

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, April 18, 2024**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, April 18, 2024, in the 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: Executive Assistant to the County Manager Mayra Hernandez, County Attorney Charles Kretek, HR/Legal Malarie Carlos, Budget and Procurement Director Joanne Hethcox, Clerk Berenda McWright, Chief Deputy Clerk Leslie Nabours, Probate Judge Diana Diaz, Administrative Assistant Senior Toni Esparza, Treasurer Kristie Hobbs, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Grants Director Bryan Reedy, Grant Writer Heather Lutz, Planning and Zoning Director Lupita Hernandez, Road Department Director David Bailey, Under Sheriff Jimmy Garcia, LCSO Captain Michael Brown, Dispatch Director Lauree Sanchez, LCDC Deputy Warden Robert Apodaca, LCDC Administrative Assistant Aundrea Pena, DWI Program Manager Edith Vazquez, Administrative Assistant/ Health Equity Brenda Aude, Starmax Director Chad Troyer, IT Director Victor Gonzalez, IT Deputy Director Tracy Fosvedt, IT Tech Nathan Ortberg.

CALL TO ORDER: Chair Chandler called the meeting to order at 10:00 a.m. and led the Pledge of Allegiance and the salute to the flag of New Mexico.

ROLL CALL: Deputy Clerk Toni Esparza called roll. The following members of the Board constituting a quorum were present:

**Ray J. Trejo, District 1
Colette M. Chandler, District 2
John S. Sweetser, District 3**

MINUTES: Commissioner Trejo motioned to approve the minutes for the Work Session and Regular Meeting of March 14, 2024 and Special Meeting of April 1, 2024. The motion was seconded by Commissioner Sweetser and unanimously approved.

SERVICE AWARDS:

- Chair Chandler stated that Maintenance Lead Felipe Chavez was unavailable to receive his pin for 15 years of service at this time.

PROCLAMATIONS:

- **Proclamation 24-03: Emergency Medical Services Week and Firefighter's Day.** Grants Director Bryan Reedy read the proclamation and stated that it was proclaimed that Emergency Medical Services Week would be from May 19, 2024 – May 25, 2024. Mr. Reedy also stated that it has been proclaimed that Firefighter's Day would be May 4, 2024. Commissioner Sweetser motioned to approve Proclamation 24-03: Emergency Medical

Services Week and Firefighter's Day. The motion was seconded by Commissioner Trejo and unanimously approved following a roll call vote.

- **Proclamation 24-04: National Correctional Officers and Employees Appreciation Week.** LCDC Deputy Warden Robert Apodaca read Proclamation 24-04 and stated that it has been proclaimed that National Correctional Officers and Employee Appreciation week would be from May 5, 2024 to May 11, 2024. Commissioner Trejo motioned to approve Proclamation 24-04: National Correctional Officers and Employee Appreciation Week. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Proclamation 24-05: Law Enforcement Week.** Captain Michael Brown read Proclamation 24-05 and stated that it was proclaimed that Law Enforcement Week would be from May 13, 2024 to May 17, 2024. Commissioner Trejo motioned to approve Proclamation 24-05: Law Enforcement Week. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Proclamation 24-06: National Public Safety Telecommunicators Week.** Dispatch Director Laoree Sanchez read Proclamation 24-06 and stated that it was proclaimed that National Public Safety Telecommunicators Week would be from April 15, 2024 to April 19, 2024. Commissioner Sweetser motioned to approve Proclamation 24-06: National Public Telecommunicators Week. The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.
- **Proclamation 24-07: Lemonade Day** – Executive Director of The Council Christie Ann Harvey read Proclamation 24-07: Lemonade Day and stated that Lemonade Day would be May 11, 2024. Commissioner Trejo motioned to approve Proclamation 24-07: Lemonade Day. The motion was seconded by Commissioner Sweetser was unanimously approved following a roll call vote.
- **Proclamation 24-08: Local Great American Clean-Up.** Grant Writer Heather Lutz read Proclamation 24-08: Local Great American Clean-up and stated that it was proclaimed April 2024 to be Keep America Beautiful and Local Great American Clean-up Month. Commissioner Trejo motioned to approve Proclamation 24-08: Local Great American Clean-up. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Proclamation 24-09: Motorcycle Awareness Month.** County Attorney Charles Kretek read Proclamation 24-09: Motorcycle Awareness Month and stated that it was proclaimed May 2024 as Motorcycle Awareness Month. Commissioner Sweetser motioned to approved Proclamation 24-09: Motorcycle Awareness Month. The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.

