

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L. Reedy
Member

John S. Sweetser
Chair

Linda M. Smrkovsky
Member

Thursday, May 14, 2020

10:00 a.m.

Agenda

Regular Meeting

Luna County Courthouse

To attend the meeting virtually or telephonically, please go to the Luna County's website homepage www.lunacountynm.us to find the information ID on the day of the meeting.

1. **Call to Order:** Chair Sweetser to commence meeting (At this time, please silence your cell phones and any other electronic devices) Pledge of Allegiance, State Pledge.
2. **Roll Call:**
3. **Approval of Agenda:**
4. **Minutes:**
 - Emergency Meeting- March 24, 2020
 - Regular Meeting- April 9, 2020
 - Special Meeting- April 24, 2020
5. **Service Awards:**

• Christopher Griffith	Road	05/11/2015	5
• Alexandria Garcia	Assessor	05/26/2015	5
6. **Elected Officials Report:**
7. **County Manager's Report:**

8. **Indigent Claims Report:**

- a. Recess as County Commission Convene as Claims Board

MOTION AND VOTE

- b. Presentation of Claims Report by Joanne Hethcox
c. Consider Claims dated May 14, 2020 \$30,846.52

MOTION AND VOTE

- d. Recess as Claims Board, Re-Convene as County Commission

MOTION AND VOTE

9. **Public Comment:** The Public has the opportunity to provide comment electronically at this time pertaining to items on the agenda only. Please be advised that this is not a question and answer period. Your comments specific to the agenda items will be limited to three minutes unless the Board of County Commissioners requests more information. The time limit and opportunity to speak is given in an effort to allow public input on business matters of the County to move the agenda forward in a prompt yet efficient manner. Comment will not be allowed on individual agenda items as they are discussed by the Commissioners during new business.

10. **Consent Agenda:**

- a. Accounts Payable: \$723,832.93
b. Payroll: \$1,071,753.14
c. Resolution 20-30 Budget Increases

MOTION AND ROLL CALL VOTE

11. **Old Business:**

- a. Luna County Information Technology and Security Policy

MOTION AND ROLL CALL VOTE

- b. Luna County Volunteer Fire Department Bylaws

MOTION AND ROLL CALL VOTE

12. **New Business:**

- a. Abandonment of Cactus Garden Rd.

MOTION AND ROLL CALL VOTE

- b. Social Media Policy

MOTION AND ROLL CALL VOTE

- c. Resolution 20-31 Abolishment of Sunshine Volunteer Fire Department

MOTION AND ROLL CALL VOTE

13. **Executive Session:**

Limited Personnel Matters pursuant to 10-15-1(H)(2) pertaining to the County Manager's Evaluation and Contract.

MOTION AND ROLL CALL VOTE

14. **Upcoming Meetings (unless otherwise specified):**

- Regular Commission meeting June 11, 2020 at 10:00 a.m.
- Complete Count Committee May 26, 2020 at 4:00 p.m.

Adjourn:

**MINUTES
EMERGENCY MEETING
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Monday, March 24, 2020**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in Emergency Session at 12:00 p.m. on Monday, March 24, 2020 in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of declaring a county wide state of emergency due to the nationwide COVID-19 outbreak.

The following staff and elected officials were present: County Manager Chris Brice, Executive Assistant Yossie Nieblas, Attorney Charles Kretek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Assessor Michelle Holguin, Chief Deputy Treasurer Dora Madrid, Emergency Manager Phillip Rodriguez, Safety Coordinator Tyler Massey, Human Resources Director Rosa Porras and Planning Director Premal Patel.

CALL TO ORDER: Chair Sweetser called the meeting to order at 12:00 p.m. and led the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

ROLL CALL: Chief Deputy Clerk Berenda McWright 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, Chair, District 3**

NEW BUSINESS: Resolution 20-25 Declaring a county wide state of emergency due to the nationwide outbreak of COVID-19: County Manager Chris Brice explained that State of New Mexico Emergency Operation center issued a notice late Friday evening that counties must declare this an emergency in order to be eligible for reimbursements or qualify for any State or Federal funding. Mr. Brice stated that early last week he had Joanne transfer \$50,000 into a separate line item created for this event due to the lessons learned from the recent migrant situation. Commissioner Reedy motioned to approve Resolution 20-25 declaring a county wide state of emergency due to the nationwide outbreak of COVID-19. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.

ADJOURN: Commissioner Reedy motioned to adjourn. The motion was seconded by Commissioner Smrkovsky and carried unanimously. The meeting was adjourned at 12:09 p.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

ANDREA RODRIGUEZ, CLERK

BARBARA L. REEDY, DISTRICT 1

APPROVED: _____

LINDA M. SMRKOVSKY, DISTRICT 2

JOHN S. SWEETSER, CHAIR, DISTRICT 3

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, April 09, 2020**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, April 09, 2020 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. Due to the Covid-19 Pandemic and the Governor's Orders regarding social distancing, the commission meeting was conducted via teleconference and webcasting with a minimum in attendance from the public and staff.

The following staff and elected officials were present: County Manager Chris Brice, Executive Assistant Yossie Nieblas, Deputy Clerk Pilar Salcido, Probate Judge Diana May-Diaz, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox. Other directors and elected officials were present telephonically.

CALL TO ORDER: Chair Sweetser called the meeting to order at 10:10 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, District 2
John S. Sweetser, Chair, District 3**

APPROVAL OF AGENDA: Chair Sweetser entertained a motion to approve the agenda. Commissioner Smrkovsky moved to approve the agenda as submitted. Commissioner Reedy seconded the motion which carried unanimously.

MINUTES:

- **Regular Meeting – March 12, 2020:** Upon a motion made by Commissioner Reedy and a second by Commissioner Smrkovsky the Minutes of the March 12, 2020 Regular Meeting were unanimously approved.

SERVICE AWARDS:

- **Retirement for David Ronkko 11/29/2001 – 4/9/2020:** Detention Captain Robert Apodaca presented a retirement plaque to Mr. Ronkko for his 19 years of service at the Luna County Detention Center.

PRESENTATIONS:

- **Restrictive Housing Report – LCDC:** County Manager Chris Brice reported there were not any individuals restricted for the quarter.
- **Deming Animal Guardians Update by Pat Danser:** Pat Danser was not able to present telephonically.
- **Humane Society Update by Sandra Foster:** Ms. Foster gave an extensive report on updates for the Humane Society. She thanked the County for the donated vehicle and the one time interim cash donation. Ms. Foster stated they may need to wait a couple of months longer to revisit the Animal Ordinance as the agreement was to revisit in six months.
- **Deming Soil & Water by Katherine Turner:** Katherine Turner was not able to present telephonically.
- **Cancer Support by Joanna Costilla and Jarod Hofacket:** Jarod Hofacket gave an extensive presentation on Cancer Support. Mr. Hofacket stated their primary support is transportation to medical facilities.

ELECTED OFFICIALS REPORTS: Probate Judge Diana May-Diaz reported she has performed nine marriages and has one pending marriage for April 20th. Ms. May-Diaz stated they have four new probates closed three and have a total of thirty probates for the year.

Assessor Michelle Holguin reported the Assessor's Office has mailed out Notice of Values for 2020 tax year with an explanation and census insert. A total of 319 building permits were issued which included 56 in the County, 260 in the City and three for the State.

COUNTY MANAGER'S REPORT: County Manager Chris Brice reported on the following items:

- **Detention Center -** A quarantine area has been identified at the Detention Center if it becomes necessary. Two inmates were exhibiting Covid-19 symptoms but tested negative. The total of Marshall Inmates is down to 150 which has an economic impact on the County.
- **The Safety and Risk Manager** went to the Deming Police Department Health Training. Most Deputies have been fitted for N95 masks and the County is well stocked right now. The State mandated all Personal Protective Equipment go through the local emergency managers.
- **Starmax –** There is much work being done at Starmax. PNM has given the County a 50% rebate because of the LED lighting that was installed. There is painting being done and a camera system being installed while Starmax is closed to the public. A huge difference will be noticed when Starmax is up and running again.
- **The Public** needs to set up an appointment to enter the Courthouse and they are also able to drop off payments with the Security Guard. This process seems to be working well.

Commissioner Reedy thanked County Manager Chris Brice for keeping the Board and the public informed during this time. Commissioner Smrkovsky asked Mr. Brice if the shredder for the Road Department had been received. The shredder has been held up in New York City.

