

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, June 14, 2018**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, June 14, 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: Manager Ira Pearson, Assistant Manager Glory Juarez, Executive Assistant Yossie Nieblas, Attorney Charles C. Kretek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Myrna Duarte, Treasurer Gloria Rodriguez, Chief Deputy Treasurer Dora Madrid, Assessor Delilah Rojo, Sheriff Kelly Gannaway, Captain Michael Brown, Community Health and Welfare Director Jessica Jara, Special Projects and Facilities Management Director Billy Ruiz, Community Development Director Jessica Etcheverry, Emergency Services Director Mark Jasso and Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox.

CALL TO ORDER: Chair Smrkovsky called the meeting to order at 10:04 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: Chair Smrkovsky requested removing items e, f, g and k from the Consent Agenda and discussing those items under new business. Commissioner Reedy motioned to amend the agenda by removing Item E: Resolution 18-29 Luna County CAP Project, Item F: Resolution 18-30 Luna County SB Project, Item G: Resolution 18-31 Luna County COOP Project and Item K: Fixed Asset Certification & Removal from the Consent Agenda to New Business. Commissioner Sweetser seconded the motion which was unanimously approved.

MINUTES: Upon a motion made by Commissioner Sweetser and a second by Commissioner Reedy, the Minutes of the May 8, 2018 Special Meeting were unanimously approved. Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser, the Minutes of the May 10, 2018 Work Session were unanimously approved. Upon a motion made by Commissioner Sweetser, seconded by Commissioner Reedy, the Minutes of the May 10, 2018 Regular Meeting were unanimously approved. Upon a motion made by Commissioner Reedy, seconded by Commissioner Sweetser, the Minutes of the May 23, 2018 Special Meeting were unanimously approved.

ELECTED OFFICIALS REPORTS: Sheriff Gannaway reported the statistics for the month of May. Larcenies, and assaults have decreased. Calls for service and non-criminal service have decreased.

Accidents have increased and DWI's have decreased. The Sheriff's Department is in the process of hiring a Sergeant, a Corporal and a Deputy. The Sheriff's Department is anticipating to auction off 14 vehicles in the county auction this summer. Manager Pearson advised that he is working closely with the sheriff and the schools to have a resource officer on duty at all times during the school year.

Assessor Delilah Rojo reported that her office is doing well and is now fully staffed. Two of her employees Michelle Holguin and Isabel Enciso will be attending the New Mexico Association of Counties Conference and four more employees will attend appraisal certification class in Las Cruces in August. She has completed her report for the 2018 Notification of Value, for tax purposes. Her department is working on 2019 re-appraisal and conducting a market analysis, the department is looking at a few increases.

Treasurer Gloria Rodriguez reported that her department has collected 89% of the 2017 taxes. Her department has finished and balanced the financial report. Mr. Pearson clarified the County's first bond payment is due on July 1, 2018 and will need to be paid at the end of June or on Monday, July 2, 2018. She welcomed the Board to please drop by the Treasurer's Office at any time.

Clerk Andrea Rodriguez announced the Clerk's Office will have an opening soon for the front desk clerk. Myrna Duarte will be leaving the office the beginning of July. The Clerk's office is busy collecting Business Registrations. She announced an automatic recount will take place on June 28, 2018 for the PRC race. She welcomed the Board to please drop by the Clerk's Office at any time.

Chair Smrkovsky, clarified that a lengthy discussion took place during the work session in May, regarding Resolution 18-24 declaring the intent of Luna County to issue industrial revenue bonds in an aggregate principal amount of up to \$223,000,000, in connection with a proposed project for a combustion turbine facility to be located in Luna County, for the purpose of inducing Southern Power Company to acquire the project. And Resolution 18-25 declaring the intent of Luna County to issue industrial revenue bonds in an aggregate principal amount of up to \$427,000,000, in connection with a proposed project for a natural gas power generation facility to be located in Luna County, for the purpose of inducing Southern Power Company to acquire the project. Chair Smrkovsky wanted to note for the record that the resolutions were approved during the regular meeting with the understanding the terms would be negotiated for the industrial revenue bonds when a project is determined.