PRESENTATIONS:

- **Health Council by Edith Vazquez:** Administrative Assistant/Health Equity Brenda Aude and DWI Program Manager gave a brief presentation on the funding, benefits, and participants responsible for making good health a major priority in Luna County. Ms. Aude stated that County and Tribal Heath Councils were established in 1991 by the New Mexico Legislature to help communities organize, identify, and focus on local health priorities. Ms.

Aude stated that Luna County was granted \$21,700 in federal funds in 2001-2002 to address maternal and child health issues. Ms. Aude stated that in the fiscal year 2002-2003 the MCH Council was awarded \$50,900 and in 2010 the Health Councils were defunded. Ms. Aude stated that some of the Health Councils were reinstated by the Legislature in 2013 but were only funded approximately \$4,600 per Health Council. Ms. Aude stated that the Health Council did receive a three-year grant of \$50,000 under the CDC foundation for health equity and community rebuilding initiative. Ms. Aude stated that evidence based minimal level of funding for a successful collaborative would be \$127,085 per Health Council. Ms. Vazquez stated that the Health Council is the glue for all health programs and providers to come together in one place. Ms. Vazquez stated that providers include non-profits, different behavioral health services, Mimbres Memorial Hospital, Deming Public Schools, etc. Ms. Vazquez stated that the Health Council is always updated on what is taking place in the community as to not duplicate any services offered, but at the same time leverage the funds and collaborate.

- **Keep Luna County Beautiful by Heather Lutz:** Grant Writer Heather Lutz stated that Keep Luna County Beautiful is doing great. Ms. Lutz stated that just from January 30, 2024 to the present there has been a total of 41,840 pounds of trash, this includes 272 bags of trash and 12 tires picked up. There were 131 people who volunteered for the clean-up. Ms. Lutz stated that with all the trash that has been picked up a total of 17 miles have been cleaned and a total of 112 hours have been worked collectively. Ms. Lutz stated that the Road Department has also been going out at least once a week and picking up trash from the illegal dumpsites. Ms. Lutz stated that the Community Trees (trees for Trees Lake) is still ongoing, and the program is working with the City and also will be giving them from \$500 to \$1,000 for plants as well. Ms. Lutz stated that this project will allow Luna County and the City of Deming to work together for one common cause and the beautification of a beautiful location in Deming. Ms. Lutz stated that the Community Garden was actually a request from Cesar Chavez High School, who were the only ones to submit a formal request to be a part of this project. Cesar Chavez High School has also put in a request for Graffiti Eradication. Ms. Lutz stated that Cesar Chavez is participating in the Youth Intern Program, and as a result there are multiple interns involved. Ms. Lutz stated that there is still some money left for the youth groups and she will be putting out another proposal to other groups to finish off the funding for this year. Ms. Lutz stated that the Great American Clean-up will be held next weekend and invited everyone to participate.
- **Restrictive Housing Quarterly Report by Robert Apodaca:** LCDC Deputy Warden Robert Apodaca reported the Restrictive Housing Quarterly Report is submitted in accordance with 33-16-1 to 33-16-7 NMSA 1978. Mr. Apodaca stated that during the period of January 1, 2024 through March 31, 2024 the Luna County Detention Center had one detainee that did not meet the requirements. Mr. Apodaca stated that the detainee was a 42-year-old male that was not let out for his two hours of recreation due to a medical procedure.

CONSENT AGENDA:

- Accounts Payable: \$2,943,631.43
- Payroll: \$1,389,195.74
- Resolution 24-32: Budget Transfers
- Resolution 24-33: Budget Increases

Commissioner Trejo motioned to accept and approve the Consent Agenda as presented. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.

