

**MINUTES
SPECIAL MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, July 23, 2018**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in Special Session at 3:00 p.m. on Thursday, June 23, 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 K. Kretek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Assessor Delilah Rojo, Chief Appraiser Michelle Holguin, Sheriff Kelly Gannaway, Captain Michael Brown, Emergency Services Director Mark Jasso and Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox, Dispatch Director Lauree Sanchez, Operations Manager Yovanie Granillo, Sergeant Luis Malina, Luna County DWI Prevention Program Teresa Aguilera, Road Director Marty Miller, Road Supervisor Mike Hatch, Administrative Assistant Patricia Rodriguez and Code Enforcement Officer Manny Armendariz

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 the State 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**

PUBLIC COMMENT: Chair Smrkovsky opened the floor to Public Comment.

Sean Blaine presented the results of a poll that was conducted by the Deming Luna County Board of Realtors in response to the Luna County 4-day Work Schedule. The results from that poll were as follows, 18 realtors were opposed to the four day work week, three realtors had no opinion, and zero were in favor. Mr. Blaine further commented the as a local resident the four day work week really doesn't matter to him if it is working for the employees and saving money for the County.

Luna County Employee Manny Armendariz came before the Board as a resident and taxpayer and spoke in favor of the four day work week. He stated that it provides him the opportunity to volunteer at his daughter's school on Fridays. He also stated that he had served two customers in the planning department before 8:00am this morning and those customers were very pleased to do business at the County without having to take off work. He also stated that other employees were in favor of the four day work week but possibly feared retaliation if they spoke up.

Alberta Morgan stated that she is a resident of twenty years and a taxpayer and she objects to the four day work week. She spoke in favor of flex hours for the employees. She complained that the voters were not able to vote on Fridays.

Micki Shillito of Deming Realty stated that the County being closed on Fridays has caused hardships for some of her customers. She encouraged the Board to make their decision for the general best interest of the public.

Robert Saint Louis stated that he is one of the largest landowners in the County and he was not in favor of the four day work week and that employee opinions should not be considered in the decision.

NEW BUSINESS:

- a. Resolution 18-33 Approval of 2017-2018 4th Quarter Financial Report:** Chair Smrkovsky requested a motion to approve Resolution 18-33 approval of the 2017-2018 4th Quarter Financial Report. Commissioner Reedy motioned to approve the report as submitted. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

- b. Resolution 18-34 Approval of FY 2018-2019 Final Budget:** Manager Ira Pearson reviewed the changes that have been made since the preliminary budget and recommended approval of the final budget. Chair Smrkovsky requested a motion to approve Resolution 18-34 Approval of FY 2018-2019 Final Budget. Commissioner Sweetser so moved. The motion was seconded by Commissioner Reedy and approved unanimously following a roll call vote.

- b. Luna County Work Schedule Discussion Only:** Commissioner Reedy stated that there has been a lot of discussion regarding the four day work week that the public has responded to and many suggestions were offered such as a modified work schedule or returning to the five day week. Commissioner Reedy stated that she was not a Commissioner when the four day week started and that she was informed it was presented as cost savings which she didn't feel the county had those cost savings. Mr. Pearson stated that the cost savings would be evaluated in August so a full year could be analyzed. Commissioner Sweetser stated that he couldn't see where there would be any cost savings if the courthouse is kept open for 40 hours per week whether it was a four day week or a five day week. Chair Smrkovsky stated that there has been seven other counties that have successfully gone to the four day work week. Chair Smrkovsky expressed support for the four day work week for the employees as well as the Community. She stated that there are other counties that stay open for five days but only provide services for four days, but she did not see the point in being open if you were not providing proper services to the public. The property information is online for the realtors, taxes can be paid online and e-recording is available. She also stated that people are resistant to change but she feels it has been a good thing and going back to the five day work schedule will be taking a step back. Commissioner Sweetser stated that he voted against it in the beginning and hasn't changed his mind. The courthouse has been open five days a week for 100 years and the public never was really considered when the change to four days was made. He stated that people are still showing up at the Courthouse on Fridays. Commissioner Sweetser stated that although the employees got used to the four day work week, he felt like it was adopted for the wrong reasons. Commissioner Reedy stated that when she was appointed it was the most talked about issue in the county and it was not just the realtors it was also property owners. She offered suggestions for the for keeping the courthouse open on Fridays by having a group

that works Monday through Thursday and a group that works Tuesday through Friday. Commissioner Reedy stated that there were some issues brought up by the other elected officials regarding security and that it would be hard for them to re-adjust. She stated that we have listened to our employees and our constituents, and she hoped that help would be more forthcoming from the other elected officials for the ability to make those changes in order to serve the public with limited disruption. Chair Smrkovsky stated that a work session was held earlier this month with the other elected officials to discuss a possible solution to the problem. Linda felt that management should be involved in finding a solution. Mr. Pearson stated that in trying to come up with a plan to make a five day, ten hour a day schedule work, it has become apparent that services would be limited for two days a week and security would be a concern. He stated that he would like more time to come up with a solution and more time to analyze the cost savings. Mr. Pearson reported that in his research, a year ago, the other counties that implemented the four day work week got used to it and liked it. He also stated that he would go in the direction the board requests of him. Chair requested input from the other Elected Officials. None was forthcoming. Other public comment was accepted from Robert Saint Louis speaking against the four day work week. Sean Blaine spoke about the lack of security at the Courthouse.

d. Luna County Work Schedule: Commissioner Sweetser moved to go to the five day work week. Chair Smrkovsky asked that he clarify his motion regarding how many hours per day. Commissioner Sweetser clarified that he did mean a five day, eight hours a day, work week. The motion was seconded by Commissioner Reedy. Assistant Manager Glory Juarez requested that they set an effective date to avoid any confusion. Commissioner Reedy stated that she felt that was a management decision and it could be included in the motion. Commissioner Sweetser felt like it should be effective before school starts. Discussion ensued regarding issues such as the pay period, giving employees time to adjust their schedules and which departments would be affected. Further public comment was entertained. Commissioner Sweetser then moved to rescind the action that was taken last year. That motion was also seconded by Commissioner Reedy. There was discussion and confusion regarding issues with rescinding the action that was taken a year ago. Mr. Pearson suggested they make a new motion to avoid complications. Commissioner Sweetser motioned again to go back to the five day work week, eight hours a day, for the departments that changed a year ago starting on August 12th. The motion was seconded by Commissioner Reedy and was approved by a two to one vote with Chair Smrkovsky voting in the negative.

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 to include job description, performance goals, roles and responsibilities.: Commissioner Sweetser motioned to go into Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the County Manager's evaluation and contract to include job description, performance goals, roles and responsibilities. The motion was seconded by Commissioner Reedy and approved unanimously following a roll call vote. The Executive session began at 4:00 p.m.

The Commissioner returned from Executive session at 5:45p.m. Chair Smrkovsky requested a motion to return from Executive Session where no other matters were discussed other than Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the County Manager's evaluation and contract to include job description, performance goals, roles and responsibilities and

that no action would be taken. Commissioner Reedy so moved. The motion seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

ADJOURN: Upon a motion by Commissioner Sweetser and a second by Commissioner Reedy the meeting was adjourned the meeting at 5:46 p.m.

ATTEST:



ANDREA RODRIGUEZ, CLERK

APPROVED August 9, 2018


**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**



BARBARA L. REEDY, DISTRICT 1



LINDA M. SMRKOVSKY, DISTRICT 2



JOHN S. SWEETSER, DISTRICT 3