

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Thursday, January 11, 2018**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, January 11, 2018 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, County Attorney Charles C. Kretek, Chief Deputy Clerk Berenda McWright, Deputy Clerk Myrna Duarte, Assessor Delilah Rojo, Chief Appraiser Michelle Holguin, Sheriff Kelly Gannaway, Captain Michael Brown, Economic Development Community Projects Director Jessica Etcheverry, Human Resources Director Danny Gonzales, Road Supervisor Mike Hatch, Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 10:10 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:

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

**ELECT 2018 CHAIRMAN:** Commissioner Sweetser motioned to approve the agenda. The motion was seconded by Commissioner Reedy, which carried unanimously. Commissioner Sweetser made a motion to nominate Commissioner Smrkovsky for 2018 Chairman. Commissioner Reedy seconded motion which was unanimously approved following a roll call vote.

**ELECTED OFFICIALS REPORTS:** Luna County Assessor Delilah Rojo announced the passing of Chief Deputy Clerk Barbara Cobos mother in-law. Mrs. Rojo thanked Luna County Attorney Charles K. Kretek for his support with the protests that were finalized on Tuesday January 2, 2018. Mrs. Rojo announced that she has not filled the vacant position in her department.

Luna County Clerk Chief Deputy Berenda McWright announced that the Clerk's Office is working on two elections. The School Board Bond Election which will be held on February 6, 2018 and the Municipal Election on March 6, 2018.

Sheriff Gannaway reported that burglaries and larcenies have increased for the month of December. Also, vehicle thefts have increased, accidents have decreased and DWI's have increased. The Sheriff's Department is in the process of hiring a new Deputy and has a new opening for a Court Security Officer, due to a CSO resigning.

**ANNOUNCEMENTS:** County Manager Ira Pearson announced Luna County Deputy Robert Nordof as Employee of the Year. Sheriff Gannaway accepted Plaque on behalf of Deputy Robert Nordof whom was not present at the meeting.

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

- a. **Dispatch:** New CAD system will go live February 6, 2018.
- b. **Detention Center: LCDC Daily average population for December:**

<b>Population Analysis</b>	<b>Male</b>	<b>Female</b>	<b>Juvenile</b>	<b>Total</b>
Number of Inmates Incarcerated	246	50	3	299
Number of Inmates Released	342	46	5	393
Inmate Daily Average Population	253	39	3	295
Inmate USMS Daily Average Population	152	17	2	171
Inmate Local Daily Average Population	55	20	1	76
Inmate Average Length of Stay	15	12	3	14.5

- Average Daily - Last Month - 322
  - USMS – Last Month - 200
  - Local – Last Month - 99
  - Inmate Average length of stay – Last Month – 48
  - Test Pilot Boot Camp starts January 29, 2018. The program is modeled off the Dona Ana County program. All new detention employees will be on a one year probationary term.
- c. **Road Department:** The department has completed all state projects for 2017 and now are working on the Apache Hills Ditch Project.
  - d. **Budget & Procurement:** Luna County Detention medical provider contract has been signed and Corr Values has started providing services effective January 1, 2018.
  - e. **Starmax:** December sales were \$140,030.
  - f. **Volunteer Fire:** Robert Acosta was appointed Chief at the Sunshine Station.

**PUBLIC COMMENT:** Chair Smrkovsky opened the floor to Public Comment. Mr. Edward Khanbajian expressed concerns about the new boot camp being implemented for the new detention center employees.

**CONSIDER MINUTES:** Upon a motion made by Commissioner Reedy, seconded by Commissioner Sweetser, the Minutes of the December 13, 2017 Work Session were unanimously approved. Upon a motion made by Commissioner Sweetser, seconded by Commissioner Reedy, the Minutes of the December 14, 2017 Work Session were unanimously approved. Upon a motion made by Commissioner Sweetser, seconded by Commissioner Reedy, the Minutes of the December 14, 2017 Regular Meeting were unanimously approved. Upon a motion made by Commissioner Reedy, seconded by Commissioner Sweetser, the Minutes of the December 18, 2017 Special Meeting were unanimously approved.

