

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, February 8, 2018**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, February 8, 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, Administrative Assistant Yossie Nieblas, County Attorney Charles C. Kretek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Myrna Duarte, Assessor Delilah Rojo, Chief Deputy Assessor Barbara Cobos, Treasurer Gloria Rodriguez, Chief Deputy Treasurer Dora Madrid, Sheriff Kelly Gannaway, Road Department Director Marty Miller, Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox, Safety & Risk Assessment Department/Emergency Services Director Mark Jasso & DWI Program Manager Edith Vazquez.

CALL TO ORDER: Chair Smrkovsky called the meeting to order at 10:09 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**

APPROVAL OF AGENDA: Commissioner Reedy motioned to approve the agenda. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.

MINUTES: Upon a motion made by Commissioner Reedy, seconded by Commissioner Sweetser, the Minutes of the January 11, 2018 Work Session were unanimously approved. Upon a motion made by Commissioner Sweetser, seconded by Commissioner Reedy, the Minutes of the January 11, 2018 Regular Meeting were unanimously approved.

REPORTS OR ANNOUNCEMENTS FROM THE CHAIR OR COMMISSIONERS: Commissioner Reedy reported that she was appointed to the Commission for Economic Development at the State level which requires Senate confirmation. Commissioner Reedy will be sworn in February 9, 2018.

ELECTED OFFICIALS REPORTS: Treasurer Gloria Rodriguez announced her department has now collected fifty-nine percent of the 2017 taxes. The second half is due on May 10, 2018. The department in getting close to balancing for the month of January, they are just waiting for a few

outstanding ACH's to go through. Mrs. Rodriguez welcomed the board to please drop by the Treasurer's office at any time.

Clerk Andrea Rodriguez announced that the Clerk's Office just finished the School Bond Election which was held on February 6, 2018. Mrs. Rodriguez thanked all of her staff and the maintenance department for helping set up all the machines for the election. She stated that Ms. Nabours did an awesome job with the School Bond Election.

Sheriff Gannaway reported that burglaries and larcenies have increased for the month of January. Stats have increased since January of 2017. Assaults and Burglaries have decreased, and Larcenies have increased. Vehicle thefts is a constant battle. Non-Criminal and Civil Process have decreased, accidents have decreased and DWI's also decreased. The Sheriff's Department has now transferred over to the new CAD system. A few minor issues were dealt with and fixed, the system is now working smoothly. The Sheriff's Department is in the process of hiring two Deputies and promoting a new Sergeant. The department has two new vehicles that are being decaled and prepared for the deputies to use.

Chair Smrkovsky reported that she attended the New Mexico Association of Counties board meeting on Saturday, February 3, 2018. Prior to that she attended the legislative meeting, in which counties, municipalities discussed their opinions over specific house bills.

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

- a. **Dispatch:** The new CAD system went live February 6, 2018, at 3 a.m. Mrs. Juarez was at the dispatch facility along with dispatch staff, state police, the IT department, and the Department of Public Safety.
- b. **Detention Center: LCDC Daily average population for January:**

| Population Analysis | Male | Female | Juvenile | Total |
|---------------------------------------|-------------|---------------|-----------------|--------------|
| Number of Inmates Incarcerated | 292 | 62 | 4 | 354 |
| Number of Inmates Released | 290 | 60 | 7 | 350 |
| Inmate Daily Average Population | 216 | 66 | 3 | 282 |
| Inmate USMS Daily Average Population | 145 | 29 | 0 | 174 |
| Inmate Local Daily Average Population | 70 | 37 | 3 | 107 |
| Inmate Average Length of Stay | 35 | 29 | 18 | |

- Average Daily - Last Month - 295
- USMS – Last Month - 174
- Local – Last Month - 76
- Inmate Average length of stay – Last Month – 14.5
- The detention center has started its new boot camp training, with four cadets.

- An inspector from NMAC came by the detention center. No results have been submitted. Mr. Pearson will discuss results with the board at the next meeting.
 - ACLU is anticipated to do their annual / bi-annual inspection. No current date has been set.
- c. Road Department:** The department has been pulling blade operators from their district to address some immediate issues. Mr. Pearson encourages the public to use the county website for any and all road issues. The road department is working to completing some state projects ahead of schedule.
- d. Starmax:** January sales were \$120,422. Starmax sales have decreased from sales in January 2017, and the expenses have decreased also.
- e. Volunteer Fire:** There has been a slow increase in volunteer members. Robert Acosta was appointed Chief at the Sunshine Station.
- f. Columbus/Palomás Industrial Alliance:** Mr. Pearson has been attending meetings in Columbus once every month or once every two months. Mr. Pearson gave an update on the Port of Entry construction progress. Mexico has purchased land that they will utilize to build the new commercial crossing lane. They have acquired a building which they will utilize as their new port of entry building. He extended an invitation to the commissioners to attend the meetings.
- g. Silver Spikes:** A local lobbying group consisting of Luna County, City of Deming, Deming Public Schools, the hospital and several local business owners. They met with several Cabinet Secretaries on Tuesday, February 6, 2018. The meetings were 45 minutes for general discussion on the agendas of what is currently occurring on projects. Construction on I-10 and Highway 11 will begin soon. The newly appointed Secretary of Education and his first assistant are very excited for Deming Public Schools, and they are planning on visiting our schools. They spoke very highly about Dr. Romero and are very grateful that he is in Deming New Mexico. Silver Spikes also met with the Governor, and discussed the bonding between cities and counties regarding the hold harmless. Silver Spikes spoke with Senator John Arthur Smith and Representative Candie Sweetser about fulling funding a project for the Domestic Violence Shelter, due to the Governor vetoing projects that are not fully funded.