Chair Smrkovsky reported that Commissioners Reedy, Sweester and herself along with several county employees will be attending New Mexico Association of Counties.

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

CDBG Playground: Parents as Teachers playground has been completed as of June 13, 2018. The state has completed their final inspection. Mr. Pearson recommended the commissioners and county employees to swing by and look at the playground.

Colonias Project complete: Road Department Supervisor Marty Miller reported the project on Country Club and Rockhound has been completed.

Detention Center: Daily average population for MAY: Construction completion is now at the end of this summer, due to small issues that were encountered that has slowed down the process.

- Number of Inmates Incarcerated – 338
- Number of Inmates Released - 369
- Average Daily Population- 294
- USMS Daily Population – 157
- Local Population - 138
- Inmate Average Length of Stay – 19

SIERRA COUNTY COMMISSION: Luna County Detention houses inmates for Sierra County, any decisions made regarding the detention center will have to include Sierra County. Sierra County will not be getting a detention facility in the near future and having a good communication system is key.

Budget:

- a. Worked on RFP process for Food SA new contract for RFP# 106-06 for LCDC Food & Commissary Services has been drawn up. To which will be voted on in new business.
- b. Luna County setup for an informal RFP for auctioneering services and notified all auctioneering services. Only two responses have been received.
- c. Luna County Debt and Finance Committee and all departments are communicating well and working together to get finances in order.

Maintenance: The department has completed 30 work orders in the month of May. The department is replacing AC compressors and conducting preventative maintenance on all county buildings. The department has assisted the Clerk's Office with delivering their voting machines.

Starmax: VPN PROGRAM: May sales are estimated at \$124,941.

Volunteer Fire Department: Mr. Pearson announced that Luna County is very dry at the moment and wants the public to be aware and not have any open fires of any kind. The county will be receiving two new Chevrolet 1500 vehicles that will be delivered at the end June. Volunteer fire department will be submitting two vehicles to the county auction.

Energy Corridor Regional Review: Mr. Pearson attended a meeting in Albuquerque which the BLM/Forest services hosted. During the meeting Mr. Pearson brought to their attention the issues regarding the energy corridor and transmission lines. BLM/Forest services were not aware of the issues and are now going to communicate with Mr. Pearson in the near future, to tend to those issues.

Funding of 501c-6 entities: Mr. Pearson discussed the difference of invoices vs. RFP's for non-profit organizations funding on 501c-6 entities. Mr. Pearson branched out to other counties and did some legal research on how to fund 501c-6 entities. Some counties send out a RFP for services for large funding and invoices are sent out for small funding

amounts. Mr. Pearson will continue to research 501c-6 entities and will update on a future date.

INDIGENT CLAIMS REPORT: Upon motion of Commissioner Sweetser and a second by Commissioner Reedy, 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 three claims for the month of May totaling \$4,534.91. The gross receipts collections totaled \$77,229.58 and the balance for Indigent Claims Fund totaled \$874,124.02 of that \$147,561.01 is encumbered. Commissioner Reedy motioned to approve the Indigent Claims Report as submitted. Commissioner Sweetser seconded the motion which carried unanimously. Commissioner Sweetser motioned to recess as a Claims Board and reconvene as a County Commission. Commissioner Reedy seconded the motion which carried unanimously.

PUBLIC COMMENT: Chair Smrkovsky opened the floor for Public Comment. No public comment was forthcoming.

