

**MINUTES
WORK SESSION
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Thursday June 27, 2019**

BE IT REMEMBERED that the Luna County Board of County Commissioners met at 9:00 a.m. on Thursday, June 27, 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 9:03 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: No Service awards were presented.

PRESENTATIONS:

- a. **Feasibility Study Update on Starmax, Mimbres Valley Learning Center and Day Care by Wilson & Company:** Ben Bacwartz, Planner with Wilson & Company and Marvin Chavez from the Architecture with Wilson & Company presented an extensive update on the feasibility study on Starmax, Mimbres Valley Learning Center and the Luna County owned Day Care facility. Mr. Bacwartz reported as of last fall they have been engaged in analyzing the needs of the community surrounding these facilities which included public meetings and public surveys. The scope of the study was to answer questions, what are the needs of the facilities, what is the cost of improvements, and is it feasible for the County to operate and maintain the facilities going forward. The first step was to complete the analysis and to look at the recent County comprehensive plan making sure there is an understanding of who is living in the community and what their current needs are. Mr. Bacwartz said they looked specifically at the economic projections of what kind of jobs will be available going forward, what industries are growing and what industries are shrinking in the community. Mr. Bacwartz reported they found how the learning center could better serve the business community through an expansion of vocational training which includes welding, technology, electrician and auto diesel mechanic. He also reported that from public discussions and surveys there was a strong support for a number of new outdoor facilities including a skate park, batting cages and a gathering space for the Starmax facility. Mr. Bacwartz also reported that they found strong support throughout the County for additional adult education, English as a second language and a potential for the Western New Mexico University to partner with local employers to perform on the job training programs. Mr. Bacwartz reported total construction costs for

Starmax improvements would be \$5,227,495 and the total construction costs for the Learning Center improvements would be \$13,521,892 which would include adding eight new classrooms and new vocational/trade classrooms. The total construction cost for the Day Care facility improvements would be \$1,722,707. A public meeting is scheduled for tonight at the Special Event Center to address comments on the draft study.

- b. **Proposed Ordinance Number 98 Animal Control:** Chair Smrkovsky opened the floor to public comments pertaining to Ordinance Number 98 Animal Control.

Diana Storm expressed concerns regarding her neighbor's dogs running around the neighborhood and how she can have the laws enforced pertaining to her neighbor.

Mike Reitz Director of DAGSHIP thanked the County for the updated ordinance. Mr. Reitz would like to make sure there's a mechanism in the ordinance to stop any future Ruff Ruff type hording situations, specifically regarding enforcement of the ordinance. Mr. Reitz liked that a cap on the number of dogs people can have was included. Mr. Reitz stated that although it is important that the information be communicated to the Humane Society from the animal control officers he does not feel the Humane Society should be the controlling body, he believes that responsibility should be on the City and County. Mr. Reitz also mentioned that he believes the Humane Society needs more funding in order to properly take care of the animals which include vaccinations, transfers and health inspections. But, most importantly, he believes a Director would be an excellent resource for the Humane Society and again that comes down to funding. Mr. Reitz would also like to see verbiage in the ordinance which says that if anyone has been convicted of animal abuse in any State on any level, that individual should not be qualified or allowed to volunteer at any animal involved facilities. In addition, Mr. Reitz would like to see the verbiage stay in the contract between the Humane Society and Luna County where Luna County could appoint an individual to the Luna County Humane Society Board if the County felt it was necessary. Mr. Reitz would like to see third party inspections being done and Dagship would like to help with the funding for that inspection expense.

Ann Booker announced that she had submitted comments and believes strongly that a higher fee schedule needs to be considered for having intact animals. Ms. Booker also feels the enforcement aspect is very important. She thanked the County for allowing her to be involved in the creation of the ordinance and for being able to give it one last look at the ordinance prior to finalizing it.

Robert Spane commented that the current situation with the animals has been addressed by the Humane Society as of 1969 and the City or the County pays them approximately \$100,000 to support that effort. Mr. Spane mentioned the Humane Society's effort is seen by the community as being inadequate and would like to know who is responsible for overseeing that effort.

Sandy Hasting from Heathers Animal Rescue invites the Board to visit her facility. Ms. Hasting said that she knows for a fact that what was said about Vicky was not true. Ms. Hasting is hoping that with the new animal ordinance in place she can be left alone to take care of her rescues which does not only include dog and cats but would include any animal in need of help.

Diana Storm is concerned that if DAG pays for inspectors for animal control, it would be considered a conflict of interest, she believes inspectors should be paid by the County or State.

ANNOUNCEMENTS: Chair Smrkovsky announced that the County will take comments pertaining to Ordinance 98 Animal Control until Monday, July 15 at 12:00 pm. The comments can be delivered to the County Manager David McSherry or can be e-mailed to laura.garcia@lunacountynm.us. The ordinance will be formally published two weeks prior to the August 11th meeting and voted on at the regular meeting of August 11th 2019. County Manager David McSherry mentioned that there will be a third draft posted no later than Wednesday to correct misspellings in the ordinance. The comments received by July 15 will then be applied to the final draft by the County Manager David McSherry and the County Attorney Charles Kretek. Recommendations to the Board will be made at the regular meeting scheduled on August 11th for final approval.

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:

Not applicable for this meeting.

ADJOURN: Upon motion made by Commissioner Sweetser and a second made by Commissioner Reedy. Chair Smrkovsky adjourned the meeting at 10:02 a.m.

ATTEST:




Andrea Rodriguez, Luna County Clerk

Approved: July 12, 2019




**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**



Barbara L. Reedy, District 1



Chair, Linda M. Smrkovsky, District 2



John S. Sweetser, District 3