

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, March 14, 2019**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, March 14, 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: Interim County Manager Chris Brice, Attorney Charles C. Kretek, Administrative Assistant Erica Carlos, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Gloria Rodriguez, Chief Treasurer Dora Madrid, Sheriff Kelly Gannaway, Captain Mike Brown, Community Health and Welfare Director Jessica Jara, IT Technician Debbie Seats, Probate Judge Diana M Diaz-May and Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox,

CALL TO ORDER: Chair Smrkovsky called the meeting to order at 10:12 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 approval of agenda. Commissioner Reedy motioned to approve the agenda. Commissioner Sweetser seconded the motion which carried unanimously.

MINUTES:

- **Special Meeting – February 4, 2019:** Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of the February 4, 2019 Special Meeting were unanimously approved.
- **Special Meeting – February 8, 2019:** Upon a motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the February 8, 2019 Special Meeting were unanimously approved.
- **Work Session – February 14, 2019:** Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of the February 14, 2019 Work Session were unanimously approved.

- **Regular Meeting – February 14, 2019:** Upon a motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the February 14, 2019 Regular Meeting were unanimously approved.
- **Special Meeting – February 20, 2019:** Upon a motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the February 20, 2019 Special Meeting were unanimously approved.
- **Special Meeting – February 22, 2019:** Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of February 22, 2019 Special Meeting were unanimously approved.
- **Special Meeting – February 28, 2019:** Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of February 28, 2019 Special Meeting were unanimously approved.

ELECTED OFFICIALS REPORTS: Sheriff Gannaway reported on the statistics for the month of February. Mr. Gannaway stated that the overall calls are down, assaults, burglaries, larcenies are down and vehicle thefts are up. Non-Criminal, Civil and accidents are down. The County had their first DWI for this year. Sheriff Gannaway interviewed Deputies yesterday and plans to hire one by sometime next week. He also recognized Stella Ortiz for her 27 years of service in the Luna County Sheriff's Department. Chair Smrkovsky mentioned that we currently only supply pins up to 25 years of service but would like to see pins given every 5 years as long as they are working.

Appraiser Michelle Holguin reported that the Assessor's Office is in full swing and busy with the closing of 2018 tax year and is getting ready to mail out the notice of values for the 2019 tax year. She also mentioned the 2019 values were submitted March 13, 2019 and the Notice of Values will be printed and mailed by April 1, 2019. Ms. Holguin reported the rendering period for all exemptions, limitations and protests, will run through the month of April 2019. The Assessor's Office processed a total of 221 building permits this year. Luna County issued 63 building permits, the City of Deming issued 221 permits and the State of New Mexico issued 12 permits for Luna County. The total new value added this year for Luna County is \$45,432,735. She mentioned the increased values are pertaining to increases and assessments for land improvement and manufactured homes. There was a decrease in values for personal properties and livestock due to livestock values dropping per units and personal property being self-rendering. She included spreadsheets which gave the breakdown on values of residential and non-residential as well as total values for 2018 and 2019 for the Commissioners to review. The appraisal staff is currently working in the field on the 2021 re-appraisals. Ms. Holguin mentioned they are looking to fill two positions, an Appraiser position and a GIS position. Once they are fully staffed, they are looking at having two teams of appraisers in the field at all times and two appraisers in the office working on the market analysis to make sure the County is maintaining a constant updated market. The Assessor's Department is cross training to make sure they are providing the best services for all of the community. Two appraisers are in Albuquerque completing their 4th course to become New Mexico Certified Appraisers. The Assessor's Office will have a total of five Certified Appraisers in the office. Ms. Holguin indicated they are getting ready for their yearly evaluation from the Property Tax Division. Ms. Holguin said the employees at

the Assessor's Office are very happy, they are all working together as a team to help one another learn, grow and meet the County's needs.

Commissioner Reedy announced she attended the meeting at the Methodist Church and announced the passing of the Resolution for the Sanctuary.

COUNTY MANAGER'S REPORT: Interim County Manager Chris Brice reported on the following items.

- Dispatch: A total of 69 warrants were served in the County and 13 warrants were served out of the County. The Dispatch Department had 976 calls for the month of February with four vacancies in that department. The Dispatch Department has interviewed several candidates but none have accepted the job offers. Mr. Brice has reached out to Fort Bliss for advertising in connection with their transition program for exiting Army members. He also mentioned he is hoping to get the job descriptions out to their program for consideration.
- Detention Center: A total of 722 individuals were booked, 315 released, over all adult detention population was 398 and the Marshall adult detention population was 283 for the month of February. As of yesterday, there was just over 350 Marshall Inmates. Mr. Brice reported the head of the Marshall's Office in Las Cruces visited and wants to open the South Units again because Hidalgo and Dona Ana are full to capacity. They also mentioned the possibility of funding the repairs for the fire and smoke detection alarm system in the South Unit just so they can house individuals which would put our Marshall inmates at about 500. Chair Smrkovsky asked Mr. Brice if he thought that would be a good idea. Mr. Brice stated that he thought the cost of about \$20,000 to repair the fire system could be made back in a matter of days. If Dona Ana County is willing to compensate for the expense it would definitely be a good idea. The Fire Marshal would need to approve this project first. Mr. Brice also mentioned CYFD inspection provided a temporary approval just waiting for the final results of any finding. Mr. Brice indicated that the Detention Center has been working with NMAC for any County trainings. He also mentioned that the other Counties come to Luna County for their trainings.
- Road Department: Mr. Brice mentioned they have been busy with repairing roads including Stetson Road. Many cattle guards have been placed throughout the County. The paperwork has been submitted for the miles report. Carol has retired with 25 years of service recently.
- Starmax: Sales are \$101,159 which is down about \$7,000 from last month. They installed a turbo chief oven. Starmax is working on the after prom event.
- Budget and Procurement Department: The audit report has been completed and Joanne continues to send information to OpenGov.Com getting ready to do a second run.
- Risk Management Department: Mr. Brice mentioned they are working with NMC and New Mexico Edge. Mark Jasso hosted eight or nine of the Detention Center staff who are going through the jail professional certification courses which have just begun with New Mexico Edge. No Tort claims or Workman's Comp claims were reported for the month of February.
- Community, Health & Wellbeing: Parents as Teachers had two car seat trainings in the month of February, 21 car seats inspected and 17 more car seats distributed. Mr. Brice indicated that the program seems to be working well. The Healing House was awarded two grants one for \$7,000 through CYFD and one for \$3,000 through FEMA.