ELECTED OFFICIALS REPORT:

- **Assessor:** Assessor Michelle Holguin stated that the 2023 tax year was closed and the 2024 Notices of Values were mailed out on March 29, 2024. Ms. Holguin stated that the 2024 Values were submitted for printing on March 14, 2024, and a total of 63,343 notices were mailed this year. Ms. Holguin stated that included along with the Notice of Values was an insert with an explanation. Ms. Holguin stated that Luna County is on a yearly re-appraisal cycle helping the Assessor's Office be more proactive by looking at the impact of the market on a yearly basis. Ms. Holguin stated that values could increase up to three percent yearly if warranted by the market and to change in certain neighborhoods while others may not be affected. Ms. Holguin stated that the rendering period for all livestock, personal property, and manufactured homes ran from January 2, 2024 to February 29, 2024, and for exemptions, limitations, and protests ran from January 2, 2024 to the end of April. Ms. Holguin stated that there was a total of 401 Permits that were pulled in Luna County for 2023. Ms. Holguin stated that all values increased with the exception of personal property which is self-rendering. Ms. Holguin stated that the IAAO will be holding a class in May in Albuquerque, which Appraiser Associate Chelsea Evan will be attending. Ms. Holguin stated that at this time the Assessor's Office has 4 fully certified Appraisers as well as Ms. Holguin and her Chief Deputy Isabelle Enciso. Ms. Holguin stated that Property Tax Division has gone to a fully automated system and this will be the fourth year using this system for evaluation purposes.
- **Clerk:** Clerk Berenda McWright announced that Early voting will begin on May 7, 2024 and the absentee ballots will start being mailed out as well. Ms. McWright stated that early voting at the Mimbres Valley Learning Center will begin May 18, 2024 and the last day to request an absentee ballot is May 21, 2024. Ms. McWright stated that the last day for early voting ends on June 1, 2024.
- **Probate Judge:** Probate Judge Diana Diaz stated that there were 19 probates that were opened with that number being the same as last year and year-to-date marriages is only four. Ms. Diaz stated that she attended the New Mexico Counties Legislative Wrap Up as the representative for Luna County. Ms. Diaz stated there were also representatives from the Assessor's Office, the County Clerk, the County Commission, and Risk Management that attended the Legislative Wrap Up that was held in T or C. Ms. Diaz stated that at this time one of the big accomplishments of NMC was the Public Safety Retiree return to work, which includes Correctional Officers, Dispatch, EMT, Firefighters, Municipal Police, any Law Enforcement. Ms. Diaz stated that another issue for NMC was firearms near polling places which was signed by the Governor and has always been 100 feet from a polling place and 50 feet from drop boxes. Ms. Diaz stated that 2018 was the last time that elected official salaries were capped and there will be a ballot initiative that would leave it up to the County Commissioners to set elected official salaries. Ms. Diaz stated that the next NMC Board meeting will be May 3, 2024 and that paid sick leave will be guaranteed to come up again.
- **Treasurer:** Treasurer Kristie Hobbs stated that second half taxes are due Friday, May 10, 2024. Ms. Hobbs stated that the Treasurer's Office is working on a new credit card system and are hoping to have it in place within the next two weeks. This new system will support auto debits for anyone who is interested in doing so. Ms. Hobbs stated that all departments will be using the same money system which will make it easier for all departments to keep track of daily transactions. Ms. Hobbs stated that her office is working with Triadic on a new in-house receipting platform that will allow all of the departments the ability to give computer receipts like the Clerk's and Treasurer's Offices are currently doing.

- **Sheriff:** Captain Michael Brown reported on behalf of Sheriff Eby. Captain Brown reported that for the month of March there were 14 assaults, seven burglaries, two Larcenies, and two motor vehicle thefts. Captain Brown reported that there was a total of 791 calls, of which 752 were non-criminal civil calls, 25 were criminal calls, and 14 were motor vehicle accidents.
- **Commissioners:** Chair Chandler stated that in her district she was invited to visit the Hidden Valley RV Park and stated that it is a very quiet, peaceful and well maintained place. Ms. Chandler stated that this business employs at least three families, and they have 121 full-time spots that are used all the time. Ms. Chandler stated that all of those people that occupy those spots contribute to the community.