INDIGENT CLAIMS REPORT: Upon a motion by Commissioner Reedy and a second by Commissioner Smrkovsky, 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 reported no claims for the month of March. The gross receipts collections totaled \$63,498.90 and the balance for the Indigent Claims Fund totaled \$1,240,198.51 of that \$286,447.70 is encumbered. Commissioner Smrkovsky asked about the Detention Center claims. Ms. Hethcox stated that the Detention Center claims are not run through the Indigent Claims Board but are being paid through the fund per the revision made previously. Commissioner Smrkovsky asked if that was the issue for the billings being delayed. Ms. Hethcox stated that the issue was partly that we did not have the CBT codes for the Medicaid rates, which is what our policy allowed us to pay. Commissioner Smrkovsky motioned to approve the Indigent Claims Report as submitted. Commissioner Reedy seconded the motion which carried unanimously.

Commissioner Smrkovsky motioned to recess as a Claims Board and reconvene as a County Commission. Commissioner Reedy seconded the motion which carried unanimously.

PUBLIC COMMENT ELECTRONICALLY: Chair Sweetser opened the floor for electronic public comment. The electronic system was not operable.

Chair Sweetser opened the floor to public comment for those present: Executive Director of Deming/Luna County Main Street Program Christy Ann Harvey gave a report regarding many of the Main Street projects.

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

- a. Accounts Payable: \$1,181,727.43
- b. Payroll: \$1,056,335.55
- c. Resolution 20-28 Budget Increases
- d. Appointment of Court Security Officer – Denise Garay

OLD BUSINESS:

- a. **Luna County Information Technology and Security Policy:** County Manager Chris Brice explained there still may be changes and decisions to be made to this policy and recommended tabling the policy until next meeting. Commissioner Smrkovsky moved to table the Luna County Information Technology and Security Policy until a work session is scheduled. The motion was seconded by Commissioner Reedy which carried unanimously following a roll call vote.
- b. **Elected Officials Salary Increases Survey:** County Manager Chris Brice explained that a spreadsheet has been provided to the Board for percentage increases for Elected Officials including salary comparisons to Dona Ana and Bernalillo Counties for reference. Mr. Brice recommended a 5% increase be approved at this time, as it has been four years since the Elected Officials have received a raise. Commissioner Smrkovsky and Commissioner Reedy expressed concerns regarding the effect the pandemic could have on the County's budget and did not feel comfortable approving a raise at this time. Commissioner Smrkovsky motioned to table Elected Officials and Salary Increases until closer to the end of the year. The motion was seconded by Commissioner Reedy which carried unanimously following a roll call vote.

NEW BUSINESS: Chair Sweetser reviewed each item on the New Business Agenda with the Commissioners:

- a. **Resolution 20-26 - Acceptance and Approval of the FY 2019 Audit:** Commissioner Reedy moved to approve Resolution 20-26 Acceptance and Approval of the FY 2019 Audit. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.
- b. **Resolution 20-27 – Procurement Policy Amendment:** County Manager Chris Brice explained that currently the procurement policy requires three separate quotes for any project quoted over \$1,500. Mr. Brice requested that the amount be changed to \$3,500 so that work could be approved and completed quickly for any project less than \$3,500. Commissioner Smrkovsky moved to approve Resolution 20-27 Procurement Policy Amendment. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.
- c. **BID FY 108-01 Award – Luna County Road Material:** Budget and Procurement Director/Indigent Claims Administrator Joanne Hethcox explained that the County went out to bid for various road materials and only had one response from Deming Sand and Gravel. Commissioner Smrkovsky moved to approve BID TY 108-01 Award to Deming Sand and Gravel for road material. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.
- d. **RFP FY 108-02 Recommendation for Fiscal Audit Services:** Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox explained the County received four responses to the request for proposals. After careful consideration, the three person evaluation committee recommended using Cordova CPA LLC for audit services. Ms. Hethcox explained that these are the same auditors the County has had for the last three years and recommended the Board to approve them for another three years. Chair Sweetser asked Ms. Hethcox if the auditors are required to change at some point. Ms. Hethcox stated that the County must change auditors every six years. Commissioner Reedy motioned to approve RFP FY 108-02 Recommendation for Fiscal Audit Services to Cordova CPA LLC for the next three years. Commissioner Smrkovsky 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 limited personnel matter. Commissioner Smrkovsky motioned to go into Executive Session pursuant to 10-15-1(H) (2) NMSA 1978 limited personnel matter. The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote.

The Commissioners went into Executive Session at 11:23 a.m. and returned from Executive Session at 12:24 p.m.

Commissioner Reedy motioned to return from Executive Session where no other matters were discussed other than limited personal matters. The motion was seconded by Commissioner Smrkovsky and carried unanimously following a roll call vote.

Chair Sweetser stated no action was taken.

UPCOMING MEETINGS: Chair Sweetser announced the following upcoming meetings:

Regular Commission Meeting – May 14, 2020 @ 10 a.m.
Complete County committee April 21, 2020 at 4:00 p.m.

ADJOURN: The meeting was adjourned by Chair Sweetser at 12:25 a.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

ANDREA RODRIGUEZ, LUNA COUNTY CLERK

BARBARA L. REEDY, DISTRICT 1

APPROVED: _____

LINDA M. SMRKOVSKY, DISTRICT 2

CHAIR, JOHN S. SWEETSER, DISTRICT 3

**MINUTES
SPECIAL MEETING
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Friday, April 24, 2020**

BE IT REMEMBERED that the Luna County Board of County Commissioners met at 10:05 a.m. on Friday, April 24, 2020 in the Basement Training Room of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Special Meeting.

CALL TO ORDER: Chair Sweetser called the virtual meeting to order at 10:05 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 Commissioners constituting a quorum were present:

**Barbara L. Reedy, District 1
Linda M. Smrkovsky, District 2
John S. Sweetser, Chair District 3**

PUBLIC COMMENT: Chair Sweetser opened the floor to Public Comment. Comments were made by chat virtually or telephonically by Director of Main Street Christine Ann Harvey, Local Business owner Gabriel Dominguez & Lorraine Dominguez, Local Business owner Larry Dennison, Local Business Owner Dan Lucas, Dennis West, Debbie Collinge, Deming Chamber of Commerce Director John Richmond, Mary Valdez and Mario LaFragola.

County Manager Chris Brice stated that we cannot defy the Governor but this County is unique to others and he would like to be able to take the initiative to decide in a safe manner how to re-open local businesses. Resolution 20-29 which is presented today is an attempt to be able to do that.

NEW BUSINESS:

- a. **Resolution 20-29 – Requesting the Governor to Delegate Authority for the Reopening of Business:** Mr. Brice stated that he felt maybe a letter would be more effective instead of the Resolution. Commissioner Reedy stated that she also felt that a strong letter would also be effective. Commissioner Smrkovsky stated that a letter alone is not a binding document, so she believed a letter attached to Resolution 20-29 would be effective. Commissioner Smrkovsky also stated wording in Resolution 20-29 should include “Recognize and take input” replacing “To grant” in part 1 of Resolution. Commissioner Reedy concurred with sending both a letter and the Resolution. Ms. Reedy also stated that she believes Luna County should create a local task force. Commissioner Smrkovsky moved to approve Resolution 20-29 as amended. Commissioner Barbara Reedy seconded the motion which carried unanimously following a roll call vote.

ATTEST:

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Andrea Rodriguez, Luna County Clerk

Barbara L. Reedy, District 1

Approved: _____

Linda M. Smrkovsky, District 2

Chair, John S. Sweetser, District 3

Indigent Hospital Claims Office

Chris A. Brice, County Manager

IHC Board Meeting May 14, 2020

Month	Number	Amount	Number	Denied
January	9	\$20,649.49	0	\$0.00
Feburary	4	\$20,700.21	0	\$0.00
March	0	\$0.00		
April	11	\$30,846.52		
May		\$0.00		
June		\$0.00		
July		\$0.00		
August		\$0.00		
September		\$0.00		
October		\$0.00		
November		\$0.00		
December		\$0.00		
Total	24	\$72,196.22	0	\$0.00
This Month's Total	Mimbres Memorial Hospital			\$27,275.57
This Month's Total	Gila Regional Medical Center			\$0.00
This Month's Total	Memorial Medical Center			\$0.00
This Month's Total	Deming Fire Dept./EMS			\$0.00
This Month's Total	All Other Services			\$3,570.95
Total				\$30,846.52
Year to Date Total	Mimbres Memorial Hospital			\$61,761.33
Year to Date Total	All Other Hospitals			\$0.00
Year to Date Total	Deming Fire Dept./EMS			\$500.00
Year to Date Total	All Other Services			\$9,934.89
Total				\$72,196.22
Care of Prisoners This Month - Not including SNCP Funds				\$137,185.35
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$460,922.77
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$37,288.78
Care of Prisoners Year to Date Dr. Bills				\$0.00
Total Cost of Care of Prisoners Year to Date				\$498,211.55
Monies Received for April, 2020				\$56,884.72
Balance in IHC Fund as of April 30, 2020				\$1,297,887.77
Encumbrances as of April 30, 2020				\$286,447.70
		Date	Amount Approved	Amount Denied
	Signatures	5/14/2020	\$30,846.52	\$0.00
Barbara L. Reedy				
Linda M. Smrkovsky				
John S. Sweetser				