INDIGENT CLAIMS REPORT: Upon a 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 that six claims were received for the month of

February, of which three claims were for the Detention Center and three are for Luna County citizens in the amount of \$14,781.78. The GRT collected in February was \$56,697.59. The encumbered amount was \$170,996.37 with a cash balance of \$961,375.58. Ms. Hethcox mentioned they will be sending the third quarter payment this week to the Safety Net Care Pool. 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 and a second by Commissioner Reedy the following items of the Consent Agenda were unanimously approved following a roll call vote.

- a. Accounts Payable: \$1,303,824.93
- b. Payroll: \$1,027,045.72
- c. Resolution 19-15 Budget Increases
- d. Resolution 19-16 Budget Transfers

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

- a. **New Mexico Counties TrueConnect Loan Benefit Program Agreement:** - Susan Mayes the Communication Director with New Mexico Counties gave a presentation on the True Connect Loan Benefit Program which is offered to all Counties to no cost to the Counties. This program is endorsed by the NMC Board of Directors as a voluntary benefit for County Members. The program is designed for employees to secure small loans in times of special emergencies that may arise. Loan amounts are from \$1,000 to \$3,000. It is a safe and affordable loan that is done on-line confidentially between the employee and the lender. The County's role in this program is to sign a two page agreement and sets up an implementation conference call with key personnel and provides information to True Connect. County Attorney Charles Kretek mentioned that under the ACH, the employer shall repay the balance of any loans by deducting the sum from any terminated employees last paycheck, which means the whole balance. Mr. Kretek indicated there are laws indicating we cannot legally do that so if this is a requirement the County will not be able to participate. Ms. Mayes indicated the language can be changed to be acceptable for the County, she also mentioned that there is language indicating "what statutes permit". Chair Smrkovsky motioned to table this item until next month. Commissioner Reedy seconded the motion which carried unanimously.
- b. **New Mexico Counties Company Nurse Program:** Kamie Denton NMC Workers Compensation Manager reported they have ten other Counties enrolled in the Company Nurse Program. The program is staffed 24/7/365 days a year nationwide. They provide a medical triage injury hotline service, 24 hour registered nurse hotline. This program is only for injuries while on the job. The Counties are not in an agreement with Company Nurse Program the agreement is with NMC. Commissioner

Reedy motioned to table this item until next month. Commissioner Sweetser seconded the motion which carried unanimously.

- c. **2019 Annual Certified County Maintained Mileage Report:** Chair Smrkovsky indicated that this report does include the Dove Meadows Subdivision application. Commissioner Reedy motioned to approve the 2019 Annual Certified County Maintained Mileage Report. Commissioner Sweetser seconded the motion which carried unanimously.
- d. **Intergovernmental Transfer Agreement:** Chair Smrkovsky suggested the five display cases in the basement that are not being utilized by the County be given to the City, for use by the Luna County Historical Society only until they no longer have the need to use the display cases. They also request that we move them as they don't have the resource to move them. Commissioner Sweetser motioned to approve the Intergovernmental Transfer Agreement. Commissioner Reedy seconded the motion which carried unanimously.
- e. **Resolution 19-17 – Acceptance and Approval of the Fiscal Year 2018 Audit:** Robert Gonzalez CPA and lead partner for Luna County financial audit. One finding was found in 2018 which is a repeat finding the reference is 2018-001 on page 138. Although it is only one finding, there are several bullet points attached to this finding. Joanne has implemented a correction action plan for this finding. Mr. Gonzalez indicated there were also seven resolved findings from the prior year. Ms. Hethcox commented that she feels this was a successful audit. Commissioner Reedy motioned to approve Resolution 19-17 Acceptance and Approval of the Fiscal Year 2018 Audit. Commissioner Sweetser seconded the motion which carried unanimously.

EXECUTIVE SESSION: to discuss pending litigation matters pursuant to §14-2-1 (H) (7) NMSA 1978 (Livingston, Edwards, Hernandez). Commissioner Sweetser motioned to go into Executive Session to discuss litigation matters pursuant to §14-2-1 (H)(7) NMSA 1978 NMSA (Livingston, Edwards, Hernandez). The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote. The Commissioners went into Executive Session at 11:24 a.m. and returned from Executive Session at 11:59 a.m.

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 litigation matters with Livingston, Edwards, and Hernandez where no action was taken. 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- April 11, 2019 at 9:00a.m.

Regular Meeting- April 11, 2019 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 12:00 p.m.

ATTEST:

Andrea Rodriguez
ANDREA RODRIGUEZ, LUNA COUNTY CLERK

APPROVED: April 11, 2019



LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L. Reedy
BARBARA L. REEDY, DISTRICT 1

Linda M. Smrkovsky
LINDA M. SMRKOVSKY, DISTRICT 2

John S. Sweetser
JOHN S. SWEETSER, DISTRICT 3