

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Friday, November 9, 2018**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Friday, November 9, 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: Interim County Manager Glory Juarez, Attorney Charles C. Kretek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Chief Appraiser Michelle Holguin, Sheriff Kelly Gannaway, Captain Michael Brown, DWI Program Edith Vasquez and Joe Padilla.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 10:07 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 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**

**APPROVAL OF AGENDA:** Chair Smrkovsky motioned to move item C. Resolution 18-46 of the Consent Agenda to be considered under New Business item C. Commissioner Reedy seconded the motion which carried unanimously.

**HONOR OF VETERAN'S DAY:** A moment of silence was given in honor of Armed Service Members who serve our Nation.

**MINUTES:**

- **Special Meeting- October 04, 2018:** Upon a motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the October 04, 2018 Special Meeting were unanimously approved.
- **Work Session- October 11, 2018:** Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of the October 11, 2018 Work Session were unanimously approved.
- **Regular Meeting- October 11, 2018:** Upon motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the October 11, 2018 Regular Meeting were unanimously approved.
- **Special Meeting- October 16, 2018:** Upon motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of the October 16, 2018 Special Meeting were unanimously approved.

- **Special Meeting- October 22, 2018:** Upon motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the October 22, 2018 Special Meeting were unanimously approved.
- **Special Meeting- October 29, 2018:** Upon motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of October 29, 2018 Special Meeting were unanimously approved.

**ELECTED OFFICIALS REPORTS:** Clerk Andrea Rodriguez reported that the Election was over. There were 6,211 total voters, which equates to 53% of the Luna County registered voters. She thanked the Maintenance Department, her staff and all whom were involved in helping make the election a success. Chair Smrkovsky thanked Andrea and her staff and all the poll workers and watchers for a job well done.

Sheriff Gannaway congratulated Linda Smrkovsky, Barbara Reedy and Diane Diaz on winning their election. He reported that assaults were up, burglaries, larcenies and vehicle theft were down. Overall calls for service, non-civil, accidents and DWI's were down. Deputies McBurney and Sias graduated from the Police Academy in Santa Fe and are now certified Police Officers. The Sheriff's Department's School Resource Officer Richard Huerta is currently attending class and will be sent to School Resource Officer training next month. Two new units have been received which have already been assigned to deputies. The Sheriff's Department is in the process of promoting a Detective, and hiring two Deputies and two Court Security Officers.

Chief Appraiser Michelle Holguin reported that they are currently working on the 2019 re-appraisals, they will be mailing out the personal property and livestock report soon. The Assessor's Office is working on the first of the year rendering period and getting ready to mail the notice of values. She stated that Assessor Delilah Rojo came through her surgery very well is hoping to come back to visit prior to her retirement.

**COUNTY MANAGER'S REPORT:** Interim County Manager Glory Juarez created a newsletter which she would like to use going forward to present the monthly report. She will report on the highlights of the departments and current projects.

- Dispatch had 9,418 calls in the month of October.
- An NCIC audit was conducted in dispatch. The report will be presented at the next meeting. Dispatch attended Terminal Agency Coordinator training. A total of 291 warrants were processed as of October 2018.
- The Road Department has hired five truck drivers. Road construction has begun on Hermanas Road SW and O'Kelly Rd SW to Sunshine Rd. The County will be doing a couple of press releases so that the public is aware of the increased construction activity in that area.
- Quotes for fencing are currently being obtained for the Cook's Peak Transfer Station.
- The IT Department is installing cameras at the Cook's Peak Transfer Station to help prevent illegal dumping.
- Starmax revenue for the month of October was \$109,278.
- One manufactured home inspection permit was issued in the Planning department and nine building permits were issued.

- Six events were held in the Special Event Center in October 2018 and five were held in the Courthouse Park and Pavilion.
- The Dia De Los Muertos event was a huge success.
- Detention Center: LCDC daily average population was 573 and the U.S. Marshals Service average population was 287 for the month of October. A new medical provider commenced their services at LCDC. Director Brice provided a written report for the Commission regarding some issues with inmate processing at the detention center.