May 14, 2020

[illegible]

LCBCC Meeting May 14th, 2020

Accounts Payable

4/2/2020	\$237,870.88
4/2/2020	\$439.75
4/2/2020	\$409.01
4/9/2020	\$84,336.24
4/9/2020	\$3,225.13
4/9/2020	\$20,428.00
4/16/2020	\$62,735.43
4/16/2020	\$4,388.34
4/23/2020	\$121,007.87
4/30/2020	\$78,554.56
4/30/2020	\$861.24

P-Cards

March 2020	\$109,576.48
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Total \$723,832.93

Luna County
Board of County Commissioners

AGENDA 05/14/2020

PAYROLL

04/10/2020	Register # 20200018	\$ 515,684.93
04/10/2020	*Register # 20200019	\$ 9,661.71
04/24/2020	Register # 20200020	\$536,237.65
04/24/2020	*Register # 20200021	\$ 10,168.85

Total \$ 1,071,753.14

* Special

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 20-30
Proposed Inter/Intra Fund Budget Increases**

WHEREAS, the Luna County Board of County Commissioners has the statutory authority to approve, modify and amend the County's annual operating budget; and

WHEREAS, development of an annual budget includes a considerable amount of professional guessing about events that may occur in the future; and

WHEREAS, during the course of the budget year actual events can result in receiving revenues or making expenditures that were not expected at the time the budget was prepared and adopted; and

WHEREAS, it is necessary to adjust the County's adopted budget to properly provide for these unexpected events.

NOW THEREFORE BE IT RESOLVED that the Luna County Board of County Commissioners hereby adopts the changes to the County's Fiscal Year 108, July 1, 2019 through June 30, 2020 Budget proposed by the County's management staff and attached hereto in spreadsheet form, as amendments to the previously adopted operating budget.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF MAY, 2020.

LUNA COUNTY

Chairperson

ATTEST:

Andrea Rodriguez, Luna County Clerk

Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming NM on the 14th day of May, 2020, the following budget adjustments are proposed and entered of record.

SCHEDULE OF BUDGET ADJUSTMENTS				Budget Resolution Number 20-30 Proposed Inter/Intra FUND Budget Increase					Entity Code DFA Resolution Number	
ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
One	Increase	428/21800	CASA	428/21800	\$ (1,881.00)	428-77-1629 (Revenue) Other Revenue Sources	\$ (1,881.00)	To account for revenues received from the sales of t-shirts for Child Abuse Awareness Mont.	\$ -	\$ (1,881.00)
					\$ 1,881.00	428-54-2020 Supplies	\$ 1,881.00	revenues received from the sales of t-shirts for Child Abuse Awareness Mont.	\$ 4,617.75	\$ 6,498.75
Two	Increase	609/22600	Adult Detention	609/22600	\$ 242,200.00	609-21-2004 Holiday Pay	\$ 13,700.00	To allow for expenditure of funds due to higher inmate counts through most of fiscal year.	\$ 78,000.00	\$ 91,700.00
						609-21-2007 Telephone	\$ 8,500.00	To allow for expenditure of funds due to higher inmate counts through most of fiscal year.	\$ 21,920.00	\$ 30,420.00
						609-21-2018 Inmate Medical	\$ 220,000.00	To allow for expenditure of funds due to higher inmate counts through most of fiscal year.	\$ 878,816.87	\$ 1,098,816.87
Three	Increases/ Decreases	610/21800	Drug Investigation - Traffic Safety Edu & Enforcement	610/21800	\$ (2,447.00)	610-61-2036 Administrative Expense	\$ (2,447.00)	To decrease budget to reflect final grant expenditures for this grant year.	\$ 2,447.00	\$ -
			Operation Buckle Down		\$ (310.44)	610-62-2005 Salaries - Overtime	\$ (306.00)	To decrease budget to reflect final grant expenditures for this grant year.	\$ 414.00	\$ 108.00
						610-62-2060 Match - Medicare 1.45%	\$ (4.44)	To decrease budget to reflect final grant expenditures for this grant year.	\$ 6.00	\$ 1.56
			Community DWI		\$ (4,049.00)	610-63-2036 Administrative Expense	\$ (4,049.00)	To decrease budget to reflect final grant expenditures for this grant year.	\$ 4,049.00	\$ -
			Traffic Safety - 100 Days/Nights		\$ 713.20	610-64-2005 Salaries - Overtime	\$ 822.35	To increase budget to reflect final grants expenditures for this grant year.	\$ 4,590.00	\$ 5,412.35
						610-64-2060 Match - Medicare 1.45%	\$ 19.29	To increase budget to reflect final grants expenditures for this grant year.	\$ 66.56	\$ 85.85
						610-64-2064 Match - FICA 6.2%	\$ (128.44)	To decrease budget to reflect final grant expenditures for this grant year.	\$ 128.44	\$ -
			Selective Traffic Enforcement		\$ (8,308.48)	610-65-2005 Salaries - Overtime	\$ (7,775.20)	To decrease budget to reflect final grant expenditures for this grant year.	\$ 13,735.00	\$ 5,959.80
						610-65-2060 Match - Medicare 1.45%	\$ (112.44)	To decrease budget to reflect final grant expenditures for this grant year.	\$ 199.16	\$ 86.72
						610-65-2064 Match - FICA 6.2%	\$ (420.84)	To decrease budget to reflect final grant expenditures for this grant year.	\$ 420.84	\$ -
			ENDWI		\$ 1,947.34	610-67-2005 Salaries - Overtime	\$ 2,401.24	To increase budget to reflect final grants expenditures for this grant year.	\$ 5,720.00	\$ 8,121.24
						610-67-2060 Match - Medicare 1.45%	\$ 43.16	To increase budget to reflect final grants expenditures for this grant year.	\$ 82.94	\$ 126.10
						610-67-2064 Match - FICA 6.2%	\$ (497.06)	To decrease budget to reflect final grant expenditures for this grant year.	\$ 497.06	\$ -

ITEM NO	Adjustment Type	Fund/DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
			Buckle Up/Click It or Ticket		\$ 420.00	610-62-2005 Salaries - Overtime	\$ 414.00	spending of award for new grant year.	\$ -	\$ 414.00
						610-62-2060 Match - Medicare 1.45%	\$ 6.00	To increase budget to allow for spending of award for new grant year.	\$ -	\$ 6.00
			Traffic Safety - 100 Days/Nights		\$ 19,110.00	610-64-2005 Salaries - Overtime	\$ 18,836.87	spending of award for new grant year.	\$ -	\$ 18,836.87
						610-64-2060 Match - Medicare 1.45%	\$ 273.13	To increase budget to allow for spending of award for new grant year.	\$ -	\$ 273.13
			ENDWI		\$ 9,300.00	610-67-2005 Salaries - Overtime	\$ 9,167.08	spending of award for new grant year.	\$ -	\$ 9,167.08
						610-67-2060 Match - Medicare 1.45%	\$ 132.92	To increase budget to allow for spending of award for new grant year.	\$ -	\$ 132.92
Four	Increase/Decrease	610/21800	Operation Stonegarden (Odd Grant Years)	610/21800	\$ (59,943.48)	610-76-2005 Salaries - Overtime	\$ (3,327.57)	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ 39,095.97	\$ 35,768.40
						610-76-2011 Vehicle Expense	\$ (22,022.86)	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ 28,111.20	\$ 6,088.34
						610-76-2012 Equip/Supplies/Mtn/Repairs	\$ (15,534.50)	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ 15,534.50	\$ -
						610-76-2028 Capital Outlay	\$ 1,891.62	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ 52,246.34	\$ 54,137.96
						610-76-2060 Match - Medicare 1.45%	\$ 129.43	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ 566.89	\$ 696.32
						610-76-2064 Match - FICA 6.2%	\$ 835.54	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ -	\$ 835.54
						610-76-2066 Workers' Compensation Assmnt	\$ (4.60)	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ 9.20	\$ 4.60
						610-76-2101 Professional/Contract Services	\$ (9,241.54)	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ 22,072.20	\$ 12,830.66
						610-76-2307 Stonegarden - Deming/Columbus PD	\$ (44,438.18)	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ 44,223.73	\$ (214.45)
						610-76-2308 Stonegarden - NMSP	\$ 31,769.18	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ 135,048.13	\$ 166,817.31
					\$ (975,000.00)	610-77-1423 (Revenue) Operation Stonegarden	\$ (975,000.00)	To increase budget to reflect Operation Stone FY 2019 Grant Award and allow for spending	\$ 2,081,000.00	\$ 1,106,000.00
					\$ 975,000.00	610-76-2005 Salaries - Overtime	\$ 200,000.00	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ -	\$ 200,000.00
						610-76-2060 Match - Medicare 1.45%	\$ 2,900.00	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ -	\$ 2,900.00
						610-76-2011 Vehicle Expense	\$ 28,000.00	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ -	\$ 28,000.00

ITEM NO	Adjustment Type	Fund/DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
						610-76-2012 Equip/Supplies/ Mtn/Repairs	\$ 43,962.00	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ -	\$ 43,962.00
						610-76-2028 Capital Outlay	\$ 50,000.00	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ -	\$ 50,000.00
						610-76-2101 Professional/Contract Services	\$ 48,750.00	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ -	\$ 48,750.00
						610-76-2308 Stonegarden - NMSP	\$ 349,920.00	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ -	\$ 349,920.00
						610-76-2307 Stonegarden - Deming/Columbus	\$ 251,468.00	To adjust budget for unexpended funds for FY 2017 Grant award for Operation Stonegarden	\$ -	\$ 251,468.00
					\$ 198,632.14		\$ 198,632.14		\$ 3,433,618.78	\$ 3,632,250.92

NOW, THEREFORE, it is respectfully requested that the Luna County Commissioners, authorize the above adjustments to the Luna County Budget.

