting- December 13, 2018:** Upon motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of the December 13, 2018 Regular Meeting were unanimously approved.

ELECTED OFFICIALS REPORTS: Probate Judge Diana May-Diaz thanked the Commissioners for restoring the heat in her office.

Appraiser Michelle Holguin introduced her Chief Deputy Assessor Isabelle Enciso. Ms. Holguin reported that the Livestock and Personal Property statements have been sent out. This is also time for exemptions which include veterans, homeowner and limitations to be brought in. Stickers for mobile homes are also available now. Individuals have until the end of February to request the exemptions or mobile home stickers. Ms. Holguin is looking forward to the New Year.

Treasurer Gloria Rodriguez reported that all is current in the Treasurer's Office, the financial report balanced and collections are up to 56% by the end of December. All other delinquent accounts are 95-98% collected.

Clerk Andrea Rodriguez reported that a Special all mail School Bond election has begun. All registered voters should be receiving their ballots soon if they haven't already done so. Ballots can be either brought in or mailed in to the Clerk's Office until February 5th.

Sheriff Gannaway reported the statistics for the month of December. He stated that assaults and larcenies are up, burglaries and vehicle thefts are down. The overall calls for the month of December are down. Non-Criminal and accidents are up a little, DWI's are down, non-criminals are down as well. Overall total for the month of December is similar to the numbers in 2017. Calls are up in the yearly numbers. Non civil accidents were up but everything else was down over the year. Overall total calls for service are down as well, but still busy. Chris Seats was promoted to Sargent Detective, he comes from State Police and brings a lot of experience with him. Looking to hiring one Court Security Officer and looking to fill two Deputy Positions as one Detective has recently resigned. On January 26th the Sherriff and the Road Department will be auctioning old vehicles. The Auction will be a Live Auction and taking place at the Road Department.

Chair Smrkovsky mentioned that the City/County Christmas Party was nice but she would have liked to see more participants from both the City and the County there.

COUNTY MANAGER'S REPORT: Interim County Manager Glory Juarez was unavailable to report.

- Chris Brice reported 2018 was a good year for the Detention Center. They opened the expansion which has gone very well. The good side of the expansion is that they've received more Marshalls and the down side of the expansion is that the detention center isn't equipped to handle the influx of Defense Attorney's that comes with more inmates. Mr. Brice also reported they continue to struggle with hiring quality individuals. In an effort to hire they are working on recruiting from Las Cruces High Schools, Cesar Chavez Charter Program and as far as Fort Bliss for some of their exiting members. CYFD inspection has just been completed they had some minor hits. Mr. Brice is looking to closing the juvenile side of the detention center. The Detention Center normally only houses one or two juveniles which is a 24 hour operation. Dona Ana holds over 50. LCDC is awaiting a couple of vehicles which are desperately needed. Chair Smrkovsky asked Mr. Brice about the inmates outside work program. Mr. Brice explained that with any outside work or any outside job function outside of the facility requires overtime pay to the officers. Mr. Brice mentioned that they are working with the City to get a contract in place to help them out and try to earn some money. LCDC can now hold 590 inmates, they are averaging 410 which is approximately 170 more inmates. This facility is the 4th largest Detention Center in the State of New Mexico.
- Dispatch Director Lauree Sanchez reported one dispatcher went to the Academy and was certified. The Dispatch department is down three employees. Call stats and call volumes are

the same and are averaging the same amount of warrants. They will be posting for the opened positions this week.

- Road Department Director Marty Miller reported they have seven to eight blades out working on roads, they can now see the light at the end of the tunnel. Currently there are only four road concerns which is better than it's been in a while. Chair Smrkovsky mentioned she will be scheduling her tour with the Road Department soon.

INDIGENT CLAIMS REPORT: Upon motion by Commissioner Reedy and a second 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 reported no claims received for the month of December. Total claims for 2018 were 128 in the amount of \$135,816.93, we had one denied claim of \$3627.14. The GRT collected for indigent for December was \$52,975.21 we have a balance in that fund of \$822,900.27, of that \$275,994.61 is currently encumbered. Chair Smrkovsky asked if the hospital is current on their billing. Ms. Hethcox responded that they are still a little bit behind, they have changed their process in making sure the individuals don't have any other means before coming to us. Chair Smrkovsky mentioned the hospital has a new manager coming in the first of February. Commissioner Sweetser motioned to approve the Indigent Claims Report. Commissioner Reedy seconded the motion which carried unanimously. Commissioner Reedy motioned to recess as a Claims Board and reconvene as a County Commission. Commissioner Sweetser seconded the motion which carried unanimously.