**INDIGENT CLAIMS REPORT:** Upon motion by Commissioner Reedy and a second by Commissioner Sweetser, the meeting of the Board of County Commissioners was unanimously recessed and the meeting of the Indigent Hospital Claims Board convened. Interim County Manager Glory Juarez reported the total claims for the month of October were \$37,941.44. Two of those were from the detention center the rest from Mimbres Memorial Hospital. The Indigent Claims Fund holds a total of \$873,326.06 of that \$390,526.65 is encumbered. Commissioner Sweetser motioned to approve the Indigent Claims Report. Commissioner Reedy seconded the motion which carried unanimously. Commissioner Reedy motioned to recess as a Claims Board and reconvene as a County Commission. Commissioner Sweetser seconded the motion which carried unanimously.

**PUBLIC COMMENT:** Deming Luna County Main Street President Christine Ann Harvey congratulated Chair Smrkovsky and Commissioner Reedy on their win. She reported that the light parade will take place on December 1<sup>st</sup> and they are currently taking application for floats. The parade route will go down Spruce to Gold turning left down to the Court House and going around the Court House up the side of Diamond. Tentatively for Saturday, December 1st, we'll have the lighting of the Community Christmas Tree which will be a 26 foot giant spruce with a 4 ft. lighted star. Our Mayor will be speaking. Ms. Harvey extended an invitation to Glory, Chair or a Commissioner to speak as well. The Schools will have the band and/or choir singing and Santa Clause will arrive immediately after the lighting of the tree. The Kiwanis will have Santa Clause in the pavilion and he will be passing out goodies to kids.

**CONSENT AGENDA:** Upon a motion by Commissioner Reedy, and a second by Commissioner Sweetser the following items of the Consent Agenda were unanimously approved following a roll call vote.

- a. Accounts Payable: \$690,899.54
- b. Payroll: \$1,049,390.72

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

- a. **Resolution 18-47 Complete Count Committee:** Commissioner Sweetser motioned to approve Resolution 18-47 Complete Count Committee. Commissioner Reedy seconded motion, which carried unanimously following a roll call vote.
- b. **Authorize Closure of County Offices for employee meeting December 14, 2018 at 12:00p.m.:** Commissioner Reedy motioned to approve the authorized closure of the County Offices for employee meeting on December 14, 2018 at 12:00pm. Commissioner Sweetser seconded motion, which was unanimously approved following a roll call vote.

- c. **Resolution 18-46 Budget Increases:** Chair Smrkovsky requested discussion of item one of the resolution which included a budget increase to pay the salary for a Human Resource full time position. County Attorney Charles Kretek explained the need for this position being filled permanently. He stated there is a huge backlog of paperwork that creates a liability for the County. Commissioner Reedy expressed her desire to have the new County Manager in place before making any changes with this temporary position. Chair Smrkovsky stated that the County Manager's position has been posted and closes on December 10, 2018 and she would like to review the item again in December. County Attorney Charles Kretek feels that we should wait and bring it back up in the March instead of December. Chair Smrkovsky entertained a motion to approve Resolution 18-46 as amended with exclusion of item one. Commissioner Reedy motioned to approve Resolution 18-46 as amended excluding item one. Commissioner Sweetser seconded the motion and carried unanimously following a roll call vote.

**CERTIFICATION OF CANVAS RESULTS FOR THE GENERAL ELECTION 2018:** Chair Smrkovsky requested a motion to approve the Certification of Canvas Results for the General Election 2018. Commissioner Sweetser so moved. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

**EXECUTIVE SESSION: to discuss Limited Personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 pertaining to the County Manager's Position and Interim County Manager's Position.** Chair Smrkovsky requested a motion 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 Position and Interim County Manager's Position. Commissioner Reedy so moved. The motion was seconded by Commissioner Sweetser. County Attorney Kretek explained that the issue to be discussed in Executive Session does not properly fall under the statues listed on the agenda. The motion to go into Executive Session was rescinded.

**UPCOMING MEETINGS:** Chair Smrkovsky announced the following upcoming meetings.  
Public Meeting-November 13, 2018 – Feasibility Studies on Starmax and MVLC  
Work Session- December 13, 2018 at 9:00a.m.  
Regular Meeting- December 13, 2018 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 11:09 p.m.

**ATTEST:**

  
ANDREA RODRIGUEZ, LUNA COUNTY CLERK

APPROVED: 12/13/2018



**LUNA COUNTY BOARD OF COUNTY COMMISSIONERS**

  
BARBARA L. REEDY, DISTRICT 1

  
LINDA M. SMRKOVSKY, DISTRICT 2

  
JOHN S. SWEETSER, DISTRICT 3