Done at Deming New Mexico this Thursday the 14th day of May, 2020.

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Andrea Rodriguez, Luna County Clerk

Entered By:

Date

Checked By:

Date



Luna County Information Technology and Security Policy

1. Purpose

- 1.1. To establish a countywide information technology and security program supported by a countywide policy in order to assure appropriate and authorized access, usage and the integrity of County information and information technology assets by County employees, contractors, sub-contractors, volunteers and other governmental and private agency staff.

2. Policy

- 2.1. Information and the systems, networks, and software necessary for processing are essential County assets that must be appropriately protected against all forms of unauthorized access, use, disclosure, modification, or damaging of equipment, data, and software. Security and controls for County information and associated information technology (IT) assets which are owned, managed, operated, maintained, or in the custody or proprietorship of the County or non-County entities must be implemented to help ensure:

2.1.1. Privacy and confidentiality Data integrity Availability Accountability Appropriate use Safety protocols Minimize legal liabilities

2.1.2. The County Information Technology and Security Policy will establish the minimum standard to which all departments must adhere. Departments may, at their discretion, enhance the minimum standard based on their unique requirements.

3. Ownership

- 3.1. Computer hardware and application software systems purchased by Luna County are the property of the County, not individual departments, and may be subject to reallocation as the needs of the County change. The reallocation of these resources requires the approval of the county manager, in consultation with, Information Technology Department. Systems purchased with special funds or through grant funding and federal/state share funding arrangements may not be subject to reallocation.
- 3.2. Employees are prohibited from storing personal data on County computers. All data stored on the system is County property and may be subject to New Mexico Inspection of Public Records Act. There is no right to privacy in such files, and they may be accessed, read, downloaded, or deleted in the County's regular course of business.

3.3. The Information Technology Department, for good cause, is authorized to monitor all electronic mail, files, Internet usage and user activity through regular computer and network maintenance.

3.4. Subject to any restrictions imposed by federal or state law, Luna County may disclose employee e-mail messages, instant messages or Internet records to law enforcement or government officials or to authorized parties, without notification or permission from the employees sending or receiving the messages.

4. On-Boarding and Off-Boarding

4.1. Management of computer accounts is critical in protecting sensitive data and minimizing risks and liability to the County and ensuring access to computer systems is appropriately requested, approved, granted, terminated and shall be reviewed on a regular basis.

5. E-Mail & Instant Messaging

5.1. E-mail is the ability to compose and distribute messages, documents, files, software or images by electronic means over a phone line or network connection. This includes internal and external e-mail.

5.2. Instant Messaging (IM) is a software utility that allows users connected to the Internet or county network to send text messages and files between other IM users.

5.3. All outgoing e-mail messages shall contain a breach of confidentiality and accidental breach of confidentiality disclaimer, provided by the Information Technology Department.

5.4. Only official County email addresses shall be used to conduct official County business. Official County email addresses shall be listed on the official County website. Official County email addresses shall not be used for personal use (i.e., advertisements, newsletters, personal billing, etc.).

5.5. Official County email account passwords will not be given to the department directors, or employees. County employees are prohibited from accessing other currently employed County employees' emails. The Information Technology Department and County Manager are exempt.

5.6. Communications or records intended or required by law to be retained shall be saved to designated electronic files or other media by the Information Technology Department as required by applicable laws, regulations, policies or departmental or agency procedures.

6. Prohibited Uses of Email and IM

6.1. Employees shall not create, send or store messages that may reasonably be regarded as offensive, obscene, disruptive, illegal, fraudulent, profane or libelous. These include information that may be construed as harassment or disparagement of others based on their race, national origin, citizenship, gender, sexual orientation, age, disability, marital status, pregnancy or

maternity, religious beliefs. Users encountering or receiving such material should immediately report the incident to the Information Technology Department.

6.2. Employees shall not send unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material.

6.3. Employees shall not transmit any PII (Personally Identifiable Information), as per PII, HIPAA, PCI (Payment Compliance Industry) standards. Personally Identifiable Information (PII): Protected information which can be used to distinguish or trace an individual's identity, such as their full name, social security number, biometric records, driver's license number, national identification number, insurance details, medical information criminal record etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc.

7. Internet

7.1. Global network of computers used to communicate and provide information.

7.2. When accessing the Internet, employees are representing Luna County, therefore all laws and rules that apply in the regular workplace also apply on the Internet.

7.3. The County maintains the right to utilize software that makes it possible to identify and/or block access to Internet sites containing sexually explicit or other material deemed inappropriate and/or illegal for the workplace and log any and all aspects of its computer systems and network.

8. Prohibited Uses of Internet

8.1. Employees shall not view, download, or create Internet content that may reasonably be regarded as offensive, obscene, disruptive, illegal, fraudulent, profane, or libelous. Users encountering such material should immediately report the incident to the Information Technology Department.

8.2. Employees shall not use system resources by streaming video or audio.

8.3. Employees shall not use system resources for gaming, gambling, social media, and/or storing unrelated County business documentation that is not County related.

9. Intranet/Network

9.1. The private network that serves the employees of Luna County providing network connections (wired or wireless) and infrastructure, including jacks, wiring, switches, patch panels, hubs, routers, firewalls, etc.

9.2. Employees shall keep passwords secure and shall not share accounts, except as required by law or authorized herein. Authorized users are responsible for the security of their passwords and accounts.

9.3. The Information Technology Department shall be provided a regularly updated list of vendors needing access to their software to install upgrades, enhancements and to provide County personnel software application support by each Department.

9.4. All vendors performing the duties of an IT technician, network administrator, cyber security officer, software specialist must be supervised by Information Technology Department personnel upon request of the Information Technology Department, such vendors shall provide proof of accreditation or certification, including CJIS, HIPAA certified, Comptia, A+, Network+, Server +, Cloud +, Security +. No vendor shall access County Information Technology resources without prior notification to the Information Technology Department.

10. Prohibited Uses

10.1. Employees shall not use Information Technology resources without proper authorization or attempt to obtain privileges for which one is not authorized.

10.2. Employees shall not attempt to monitor, intercept, plug into jacks, switches, patch panels, hubs routers, and/or analyze or modify network traffic or transactions not specifically addressed to their computer.

10.3. Employees shall not attempt to alter or reconfigure any Luna County Information Technology resources.

10.4. Employees shall not use software that attempts to discover properties about the public network or computing resources connected to that network.

10.5. Employees shall not attempt to access, modify and/or delete another user's files, configuration or software.

10.6. Employees shall not attempt to permanently delete any records (data) on county equipment.

10.7. Employees shall not attempt to learn another user's password(s) or personal information. Authorized users should not allow another user to access the Internet or profile using their authorized account.

10.8. Employees shall not intentionally or through negligence damage, interfere with the operations of, or prevent authorized access to County information technology resources (example virus, Trojans, malware, spyware, macros, java scripts, etc..).

11. Wireless Networking

11.1. Wireless networking refers to hardware and software combinations that enable two or more applications to share data with each other without direct cable connections. Wireless networking includes cell and satellite phones, pagers, two-way radios, wireless LANs, modems, etc.

12. Prohibited Uses

- 12.1. Employees shall not install or use any wireless networking devices without the approval of the Information Technology Department.

13. Individual Workstations

- 13.1. An electronic computing device, or laptop or desktop computer, or any other device that performs similar functions and electronic media stored in its immediate environment.