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

- a. **Accounts Payable: \$1,404,856.19**
- b. **Payroll: \$1,025,841.48**
- c. **Resolution 18-02 Timely Payments**
- d. **Resolution 18-03 Notice of Fees**
- e. **Resolution 18-04 Depositories, Board of Finance and Media Designation**
- f. **Resolution 18-05 Notice of Right to Inspect Public Records Designating Custodian of Public Records**
- g. **Resolution 18-06 CDBG Annual Certification And Commitments**
- h. **Resolution 18-07 Budget Increases**
- i. **Resolution 18-08 Budget Transfers**

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

- a. **Resolution 18-01 Notice of Meetings:** Commissioner Reedy motioned to approve Resolution 18-01 Notice of Meetings. Commissioner Sweetser seconded the motion which carried unanimously, following a roll call vote.

**Acceptance of Late Submittal of Application to Request an Addition to the Luna County Road Maintenance System: Dove Rd, Crest Dr., Crescent Faith:** Commissioner Sweetser recommended approval of the application. He stated that the road meets county standards and apologized for turning the application in late. He stated he was not aware of the deadline. Commissioner Sweetser also stated that if people cannot get their roads maintained it hurts property values. Commissioner Reedy stated that she felt it was important to stick to the deadline. Mr. Pearson explained that the County has to budget for additional roads. Road Supervisor Mike Hatch stated that the road was in good shape and the application could be held until the next year. Commissioner Sweetser motioned to approve the acceptance of late submittal of application to request an addition to the Luna County Road Maintenance System: Dove Rd, Crest Dr., Crescent Faith. The motion died due to lack of a second. Mr. Hatch explained the application process, for the Road Department and stated the application will be held until the next deadline.

- b. **Presentation of Application to Request an Addition to the Luna County Road Maintenance System: Dove Rd, Crest Dr., Crescent Faith:** This item was not considered by the Board due to the application being submitted late.

**INDIGENT CLAIMS REPORT:** Upon motion of 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 recommended approval of 11 claims dated January 11, 2017 totaling \$935.22. Total of Gross Tax Receipts collected was \$62,455.46 and the balance for Indigent claims fund totaled \$868,757.89, of that \$177,571.73 is encumbered. Commissioner Sweetser motioned to approve the Indigent Claims Report as submitted. Commissioner Reedy seconded the motion which carried unanimously. Commissioner Reedy motioned to recess as a Claims Board and reconvene as a County Commission. The motion was seconded by Commissioner Sweetser and unanimously approved.

**EXECUTIVE SESSION:** Commissioner Reedy motioned to go into Executive Session to discuss limited personnel matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the consideration of complaints or charges against public employee(s) and attorney-client privilege matters pursuant to §10-15-1 (H)(7) NMSA 1978 pertaining to threatened or pending litigation. The motion was seconded by Commissioner Sweetser and unanimously approved following a roll call vote. The Executive Session commenced at 11:07 a.m.

At 12:20 p.m. the Board returned from Executive Session. Chair Smrkovsky announced that no other matters were discussed other than limited personnel matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the consideration of complaints or charges against public employee(s) and attorney-client privilege matters pursuant to §10-15-1 (H)(7) NMSA 1978 pertaining to threatened or pending litigation and entertained a motion to go back into Regular Session. Commissioner Reedy so moved and Commissioner Sweetser seconded the motion.

**ANNOUNCE NEXT MEETING:** Chair Smrkovsky announced a Work Session will be held on February 8, 2018 at 9:00 a.m., followed by a Regular Meeting at 10:00 a.m.

**ADJOURN:** Upon a motion made by Commissioner Reedy and a second made by Commissioner Sweetser the meeting was adjourned at 12:22 p.m.

**ATTEST:**

  
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**ANDREA RODRIGUEZ, LUNA COUNTY CLERK**

**APPROVED:** 02/08/2018

**LUNA COUNTY BOARD OF COUNTY COMMISSIONERS**

  
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**BARBARA L. REEDY, DISTRICT 1**

  
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**LINDA M. SMRKOVSKY, DISTRICT 2**

  
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**JOHN S. SWEETSER, DISTRICT 3**