NEW BUSINESS:

- **Resolution 24-34: Recognizing and designating the Luna County Health Council as the Official Health Planning Body of Luna County.** Commissioner Sweetser motioned to approve Resolution 24-34: Recognizing and Designating the Luna County Health Council as the Official Health Planning Body of Luna County. The motion was seconded by Commissioner Trejo and was unanimously approved following a roll call vote.
- **Resolution 24-35: Luna County TPF Project:** Road Director David Bailey stated that Resolution 24-35: Luna County TPF Project is from last year for the presented truck routes, one of which was Sunshine and Mccan and the other was for Hermanas from NM 19 at least halfway to New Frontier Rd. Mr. Bailey stated that the County was awarded the funding for the Sunshine and Mccan project but was not awarded for the one for Hermanas to New Frontier due to lack of funding for the State. Mr. Bailey stated that he is bringing this one back this year as the only project for 2024, which will be the 2025 cycle. Mr. Bailey stated that the DOT in discussions with them would prefer that the Road Department create Hermanas Grade for the entire 28 mile stretch as an economic corridor. Mr. Bailey stated that this project is going to be made into a corridor study, which includes the safety components, the freight components, who is using this stretch of road, as well as all of the flood mitigations. Mr. Bailey stated that this would be a full economic corridor study for the full 28 miles, but the actual plan and design will only be for the first 15 miles. Mr. Bailey stated that this would be a request for \$819,000 with the County's match component of 5% to go through the DOT for this year. Commissioner Trejo motioned to approve Resolution 24-35: Luna County TPF Project. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.
- **Bid Award Approval for Road Materials FY 112-03:** Mr. Bailey stated that in the past the County had a four-year contract agreement for a bid award for construction materials and that award expired on April 9, 2024, which included five or six different materials. Mr. Bailey stated that there are never enough materials purchased to warrant a bid. Mr. Bailey stated that within 18 months to a year the Road Department will not use enough base course or chips to constitute the \$60,000 threshold to go out to bid, but they can still go through quotes and State pricing for any smaller award that would be used. Mr. Bailey stated that this Bid Award is not necessary at this time and recommended to the Commission Board not to approve it. Commissioner Trejo motioned to reject the Bid Award Approval for Road Materials FY 112-03. The motion was seconded by Commissioner Sweetser and was unanimously approved following a roll call vote.

INDIGENT CLAIMS REPORT: Commissioner Trejo motioned to recess as County Commission and convene as Claims Board. The motion was seconded by Commissioner Sweetser and was unanimously approved.

Budget and Procurement Director Joanne Hethcox reported the Indigent Claims for the month of March consisted of four claims totaling \$9,669.73. 75% of the total claims were brought forth from the Detention Center. Ms. Hethcox stated that there was a total of \$81,429.18 in GRT, and there is a fund balance of \$2,247,261.21, of that \$524,000.00 was encumbered. Commissioner Trejo motioned to approve the claims as presented. The motion was seconded by Commissioner Sweetser and was unanimously approved.

Commissioner Trejo motioned to recess as Claims Board and re-convene as County Commission. The motion was seconded by Commissioner Sweetser and was unanimously approved.

Community Support Reports: Debbie Troyer with Lemonade Day Luna reminded everyone that tonight at 5:30 p.m. at Lescombs Winery in the side yard there is going to be an experimental mixing class hosted by Copper Kettle Coffee and Deming Luna County Economics Development, and the Chamber of Commerce. Ms. Troyer stated that on May 1, 2024 there will be a best tasting event, this is where the children get to take what they have learned at the mixing class and present it to the judges. Ms. Troyer stated that this event will be held at the D1 Church on Gold St in the Kid's Zone. Ms. Troyer reminded everyone that on May 11, 2024 is the actual community wide event. Ms. Troyer announced that she had been in contact with someone in Lordsburg and they would be hosting a smaller version of Lemonade Day. Ms. Troyer stated that there is also a youth group of 50 in Las Cruces who are signing up to also have Lemonade Day. Ms. Troyer stated that she is also trying to contact the superintendent in the Hatch School District and Animas to get them involved as well. Mr. Troyer stated that this program is to teach our youth how to be entrepreneurs and to spend some, save some, and share some.