14. Prohibited Uses

- 14.1. Employees shall not copy, install, or use any software or data files in violation of applicable copyrights or license agreements. Employees should contact the Information Technology Department if unsure about the copyright or license agreement that applies to the software in question.
- 14.2. Employees shall not download or install programs. The Information Technology Department will not support unauthorized software and has authority to remove such software from any system.
- 14.3. Employees shall not add or install internal or external hardware and peripherals unless approved by the Information Technology Department. Any unauthorized hardware and peripherals will be removed from the system. Example: USB flash drives, phone cords, cell phones, etc. CD/DVD/Blu-Ray writers/burners will only be provided to authorized personnel. If a department needs such storage arrangements can be made with the Information Technology Department.
- 14.4. Employees shall not use County owned information technology resources including computer hardware, software, printers, plotters, cameras, Internet, etc., connections for personal use or gain.
- 14.5. County computers will lock after ten (10) minutes of inactivity.
- 14.6. Computers that connect to the County network will need to have up-to-date software security patches, service packs and critical software updates installed on a regular basis. County departments that are not a 24/7 facility shall power off all workstations, and peripherals (monitors, printers, copiers, plotters) at the end of the business day. This is to minimize breaches, cut power usage consumptions, and allow updates to install.

15. Mobile Devices

- 15.1. Mobile devices are defined as but not limited to, laptops, cell phones, tablets, etc. These devices may either be County issued or personal, if used for County business.
- 15.2. Wireless transmission should not be considered secure. On County issued devices with VPN capabilities, Users should activate the agency VPN technology when transmitting all County or work-related information. Users requesting access will need to have the Department Director submit the work order.

- 15.3. All mobile devices that are connecting to County email system must have a passcode or password to lock the device.
- 15.4. In the event that a mobile device that has been approved for connecting to County email systems is lost or stolen the employee must notify the Information Technology Department immediately. The Information Technology Department will take appropriate action to protect against unauthorized access to County data.

16. COUNTY ISSUED DEVICES

- 16.1. The County reserves the right to monitor use of all County-issued mobile devices. Use of a County-issued mobile device in a manner contrary to this policy may result in revocation of the device and disciplinary action against the employee.

17. PERSONAL DEVICES USAGE

- 17.1. Personal devices used to perform County business using the County email system shall only be permitted after the completion of a work order submitted by the Department Director, with the approval of the County Manager. Such devices using the County email system will have a security suite installed by the Information Technology Department. The user will sign the County Acceptable Use Acknowledgement Form.
- 17.2. County business-related calls or data on an employee's personal mobile device can be subject to a request under the New Mexico Inspection of Public Records Act.

18. Social Networking

- 18.1. Social networking is not a substitute for inter- or intra-County communications. Official notices and communications should be transmitted via normal County communication channels (e.g., in person, via email, intranet), not via a social networking site.

19. Hardware/Network Problems

- 19.1. When hardware problems occur, the problem and its effect on the hardware should be provided to the Information Technology Department for assistance through the form of a work order. A link for the work order will be provided via County's website and intranet.

20. Software Problems

- 20.1. Employees should become familiar with the software applications they use. If a problem arises, then the Information Technology Department should be contacted through form of a work order. A link for the work order will be provided via County's website and intranet. Before contacting the Information Technology Department for assistance, the employee should:
 - 20.1.1. Write down the details of what happened.
 - 20.1.2. Make a list of what corrective measures were tried.
 - 20.1.3. Relay this information to the Information Technology Department.

21. Telephone – Fax

- 21.1. Telephones are provided as a tool to conduct County business. Non-County business related calls are permitted provided such use is brief, does not interfere with work, does not subject the

County to any additional costs or liability, and is otherwise consistent with requirements set forth in this Policy.

22. Prohibited Uses

- 22.1. Personal telephone use that increases costs or liability to Luna County are prohibited.
- 22.2. Employees shall not accept collect calls.
- 22.3. Employees shall not use telephones or fax machines to deliver conversations or messages regarded as offensive, obscene, disruptive, illegal, fraudulent, profane, or libelous. These include information that may be construed as harassment or disparagement of others based on their race, national origin, citizenship, gender, sexual orientation, age, disability, marital status, pregnancy or maternity, religious beliefs.

23. Television - Video Resources

- 23.1. Luna County recognizes the value of using video resources such as broadcast television, cable television, videotapes, and DVDs, for training purposes and to stay informed of local events such as weather and emergencies.
- 23.2. Employees shall only use these resources for work related activities.

24. Closed Circuit Television Cameras (CCTV)

- 24.1. Luna County uses CCTV technology to monitor selected public and non-public areas for the purpose of providing security and safety of individuals and property of the County.
- 24.2. The Luna County IT Department, in an effort to interface the CCTV security shall review any proposed or existing installation of video security applications on property owned by Luna County. All video security applications must conform to federal, state and local law in addition to the County Information Technology and Security policy. After review of proposed or existing modifications, Luna County IT shall advise the County Manager, in writing, if video security applications are compatible with the effort of interfacing security. The use of temporary CCTV monitoring (such as body worn cameras, mobile video equipment or covert surveillance cameras) used in criminal investigations, security specific matters within the Luna County Detention Center or specific court order is exempt from this policy. Legitimate safety and security purposes for CCTV monitoring include, but are not limited to the following:
 - 24.2.1. Protection of persons, property and buildings (e.g., may include things such as building perimeter, entrances and exits, lobbies and corridors, cashier locations, reception areas, access control points, etc.)
 - 24.2.2. Confirmation of security alarms (e.g., may include intrusion alarms, door controls, panic alarms, hold-up alarms, etc.)
 - 24.2.3. Video patrol of public areas (e.g., parking lots and facilities, streets and ways, commercial areas, public gathering locations, etc.)
 - 24.2.4. Criminal investigation (e.g., robbery, burglary, theft surveillance, etc.)
 - 24.2.5. Protection of pedestrians (e.g., pedestrian and vehicle traffic activity, etc.)

- 24.3. The primary purpose of CCTV at Luna County is for the safety and security of employees and visitors. Only Information Technology Department personnel, at the direction of the County Manager, may retrieve CCTV recordings, and then only for legal purposes, such as the accident investigations, liability determinations, investigation of possible criminal activity, official misconduct.
- 24.4. Unless otherwise dictated in federal, state or local law, the IT Department shall retain recorded images to the maximum time permitted by equipment constraints. No attempt shall be made to alter any recording. Any person who tampers with or destroys a camera or any part of an electronic surveillance system shall be subject to the internal county disciplinary process in addition to possible prosecution.
- 24.5. The Luna County IT Department shall maintain the database of all County owned and controlled camera locations. The County Manager shall designate employees with release authority. Documentation shall be provided by the County Manager to the IT Director or designee. No other County department may release data obtained through video security. All releases of recordings will be documented by the Luna County IT Department.
- 24.6. Signage providing notice of the County's possible CCTV monitoring of a public area shall be visibly posted.
- 24.7. Departments wishing to install new video security applications must submit their request to the Luna County IT Department for review. The IT Director or designee will review such requests with the County Manager, Department Director, and Risk Director.
- 24.8. CCTV will be configured to prevent camera operators from tampering with or duplicating recorded information. Duplication will only be allowed at the direction of the County Manager or his designee.

25. Off Duty Personal Use of County Equipment

- 25.1. Use of the County's computer system for personal purposes during off duty hours is prohibited.
- 25.2. County owned software shall not be removed from County property for personal use or installed on a personal computer.

26. Loaning of County Equipment

- 26.1. Hardware or software (including laptops, projectors, cameras, and other portable equipment) may only be loaned to non-County personnel with the advance approval of the County Manager. All requests for loaner equipment shall be submitted via a work order to the Information Technology Department, with a seventy-two (72) hour notice. Equipment will be picked up at the Information Technology Department and returned to the Information Technology Department within a twenty-four (24) hour period after completion of use. If setup is required of the equipment, the Information Technology Department will deliver, set up, and remove equipment as long as the setup information is conveyed via the work order.

27. Confidentiality

- 27.1. Unless expressly authorized, sending, disclosing, or otherwise disseminating confidential data, protected information, or other confidential information of the County is strictly prohibited. This includes information that is protected under HIPPA, PII, PCI or any other privacy legislation. Additionally, when such confidential or restricted information is transmitted over the Internet, it must be sent in an encrypted form. Exceptional care is to be taken to ensure confidential materials are not mistakenly transmitted to unauthorized recipients.

28. Information Technology Equipment Acquisition

- 28.1. The Information Technology Department will strategically plan for the information technology needs including but not limited to:
- 28.1.1. The lease, purchase or rental of equipment and software.
 - 28.1.2. Compatible model/version of equipment and software to be acquired.
 - 28.1.3. Compatible model/version of peripheral equipment including personal data assistants and digital cameras.
 - 28.1.4. Purchase of maintenance contracts.
 - 28.1.5. Requests for new software or hardware.
- 28.2. Hardware and peripheral devices that are replaced will be turned into the Information Technology Department. Hard Drives will be kept indefinitely in a secure location within the Information Technology Department until rendered permanently inoperable.