CONSENT AGENDA: Chair Smrkovsky recommend to remove four items from Contest Agenda and place them in new business. **Item E: Resolution 18-29 Luna County CAP Project, Item F: Resolution 18-30 Luna County SB Project, Item G: Resolution 18-31 Luna County COOP Project, and Item K: Fixed Asset Certification & Removal.** Upon motion of Commissioner Sweetser, seconded by Commissioner Reedy, the following items on the Consent Agenda were unanimously approved following a roll call vote.

- a. **Accounts Payable: \$1,061,736.18**
- b. **Payroll: \$1,017,956.05**
- c. **Resolution 18-27 Budget Increases**
- d. **Resolution 18-28 Budget Transfers**
- h. **Resolution 18-32 Multi Services Agreement between Luna County and Village of Columbus**
- i. **Continental Divide Trail Committee Proclamation**
- j. **Exemption for Special Tax Assessment for predator control program- New Mexico Feeding Co.**

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

- a. **Authorize the Budget Procurement Department to make necessary intra department budget adjustments to clean up line items before end of fiscal year:** Commissioner Reedy motioned to approve the authorize the budget procurement department to make necessary intra department budget adjustments to clean up line items before end of fiscal year. Commissioner Sweetser seconded motioned, which was unanimously approved following a roll call vote.
- b. **Award recommendation for RFP# 106-02 for LCDC Food & Commissary Services:** Commissioner Reedy motioned to approve RFP# 106-06 for LCDC Food & Commissary Services. Commissioner Sweetser, seconded the motion and the motion was unanimously approved following a roll call vote.

- c. Authorizing the County Manager to collaborate with the New Mexico Border Authority in funding projects for Luna County:** Commissioner Sweetser motioned to approve and the Authorization for the County Manager to collaborate with the New Mexico Border Authority in funding project for Luna County. Commissioner Reedy seconded the motion, which carried unanimously following a roll call vote.

ITEMS FROM THE CONSENT AGENDA:


- e. Resolution 18-29 Luna County CAP Project:** Chair Smrkovsky recommended a correction to the verbiage stating the Resolution should read "Luna County Cooperative Agreement Project". Commissioner Reedy motioned to approve Resolution 18-29 with the correction "Luna County Cooperative Agreement Project". Commissioner Sweetser seconded motion, and the motion was unanimously approved following a roll call vote.
- f. Resolution 18-30 Luna County SB Project:** Chair Smrkovsky recommended a correction to the resolution. Commissioner Sweetser motioned to approve Resolution 18-30 with the correction "Luna County Cooperative Agreement Project". Commissioner Reedy seconded the motion which was unanimously approved following a roll call vote.
- g. Resolution 18-31 Luna County COOP Project:** Chair Smrkovsky recommended the same correction to the resolution to read "Luna County Cooperative Agreement". Commissioner Sweetser motioned to approve Resolution 18-29 Luna County COOP Project with the correction. Commissioner Reedy seconded motion, and the motion was unanimously approved following a roll call vote
- k. Fixed Asset Certification & Removal:** Mr. Pearson reviewed the assets and determined the length of time the assets have been in the system. The removal of assets is a clerical clean up. Commissioner Reedy motioned to approve the Fixed Asset & Certification. Commissioner Sweetser seconded the motion, and the motion was unanimously approved following a roll call vote.

EXECUTIVE SESSION: Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the County Manager's Evaluation & Contract: Chair Smrkovsky requested to table executive session for the July 12, 2018 meeting. Commissioner Sweetser motioned to table the Executive Session. Commissioner Reedy seconded the motion which carried unanimously.

ANNOUNCE NEXT MEETING: Chair Smrkovsky announced a Work Session will be held in Columbus on June 28, 2018 at 5:30 p.m. and a Work Session will be held on July 12, 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 11:07 a.m.

ATTEST:




ANDREA RODRIGUEZ, LUNA COUNTY CLERK

APPROVED: July 12, 2018




LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS



BARBARA L. REEDY, DISTRICT 1



LINDA M. SMRKOVSKY, DISTRICT 2



JOHN S. SWEETSER, DISTRICT 3