Executive Director of The Council Christie Ann Harvey announced that Luna County's first ever Movie Con is scheduled for tomorrow, Friday, April 19, 2024 at the Learning Center. Ms. Harvey stated that this event promises to be educational as well as interactive for all attendees. KFox TV will be on location filming spots for which a commercial for the County will be created as well as demonstrating how the television process works. Ms. Harvey stated that Film Commissioner Troy Scoughton Sr. of PCR Productions will be demonstrating the equipment used in movie production as well screen potential actors for a new and upcoming film. Ms. Harvey stated that Mr. Scoughton would also have one of his hair and make up trailers on location as well as other behind the scenes personnel allowing participants a real-life glimpse of how the background vital details are handled. Ms. Harvey stated that the Deming High School Media Club will be showing all five of their new creations for which they took top honors at the recent New Mexico Film Festival. Ms. Harvey stated that Media Club continues to attract young aspiring film makers offering them the opportunity for learning and strengthening of their creative media skill set. Ms. Harvey stated that the Department of Energy grant application submitted by Heather Lutz in cooperation with strategies 360 was finalized for \$3,000,000. Ms. Harvey stated that if they are successful with an award it will provide the funds to build a new state of the art film studio complete with cameras, computers, and programs allowing for full edit of films. Ms. Harvey stated that this facility will also be available for rental to outside production companies and free use to our Deming High School Media Club. Ms. Harvey stated that the ACP will be ending this month and more than 3,500 residents depending on this monthly assistance will not be able to access the broadband service they need for work, school, and healthcare. Ms. Harvey stated that pending legislation before Congress will be approved to maintain this subsidy.

Executive Director of Luna Deming Mainstreet Program Rebecca Hughes introduced Michelle Monroy as her new assistant. Ms. Hughes stated that Deming Luna Mainstreet is planning a Block Party on May 11, 2024, with vendors, music and refreshments. Ms. Hughes stated that August 6, 2024 is National Night Out, which is all law enforcement. Ms. Hughes stated that Salsa Fest will be held here at the Courthouse Park September 14, 2024. Ms. Hughes stated that New Mexico Mainstreet Institute will be here in Deming for a conference on September 25th, 26th, and 27th and will be held at the Mimbres Valley Learning Center.

Road Department David Bailey reported on behalf the New Mexico DOT. Mr. Bailey stated that National Work Zone Awareness Week is April 15 – April 19. This is a yearly event held during the Spring right before road construction kicks off. Mr. Bailey stated that this is for drivers to be aware of their surroundings while in the work zones to keep everyone in the area safe.

County Manager's Report:

- **Miscellaneous:** County Attorney Charles Kretek reported on behalf of County Manager Chris Brice. Mr. Kretek stated that Administrative Professionals Day is Next Wednesday, April 24, 2024. Mr. Kretek stated that if you have not been out to the Courthouse Park to take a walk around the park to see the work that maintenance has done. Maintenance has just repainted the trash cans and holders, making the park look amazing.
- **HR:** Mr. Kretek stated that Human Resources has onboarded 14 employees in the last month and are continuing to hire for a variety of positions at this time.
- **GIS:** Mr. Kretek stated that the GIS Department has continued to add layers to our mapping system, with the most recent one being the subdivisions map. The enhanced 911 project for addressing is coming up at the end of 2024. Mr. Kretek stated that the GIS Department is working with the Village of Columbus on getting addresses for 911 purposes.
- **Starmax:** Mr. Kretek stated that Starmax is still open for movies and bowling. Mr. Kretek stated that the bar is a small bar area right now due to renovations, although there was a reported \$92,000 in revenue last month.
- **LCDC:** Mr. Kretek stated that population average for last month was 359 of which 238 were US Marshalls.
- **Project Management:** Mr. Kretek stated that this department has many projects going on at this time, the Port of Entry, Starmax Expansion inside and out and LCDC is working towards expanding their laundry and kitchen area to better serve the inmates there. Mr. Kretek stated that the fiber optic installation is complete at the Detention Center. The architect has finalized the drawings for the Annex Building and that project is anticipated to begin in the next few months. Mr. Kretek stated that the McCan Road project has started, with the road being blue topped at this time and the chip sealing will begin in a week or two completing the project.

Upcoming Meetings/Events (unless otherwise specified):

- Citizen's College: Next Generation 911: April 25, 2024 at 5:30 p.m.
- Public Input Work Session: May 9, 2024 from 9:30 a.m. – 10:00 a.m.
- Regular Meeting: May 9, 2004 at 10:00 a.m.
- Luna County Offices Closed; Memorial Day: May 27, 2024

ADJOURN: Chair Chandler adjourned the meeting at 11:27 a.m.

ATTEST:

LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS

Berenda McWright
Berenda McWright, Luna County Clerk

Ray J. Trejo
Ray J. Trejo,
Commissioner, District 1

Approved: 5-2-24

Colette M. Chandler
Colette M. Chandler, Chairperson
Commissioner, District 2

John S. Sweetser
John S. Sweetser
Commissioner, District 3