29. Company Lockouts

- 29.1. All changes in regard to contracted services can only be made by the Information Technology Department Director or designee with approval from the County Manager.

30. Access to Restricted IT Areas

- 30.1. Access to the Information Technology Department areas including data centers, server rooms, computer rooms, telephone closets, network router and hub rooms, voicemail system rooms, and similar areas containing Information Technology resources are restricted to Information Technology personnel and authorized county employees. The Information Technology Director shall maintain an approved list of authorized staff which are allowed unescorted access to the County Data/Server/Comm Closets rooms. Access requires advance notification to the County Manager and the Information Technology Director and records shall be reviewed and updated at least annually. Such granted access whether temporary or permanent shall be documented under the maintenance work order system.
- 30.2. The Information Technology Department must maintain written documentation / log of entry time(s) and date and exit time(s) into restricted areas and the purpose for accessing.

31. Information Technology Equipment Disposal

31.1. The Information Technology Department will dispose of retired information technology resources, by submitting a request to the County Manager with the following information:

- 31.1.1. Service Tag/Serial #
- 31.1.2. Date of retirement
- 31.1.3. Express Service Code if available
- 31.1.4. County Tag if available
- 31.1.5. Department it last resided in
- 31.1.6. Type of item being retired
- 31.1.7. Any pertinent information for the device

31.2. After approval, assets will be marked as retired in the inventory system for the Information Technology Department, and all hard drives will be kept indefinitely, until rendered permanently inoperable, in a secure location within the Information Technology Department. Disposal of the rest of the electronic equipment may be done on a yearly basis, and shall be shredded or crushed, prior to disposing of.

32. Security Awareness and Data Security & Privacy Training Policy

32.1. Security and data compliance start with awareness that every employee plays a role in security.

32.2. All County technology users will be provided Security Awareness and Data Security & Privacy Training(s) and the Information Technology Department will track participation.

33. Application Protection

33.1. All work done (including maintenance) by Information Technology personnel shall be documented through the work order system in place. Any Information Technology personnel that does not document their work through the work order system may be subject to disciplinary action.

34. Exception to Prohibited Use

34.1. Law enforcement personnel and Information Technology Department personnel may engage in use that is listed within this policy is prohibited when such use is necessary to perform their law enforcement, legal, and information technology administration duties and he/she has received advance approval from his/her supervisor. It is recommended that supervisors and Department Directors provide the Information Technology Department with notice of authorized use.

35. Violation of Policy

35.1. Any employee found to be in violation of any provision of this Policy may be subject to disciplinary action up to and including dismissal, civil and criminal liability. Non-employees including contractors will be subject to termination of contractual agreements, denial of access and/or penalties both criminal and civil.

36. Reporting Violations

36.1. Employees shall report violations of this policy to their supervisor or Department Directors, or the Information Technology Department. To the extent possible reports shall be handled with confidentiality.

37. Right to Appeal

37.1. Any employee who feels that he or she has not been treated fairly with regard to an application of this Policy may file a complaint with the County Manager's office.

38. Effective Date

38.1. All provisions of this policy shall be effective upon the approval of the County Commission.

Approved at Deming, New Mexico this _____ day of _____, 2020

Luna County Board of County Commissioners

ATTEST:

Andrea Rodriguez, County Clerk

John S. Sweetser, Chairperson
Commissioner, District 3

Linda M. Smrkovsky,
Commissioner, District 2

Barbara L. Reedy,
Commissioner, District 1

Luna County Volunteer Fire Department

Deming, New Mexico

Departmental By-Laws

Adopted:

Article 1: Organization

Section 1: This organization shall be known as the Luna County Volunteer Fire Department (LCVFD).

Section 2: This organization shall have as its purposes the prevention and control of fires within the Luna County Fire Protection District; the provision of assistance, whenever possible and practical, to residents in, and commuters through the Luna County Protection District in emergency situations; the provision of assistance, upon request, to other public safety agencies.

Article 2: Meetings and Trainings

Section 1: The first Tuesday of January, March, June and September, at 1800, shall be designated as the General Membership Meetings. This designation may be changed by a vote of the membership. All officers may call for Special Meetings and workshops, as needed. Meetings will be conducted in accordance with Robert's Rules of Order, abridged version. (Amended October 4, 2016)

Section 2: A training shall be held once a month. The time and activities of this meeting shall be announced by the Fire Chief and/or Battalion Chief. A makeup training shall be held once a month, as an alternative opportunity to acquire credit for attending that month's training.

Section 3: A Special Meeting may be called at any time by the Fire Chief or his designee. All Members of the LCVFD shall be given three days advance notice of a Special Meeting. Such notice shall be by telephone and posting upon the Fire Department Notice Board.

Section 4: An Emergency Meeting of the LCVFD may be called as necessary by the Fire Chief or designee by notification of all members who can be reached.

(Amended August 6, 2019)

Article 3: Officers

Section 1: The LCVFD shall have the following line officers if adequate numbers of qualified candidates are available:

1. Fire Chief
2. Deputy Chief
3. An appropriate number of Captains
4. An appropriate number of Lieutenants

5. A Safety Officer (May be combined with another officer's position)

Section 2: The LCVFD shall have the following administrative officers at such time as there sufficient members to fill the positions:

1. Fleet Manager
2. Quartermaster
3. Secretary/Treasurer
4. Building Manager
5. Training Coordinator

Section 3: Qualifications of officers:

1. Fire Chief: Must have training, experience and knowledge appropriate to the duties of Chief, as determined by the Luna County Manager.
2. Deputy Chief: Must have a minimum of four years of appropriate firefighting experience and minimum of Firefighter 1 certification.
3. All other line officers must have a minimum of one year of appropriate firefighting experience and minimum of Firefighter 1 certification.
4. All officers must be active members of the LCVFD.
5. Individuals without the required length of experience but who meet minimum requirement of Firefighter 1 certification may be appointed in an "acting" capacity.

Note: The duties of the officers are as described in Article 5.

(Article 3 Revised 7/6/94) (Amended August 6, 2019)

Article 4: Membership Classifications and Qualifications

Section 1 with: A member is defined as an individual who has attended at least 2/3 of the monthly trainings. Continued membership is contingent upon the following: within 2 years of becoming a member, the individual has either successfully completed Firefighter 1, or in house introductory training requirements in the following skills: Orientation of the Fire Service, Fire Fighter Safety, Fire Service Communications, Incident Command System, Fire Behavior, Building Construction, Portable Fire Extinguishers, Fire Fighter Tools and Equipment, Ropes and Knots, Response and Size-Up, Forcible Entry, Ladders, Search and Rescue, Ventilation, Water Supply, Fire Hoses, Nozzles, Streams and Foam, Fire Fighter Survival, Salvage and Overhaul, Fire Fighter Rehabilitation, Wildland and Ground Fires, Fire Suppression, Pre-incident Planning, Fire and Emergency Medical Care including CPR, Vehicle Rescue and Extrication, Hazardous Materials Awareness, Ethics of the Public Servant. Membership after meeting the first two years' requirements is maintained by attending at least 2/3 of the monthly trainings. Individuals, who were members prior to this amendment, can provide proof of successful completion of the introductory training requirements, or meet the requirements within two years. A member who does not meet or exceed the minimum requirements of membership, is no longer a member of the Luna County Volunteer Fire Department and must promptly return all Luna County property assigned to them for the administration of their duties as a fire fighter.

Section 2: An active member is defined as an individual who has participated monthly in the preventative maintenance checks of at least one piece of LCVFD equipment, attended at least 2/3 of the regular meetings and trainings during the preceding 12 months except that a member with less than 12 months service shall have attended 2/3 of the regular meetings and drills held since the member joined. In order to be eligible to vote, a probationary member shall have attended all meetings and drills held since he joined the LCVFD. Meetings and drills from which the member was officially excused shall not be used in these calculations.

Section 3: A member of the Luna County Volunteer Fire Department may become eligible for New Mexico Public Retirement Association benefits. The laws determining fire fighter eligibility sometimes change. Minimum requirements for the current calendar year may be found on the New Mexico Public Retirement Association website or with the help of an administrative employee of Luna County. Members are encouraged to take an active part in monitoring their eligibility and benefits.

Section 4: All members shall be notified of all membership meetings.

Section 5: Any part of these By-Laws that is in conflict with Luna County Ordinance, or New Mexico State Statute, will be superseded by the greater authority.

Section 6: All other officers shall be appointed by the Chief or station Deputy Chief subject to confirmation by majority vote of active members present at the membership meeting when such appointments are announced. No officer may hold more than one position except that a line officer may also hold an administrative office. A Teller shall be appointed by the Fire Chief to conduct the written balloting of any vote regarding the approval of a member's appointment as an officer.