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 seven claims dated February 8, 2018 totaling \$1,844.07 for the Luna County Detention Center. Total of Gross Tax Receipts collected in January was \$53,197.71 and the balance for Indigent claims fund totaled \$891,254.45 of that \$468,739.99 is encumbered. Commissioner Sweetser motioned to approve the Indigent Claims Report as submitted. Commissioner Reedy seconded the motion which carried unanimously. Commissioner Sweetser motioned to recess as a Claims Board and reconvene as a County Commission. The motion was seconded by Commissioner Reedy and unanimously approved.

PUBLIC COMMENT: Chair Smrkovsky opened the floor to Public Comment. Mrs. Russ Howell gave the board positive feedback on the use of head phones provided for the public to use during meetings.

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

- a. **Accounts Payable: \$1,627,144.72**
- b. **Payroll: \$1,049,963.19**
- c. **Resolution 18-10 Budget Increases**
- d. **Resolution 18-11 Budget Transfers**

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

- a. **Presentation Fiscal Year 2017 Audit:** Robert Gonzalez, CPA Principal, of Cordova CPA's LLC joined the meeting telephonically and gave a presentation to the Luna County Board of Commissioners regarding the auditing process.
- b. **Freeholders Committee Recommendation:** Mr. Pearson reported that the three appointed members of the freeholders committee unanimously recommended the County not close Flying Y Road, and continue the maintenance of the road. Commissioner Sweetser motioned to accept the Freeholders recommendation and leave Flying Y Road open. Commissioner Reedy seconded the motion which carried unanimously.
- c. **Resolution 18-09 DWI Grant and Distribution Program:** Assistant Manager Glory Juarez recommended approval of the resolution which authorizes the county to submit an application to the Department of Finance and Administration, Local Government Division to participate in the Local DWI Grant and Distribution Program and Delegating Authority. Commissioner Reedy motioned to approve Resolution 18-09 DWI Grant and Distribution Program. Commissioner Sweetser seconded the motion which carried unanimously, following a roll call vote.
- d. **Appointing a New Management Member of the Labor Relations Board:** Mr. Pearson requested the board to table the appointment of a new member for the local Labor Relations Board. The board is made of three appointed members, and at the moment Mr. Kretek was appointed to the board in 2016 before he was employed by Luna County. The board has received a list of recommendations, no one on the list of recommendations has committed. Mr. Pearson requested this item to be tabled until upcoming meeting in March. Commissioner Sweetser motioned to table the item. Commissioner Reedy seconded the motion which carried unanimously.
- e. **Appointment of Court Security Officer Ramon Garcia:** Court Security Officer Ramon Garcia has been with the Sheriff's Department for one full week. Commissioner Reedy motioned to approve the appointment of Ramon Garcia as Court Security Officer. Commissioner Sweetser seconded the motion which carried unanimously.
- f. **Proclamation Honoring WNMU'S Quasquicentennial:** Mr. Pearson stated that Western New Mexico University has been educating students for 125 years, and recommended approval of the proclamation recognizing them. Commissioner Sweetser motioned to

approve the Proclamation honoring Western New Mexico's Quasquincentennial. The motion was seconded by Commissioner Reedy and unanimously approved.

- g. **Approval to Issue and RFP for Representation in Litigation against Opioid Manufacturers Distributors and Other Appropriate Parties:** County Attorney Charles Kretek stated that there are over 200 State local and county entities that have filed lawsuits against the manufactures of opioid drugs. The Attorney General for the State of New Mexico is also filing suit on behalf of the counties if they want to join. Of the 33 counties 16 have already joined. He gave the brief presentation on the litigation against the opioid issue. Mr. Kretek recommended Luna County go to RFP for representation due to the fact that there will be no cost to the County. Commissioner Reedy motioned to approve issuing a Request for Proposal for representation in litigation against opioid manufactures, distributors and other appropriate parties. Commissioner Sweetser seconded the motion which carried unanimously.

ANNOUNCE NEXT MEETING: Chair Smrkovsky announced a Work Session will be held on March 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:



 ANDREA RODRIGUEZ, LUNA COUNTY CLERK

APPROVED: March 8, 2018

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS



 BARBARA L. REEDY, DISTRICT 1



 LINDA M. SMRKOVSKY, DISTRICT 2



 JOHN S. SWEETSER, DISTRICT 3

