

**MINUTES  
WORK SESSION  
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS  
Thursday, April 11, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met at 9:00 a.m. on Thursday, April 11, 2019 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Work Session.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 9:01 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 Commissioners constituting a quorum were present:

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

**SERVICE AWARDS:** Code Compliance Supervisor Frankie Tarazon presented a five year service award to Patricia Rodriguez. The award presentations for Jamie Aldana, Cody Owens and Felipe Chavez were postponed until next month.

**PRESENTATIONS/ANNOUNCEMENTS:** Risk Manager Mark Jasso presented RAP Safety Awards for perfect attendance to the following departments:

1. Luna County Central Dispatch - Fourth year recipient.
2. Treasurer's Office - Third year recipient.
3. DWI Program - Second year recipient.
4. CASA - First year recipient.
5. Juvenile Services - First year recipient.

Mr. Jasso also recognized the RAP presenters: Manny Armendariz, Teresa Aguilera, Joe Padilla, and Joanna Vasquez. He is looking to recruit two more presenters if anyone is interested, contact him.

**PUBLIC INPUT:** John Surra came before the board. He stated that he lives on La Bahada just north of Sunshine Road and that he continues to have issues with the Penn Farm installation of gas operated engines as opposed to the electric ones due to the noise they have created in his area. Mr. Surra read the amended part of the Right to Farm Act which mentioned changes "Except when such previously established agricultural operation or agricultural facility has substantially changed in the nature and scope of its operation" he believes changing from crops to orchards would apply as a substantial change. He mentioned that although Mr. Penn muffled some engines they didn't muffle very much and didn't resolve the noise issue. Mr. Surra visited farms in Mesilla and noticed the motors in that area are enclosed on three sides and on the top, the opened side of the enclosure is away from the houses which he feels would resolve the noise problem. Chair Smrkovsky commented that she did speak with Kevin Penn last week and he mentioned that they plan to enclose the engines to muffle the sound. She also stated that she will follow up with Mr. Penn regarding the enclosures, only as a

neighbor, because Luna County does not have a noise ordinance at this time. Chair Smrkovsky stated the material used for the enclosure will be a fence to protect the engines and a metal and foam casing on the inside of the enclosure. Commissioner Sweeter thought the material being used would be cheap to mitigate the noise.

Judy Hogan who lives just west of one of the pumps came before the board and complained about the noise issue as well. She stated that the engines were muffled, but now the noise is a constant high pitched whistle. Ms. Hogan stated that she would like to see results without having to fight and would hope Mr. Penn would follow through with his plans to enclose. She also mentioned that she and the other neighbors would be very happy to sit down and discuss the issue and to let him know they don't want to infringe on Mr. Penn's business but would like results. Commissioner Sweetser mentioned that one of the engines was shot recently, and asked Ms. Hogan if they have taken a decibel testing recently. Ms. Hogan said she has not taken one recently but she feels the decibel number has changed and is now a high pitched noise.

Christie Ann Harvey from Deming Main Street gave updates on future events for Main Street:

- Sun Zia Intersection Project - Contract for capital outlay with New Mexico Main Street and The Department of Economic Development and will be receiving \$35,000 for the Sun Zia Intersection project at Gold and Spruce. They will also be updating all four of the curbs and will be putting in new crosswalks to be in compliant with ADA standards.
- Facade project at 204 S. Gold - On Monday Will Powell, from New Mexico Main Street Professional Architect, is coming to help with the beginning concept of what they are going to do with the historical building.
- Salsa Festival - Main Street will be organizing the Salsa Festival going forward. They will have their first meeting on Thursday. They plan to have this event on the 27<sup>th</sup> of August.
- City Street Lighting - They are currently working on several grants and have also submitted a request to New Mexico Main Street Profession Design to help with the expensive lighting at the Plaza. Ms. Harvey also included in the design help for alternative pricing concept for the City to consider and possibly the County for re-lamping of all the city streets. There was a conversion made several years ago and the company went out of business. Many of the lights are non-functional at this time. The idea would be to either retro fit or replace the tops of the lamps and change them to solar LED lighting.
- Down Town Block Party - Working with the City to do a large block party down town and would love to have the County involved.
- Duck Races Tortilla Toss and several other events coming up.
- Lighted Christmas Parade, Lighting Downtown & Christmas Tree Lighting- They hope to have an extremely large event for Christmas and the Christmas tree lighting. Ms. Harvey submitted a request for continued funding from Luna County and offered to answer any questions.

Commissioner Reedy commented that these events take a lot of work to organize and she is very happy to see them happening especially for the underpass project which has been in the works for some time.

Russ Howell from District 2 wanted the Commissioners to know that a month ago she was contacted by an illegal immigration activist interested in visiting the border. Ms. Howell agreed to facilitate the visit and invited several other individuals from Northern New Mexico. She stated that she received about twenty individuals for a tour of the border on the Johnson's Ranch. The reaction from the

visitors was amazement. The visitors had no idea of the vastness of the area and how remote it was. During the tour, they saw one Border Patrol Agent sitting on the high point of the ranch, they were also able to see the Normandy fence which is not contiguous to keeping somebody away. The Normandy fence does however, delineate the border. There are also areas where there is only a two or three strand barbed wire fence, which is cut on a regular basis and cars drive right through. Some areas on this ranch do not have a fence at all because of an arroyo. Ms. Howell indicated that this tour was very informative and as a result of this, the two activists started writing articles about the southern borders. Ms. Howell is hoping that the plight on the Southern Border will be recognized as an important issue. Ms. Howell, the individuals from Northern New Mexico and local individuals started a group to keep in touch with each other and to keep all informed on what is going on with immigration.

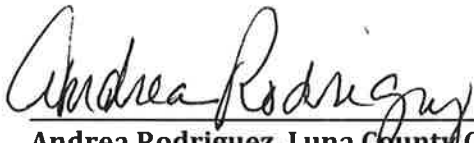
**COMMISSIONERS AND STAFF DISCUSSION ON REGULAR MEETING AGENDA ITEMS:** The Luna County Board of County Commissioners presented the Regular Meeting Agenda items for presentation and discussion by attending members of the public. *(\*Note: Items were presented for discussion only and no actions were taken.)\** The following agenda items were discussed:

Chair Smrkovsky asked to move Consent Agenda items e, f, and g to new business for discussion.

**ADJOURN:** Upon motion made by Commissioner Sweetser and a second made by Commissioner Reedy. Chair Smrkovsky adjourned the meeting at 9:39 a.m.

**ATTEST:**


**LUNA COUNTY BOARD OF  
COUNTY COMMISSIONERS**

  
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Andrea Rodriguez, Luna County Clerk

  
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Barbara L. Reedy, District 1

Approved: May 8, 2019

  
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Chair, Linda M. Smrkovsky, District 2

  
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John S. Sweetser, District 3