Article 5: Duties of Officers

Section 1: The duties of the Fire Chief shall be as provided in Luna County Ordinance: 23 Personnel Policy and job description.

Section 2: The Deputy Chief shall assist the Chief in all aspects of the operation of the Department and shall assume the responsibilities and authority of the Chief when the Chief is absent.

Section 3: The Captains shall be next in line of authority after the Deputy Chief and shall assume command in the absence of superior officers.

Section 4: The lieutenants shall be next in line of authority and shall assume command in the absence of superior officers.

Section 5: The Safety Officer shall monitor all activities to ensure that all members are working within their capabilities and are using the proper equipment in an appropriate manner.

Section 6: The Training Coordinator shall ensure that ongoing training programs designed to enhance the skills and safety of the members of the Department are conducted. The Training Coordinator has the responsibility of monitoring progress of probationary members.

Section 7: The Fleet Manager shall be responsible for maintaining all vehicle records and maintaining all LCVFD vehicles in a safe and properly operating condition. The Fleet Manager has the authority to take out of service any vehicle that is unsafe or defective.

Section 8: The Building Manager shall have the responsibility to ensure that the Fire Station Building and equipment is kept in a good state of repair and functionality.

Section 9: The Quartermaster shall maintain all records of Fire Department equipment, except motorized vehicles, ensure that all equipment is maintained in a good state of repair and ensure that replacement equipment is obtained in a timely manner.

Section 10: The Fire Department Clerk, shall keep minutes of all meetings and records of members who were present at alarms, meetings and training sessions. The Fire Department Clerk shall keep all other records that are necessary for the proper functioning of the Department.

Article 6: Firefighter

Section 1: A candidate for Firefighter shall be at least eighteen (18) years of age and shall otherwise conform to the qualifications described herein, Luna County Volunteer Fire Department Standard Operating Procedures and Standard Operating Guidelines, and by NFPA standards.

Section 2: Upon completion of the proper application and after review by the Chief, or another officer designated by the Chief, the candidate shall immediately begin appropriate duties with the LCVFD. Upon satisfactory completion of the 120 day probationary period, the Chief shall recommend the candidate to the membership for election to regular membership. If, during the probationary period, the candidate's behavior and performance is judged by any officer of the Department to be unsatisfactory, it shall be the responsibility of the Chief to take appropriate action, including the discharge of the candidate from further association with the Department.

Section 3: The probationary period of an experienced firefighter with proof of training and experience can be waived by the Fire Chief with the concurrence of the Luna County Governing Body.

Section 4: All applicants for membership in the LCVFD shall require a majority vote of at least 2/3 of the active members for acceptance.

Article 7: Impeachment of Officers

Section 1: An officer of the LCVFD may be impeached for failure to perform his official duties for conduct unbecoming of an officer or for conviction of a felony occurring during his tenure in office.

Section 2: The method for impeachment of an officer shall be as follow: An impeachment charge shall be made in writing and signed by at least three line officers. At an officers meeting charges will be presented by the highest ranking officer in attendance. At this time the officer charged may make his defense against the charges by calling witnesses or any other means at his disposal.

The proceedings shall then be suspended and held over until the next regular meeting at which time there shall be in attendance at least two-thirds of the total active membership. A vote shall be taken on the charge and an affirmative vote by at least two-thirds of members present by written ballot shall impeach the officer. An affirmative vote by less than two-thirds of the members shall be considered lost and all charges against the officer shall then be dismissed.

Section 3: In case of death, resignation or impeachment of any officer, a replacement officer shall be appointed by the Chief subject to confirmation by the active members at the next regular meeting. In the event of a vacancy in the Fire Chief position, the Luna County Manager shall appoint a replacement.

Article 8: Duties and Discipline of Members

Section 1: Each member of the Luna County Volunteer Fire Department shall adhere to the principles set forth in the Luna County Volunteer Fire Department Departmental By-Laws. In addition, the individual shall be subject to and follow the orders of a Line Officer during all alarms, training sessions, practice or other departmental functions. He/she shall answer alarms and attend regular departmental meetings, practices and required training sessions except when he shall be excused by an officer. He/she shall not leave the scene of an alarm, practice, or training session until excused by the officer in charge. No fire fighter may respond within a fire scene without their full personal protective equipment.

Section 2: Except when serving as the designee of the Chief, no member shall represent the Department nor convey information or questions about Departmental matters to any outside person or agency.

Section 3: A member may be subject to expulsion for the following acts: willful and continued insubordination, conduct detrimental to the Fire Department, its members, the public or property, excessive absence, leaving the scene of a fire or rescue call without permission of the officer in charge or appearing at any alarm, practice or training session while under the influence of alcohol or any other mind altering substance, or without their appropriate personal protective equipment. Any witness may submit a written witness statement or proof of these acts to the Fire Chief or Deputy Chief. Any witness statement or proof will be made available to the member or members in question, and become a part of the member's or members' volunteer file(s). Expulsion is a closed personnel matter and at the sole discretion of the Fire Chief. A member may submit an appeal of the Fire Chief's decision to the Luna County Manager.

Section 4: All Uniforms, personal protective equipment and other items issued to a member, remain the property of Luna County, and will be returned upon discontinuance of membership, or at such time that the item must be removed from service. Loss or damage of Luna County property must be promptly reported to the Deputy Chief, in writing, by the person who took custody of said property. All items issued for the purpose of serving as Fire Fighter may only be worn by a member when authorized to act on behalf of Luna County.

Article 9: Training

Section 1: Where possible, all members shall be expected to work towards New Mexico Firefighter 1 certification or its equivalent.

Section 2: Where possible all members shall be trained in First Aid, CPR and AED.

Section 3: All members shall participate in monthly training sessions unless specifically excused.

Article 10: Rights of Members

Section 1: Any member shall have the right to attend all recreational functions of the Fire Department. Having met the qualifications enumerated in Article 4, Section 2, and an active member may be a candidate for any elective office. A member may serve on any committee, either elected or appointed. They shall have the right to submit an item for the General Membership Meeting agenda for the purpose of discussion and action. A member shall have the right to attend all departmental meetings, schools or training programs that are designed for the general membership.

Section 2: An active member shall have the right to invite a guest or guests to the Fire Department and to specific social functions. These guests shall be his responsibility. The guest or guests shall leave at the same time the host member leaves.

Article 11: Retirement

Section 1: A member of the LCVFD may be granted Retired status upon reaching at least 10 years of active membership within the Department according to New Mexico Public Retirement Association benefits.

Section 2: A retired firefighter shall retain all Fire Department privileges and they shall be included in all social functions of the Fire Department. They may attend meetings but shall not vote. They shall not actively participate in any of the alarms or operations of the Fire Department. As with the lawful, emergent recruitment of a non-member, the retired firefighter may be called upon to return to service as circumstances demand and allow. Should any retired firefighter consistently abuse their rights and privileges, they may be subject to loss of said rights and privileges or any part of them at the discretion of the Fire Chief.

Section 3: Retired members may keep the rank held at retirement with the addition of the word, "Retired", e.g., "Captain, Retired".

Article 12: Resignation

Section 1: A member may resign from the LCVFD at any time upon written notice to the Fire Chief. A member who resigns must return all departmental equipment to the LCVFD and forfeits all rights and privileges of membership except as hereinafter provided. A member resigning because of ill health which prevents him from continuing his duties as an active firefighter may be given all of the rights and privileges granted to a retired firefighter by a majority vote of the members of the LCVFD at a regular meeting.

Section 2: A member who has resigned may be reinstated as an active member upon recommendation of the Chief. The Chief shall present his recommendation at the next regular

meeting of the department. An affirmative vote of two-thirds of the active members present shall constitute confirmation of reinstatement.

Article 13: Leave of Absence

Section 1: Any member may obtain a leave of absence pursuant to a written request to the Fire Chief.

Section 2: The circumstances that will justify the granting of a leave of absence are:

- A. Job requirements such as extra hours or temporary relocation
- B. Temporary seasonal relocation
- C. Personal illness
- D. Family emergency

Section 3: Upon beginning a leave of absence, the member shall return all equipment to the Fire Department. Such equipment shall be reissued upon the member's return to service.

Section 4: Departmental officers who take a leave of absence shall maintain their rank provided the leave of absence does not exceed 6 months.

Article 14: Grievances

Section 1: If a firefighter has a complaint or grievance concerning themselves, another member or members, that is a closed (private) personnel issue. The aggrieved party will bring said matter to the Fire Chief, privately and in writing.

Article 15: Honorary Members

Section 1: An honorary member shall be a person, not a firefighter, who has rendered valuable service to the LCVFD. Such person, by majority vote of the active members, shall be issued a certificate of honorary membership. Honorary membership shall not confer on the recipient any of the rights or obligations of an active member.