PUBLIC COMMENT: Chair Smrkovsky opened the floor to Public Comment. No public comment was forthcoming.

CONSENT AGENDA: Upon a motion by Commissioner Sweetser to move item k to new business for discussion and approval for items a-j and a second by Commissioner Reedy the following items of the Consent Agenda were unanimously approved following a roll call vote.

- a. Accounts Payable: \$830,964.91
- b. Payroll: \$1,072,725.00
- c. Resolution 19-01 Notice of Meetings
- d. Resolution 19-02 Timely Payments
- e. Resolution 19-03 Notice of Fees
- f. Resolution 19-04 Depositories, Board of Finance and Media Designation
- g. Resolution 19-05 Inspection of Public Records
- h. Resolution 19-06 CDBG Annual Certifications and Commitments
- i. Resolution 19-07 Budget Increases
- j. Resolution 19-08 Budget Transfers

OLD BUSINESS: Resolution 18-50 Authorizing and Approving Application for Financial Assistance and Project Approval to NM Finance Authority for Colonias Infrastructure Fund: Chair Smrkovsky announced that two corrections need to be made to Resolution 18-50. The document needs to read Luna County Rockhound Road instead of Luna County Rockhound Roadway. Commissioner Reedy motioned to approve Resolution 18-50 Authorizing and Approving Application for Financial Assistance and Project Approval to NM Finance Authority for Colonias Infrastructure Fund with the two corrections noted. Commissioner Sweetser seconded the motion and carried unanimously following a roll call vote.

NEW BUSINESS: Chair Smrkovsky reviewed each item on the New Business agenda with the Commissioners:

- a. **Second Amended Joint Powers Agreement creating the NM CAP Entity.** Commissioner Sweetser motioned to approve the Second Amended Joint Powers Agreement creating the NM CAP Entity. Commissioner Reedy seconded the motion, which carried unanimously.
- b. **Resolution 19-09 Designating Treasurer to Require Collateralization:** Luna County Attorney Charles Kretek reported that originally 15-05 required 100% collateralization. Last January a meeting with the bank resulted in their concerns regarding collateralization of 100% on top of \$10,000,000. Back in April of 2018 the County passed Ordinance 18-18 which at that time we paid for the Surety Bonds. The only difference now is that under the Statue the County can do either Surety Bonds or 50% collateralization above the original \$10,000,000. Treasurer Gloria Rodriguez reported that she transferred funds to Morton Investments which is a money market, right now we are getting 100% collateralization with simple interest monthly. Commissioner Sweetser motioned to approve Resolution 19-09 Designating Treasurer to Require Collateralization. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

EXECUTIVE SESSION: to discuss limited personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 pertaining to County Manager's Contract. Commissioner Reedy motioned to go into Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 NMSA pertaining to County Manager's Contract. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote. The Commissioners went into Executive Session at 10:32am and returned from Executive Session at 11:58am.

Chair Smrkovsky entertained a motion to return from Executive Session. Commissioner Reedy motioned to return from Executive Session where no other matters were discussed other than what was stated in the motion for the Executive Session. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

Chair Smrkovsky motioned to hire Bruce Swingle as the Luna County Manager with the salary of \$125,000 and with an anticipated hire date of February 11, 2019. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

UPCOMING MEETINGS: Chair Smrkovsky announced the following upcoming meetings.

Work Session- February 14, 2019 at 9:00a.m.

Regular Meeting- February 14, 2019 at 10:00 a.m.

ADJOURN: Upon a motion made by Commissioner Sweetser and a second made by Commissioner Reedy the meeting was adjourned at 11:59 a.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

Andrea Rodriguez
ANDREA RODRIGUEZ, LUNA COUNTY CLERK

APPROVED *February 14, 2019*



Barbara L. Reedy
BARBARA L. REEDY, DISTRICT 1

Linda M. Smrkovsky
LINDA M. SMRKOVSKY, DISTRICT 2

John S. Sweetser
JOHN S. SWEETSER, DISTRICT 3