Article 16: Committees

Section 1: Appropriate committees shall be appointed from time-to-time by the Fire Chief. A committee shall exist for the duration set by the Chief and shall submit reports as requested.

Article 17: Amendments to By-Laws

Section 1: A member or members who wish to propose an amendment to these By-Laws shall submit the proposed amendment to the Secretary at the any time. At the next regular meeting, the Secretary shall read the proposed amendment to the membership. At least two-thirds of the active members shall be present in order for a vote on the proposed amendment to occur. If two-thirds of the members are not present, the proposed amendment shall be tabled until such

time as two-thirds of the members are present at a regular meeting. In order for an amendment to the By-Laws to be adopted a majority vote of the active members present is required.

Article 18: Conduct of Meetings

Section 1: All meetings of the Luna County Volunteer Fire Department will be chaired by the highest ranking member present, and conducted in accordance with generally accepted Rules of Order.

Article 19: This document hereby acknowledges revisions that were made December, 2019.

Article 20: All amendments to the Luna County Volunteer Fire Department, Departmental By-Laws will be included within the body of the document, followed by a notation of amendment and date of amendment.

ADOPTED this 14th day of March , 2020

BOARD OF COUNTY COMMISSIONERS OF
LUNA COUNTY, NEW MEXICO

ATTEST:

LUNA COUNTY

Andrea Rodriguez, County Clerk

John S. Sweetser, Chairman, District 3

Linda M. Smrkovsky, Commissioner, District 2

Barbara L. Reedy, Commissioner, District 1



Bailey Sanchez <bailey_sanchez@lunacountynm.us>

Cactus Garden Rd

Kevin Penn <kpennfarms@gmail.com>

Mon, Apr 13, 2020 at 10:33 AM

To: bailey_sanchez@lunacountynm.us

As per discussion on the conference call I am in favor of closing Cactus Garden Rd. from the north side. I see no incumbrance to the other party using south entrance to their property.

Sent from my iPhone



Bailey Sanchez <bailey_sanchez@lunacountynm.us>

Freeholders

cole viramontes <coleviramontes@gmail.com>

Thu, Apr 16, 2020 at 7:59 AM

To: Bailey Sanchez <bailey_sanchez@lunacountynm.us>

To whom it may concern,

After viewing Cactus Garden Road and confirming that it's closure will not impede any residential access, I am in favor of closing the road in question.

Sincerely,
Cole Viramontes
Viramontes Farms

Sent from my iPhone

On Apr 15, 2020, at 8:47 AM, Bailey Sanchez <bailey_sanchez@lunacountynm.us> wrote:

[Quoted text hidden]



Bailey Sanchez <bailey_sanchez@lunacountynm.us>

cactus garden road

Bill Johnson <geronimopecans@yahoo.com>

Mon, Apr 27, 2020 at 6:54 AM

To: bailey_sanchez@lunacountynm.us

I see no reason why this road should not be closed
Bill Johnson



Social Media Policy

1. PURPOSE AND SCOPE

- 1.1. Because public employees occupy a trusted position in the community their statements have the potential to contravene the policies and performance of Luna County. Due to the nature of the work and influence associated with the public sector it is necessary that employees of this County be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public the County will carefully balance the individual employee's rights against the organization's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.
- 1.2. This policy is intended to address issues associated with employee use of social networking sites and to provide general guidelines for the personal use of social media by all employees.
- 1.3. This policy is intended to provide framework for use of social media when authorized by the County as part of an employee's job duties.
- 1.4. Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under the state or federal constitution as well as labor or other applicable laws.
- 1.5. Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

2. CHANGES TO THIS POLICY

- 2.1. Luna County may, from time to time, modify this Social Media Policy to reflect legal, technological, and other developments.

3. DEFINITIONS

- 3.1. The following definitions relate to terms as used within the context of this policy
 - 3.1.1. Social Media- a means of interactions among people in which they may create, share, and exchange information and ideas in virtual communities and networks.
 - 3.1.2. Social Media Site- any platform on which to build social networks or social relations for the sharing of information of common interest.
 - 3.1.3.

4. APPLICABILITY

- 4.1. This policy applies to all forms of communication including but not limited to film, video,

print media, public or private speech, social networking, social media, instant messaging, blogs, forums, wikis, video and other file sharing sites.

4.1.1. The forms of social media or technology referred to in this policy include, but are not limited to Facebook, LinkedIn, Twitter, Yammer, YouTube, Instagram, Google Plus+, Pinterest, Snapchat, Tumblr, video or wiki postings, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with the County.

4.2. This policy applies to the work-related use of social media.

5. SAFETY

5.1. Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of County employees such as posting personal information in a public forum can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, employee's family or associates or persons that this agency has had professional contact with such as crime victims or staff of other organizations.

Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an employee.
- Disclosing the address, telephone number or email address of an employee.
- Otherwise disclosing where another employee can be located off-duty.

6. PROHIBITED SPEECH, EXPRESSION AND CONDUCT

6.1. To meet the organization's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected;

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the County or its employees.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to or related to the County and tends to compromise or damage the mission, function, reputation or professionalism of the County or its employees.

Examples may include:

1. Statements that indicate disregard for the law or the state or U.S. Constitution.
2. Expression that demonstrates support for criminal activity.
3. Participating in sexually explicit photographs or videos for compensation or distribution.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty or illegal behavior.

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the County. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen to jeopardize employees by informing criminals of details that could facilitate an escape or attempted escape.

(e) Speech or expression that is contrary to the Oath of Office as adopted by the County.

(f) Use or disclosure through whatever means of any not public data, photograph, video or other recording obtained or accessible as a result of employment with the County for financial or personal gain, or data classified as not public by state or federal law or any disclosure of such materials without the express authorization of the Sheriff or the authorized designee.

(g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of office logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the County on any personal or social networking or other website or web page without the express authorization of supervisor.

(h) Accessing websites for non-authorized purposes or use of any personal communication device, game device or media device, whether personally or office owned, for personal purposes while on-duty, except in the following circumstances:

1. When brief personal communications may be warranted by the circumstances (e.g., inform family of extended hours).

2. During authorized breaks; such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

7. UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

7.1. While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit, employees may not represent the County or identify themselves in any way that could be reasonably perceived as representing the County in order to do any of the following, unless specifically authorized by the Sheriff or designee:

(a) Endorse, support, oppose or contradict any political campaign or initiative.

(b) Endorse, support, oppose or contradict any social issue, cause or religion.

(c) Endorse, support, or oppose any product, service, company or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website.

7.1.1. Additionally, when it can reasonably be construed that an employee acting in his/her individual capacity or through an outside group or organization (e.g. bargaining group) is affiliated with this office, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the County.

7.1.2. Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

8. PRIVACY EXPECTATION

8.1. Employees forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, Twitter) that is accessed, transmitted, received or reviewed on any office technology system.

8.2. The Office reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the County, including the County e-mail system, computer network, radio or other communication system or medium or any information placed into storage on any County system or device.

8.3. This includes records of all key strokes or web-browsing history made at any County computer or over any County network. The fact that access to a database, service or website requires a username or password does not create an expectation of privacy if accessed through office computers or networks.

9. CONSIDERATIONS

9.1. In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that supervisors or authorized designees should consider include:

9.1.1. Whether the speech or conduct would negatively affect the efficiency of delivering public services.

9.1.2. Whether the speech or conduct would be contrary to the good order of the County or the efficiency or morale of its members.

9.1.3. Whether the speech or conduct would reflect unfavorably upon the County.

9.1.4. Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.

9.1.5. Whether the speech or conduct may be protected and outweighs any interest of the County.

10. TRAINING

10.1. Subject to available resources the County should provide training regarding employee speech and the use of social networking to all members of the County.

11. WORK RELATED SOCIAL MEDIA GUIDELINES

11.1. The work-related use of social media can range from passive review of social media profiles for informational or investigative purposes, to the authoring of content through a

department sponsored social media account. Any such work-related use must be approved by an employee's supervisor. The following conditions also apply to such use:

- 11.1.1. Employees are not permitted to use social media, blogging, or similar technology during working hours or at any time on County computers or other County-supplied devices, unless specifically authorized to do so as part of employee's job responsibilities. An example of an authorized use may be law enforcement use for investigative purposes.
- 11.1.2. Employees authorized to publish content to a department sponsored social media site shall be designated as social media representatives and such designation shall be made by the employee's Director with notice to the Information Technology (IT) Director.
- 11.1.3. Employees may only establish official sites, blogs, pages, or accounts in their official capacity as County staff on a social media site with the authorization of their Director. Notification of all new official Social Media sites must be provided to the County Manager and the IT Director. All County authorized social media sites are to be sponsored by a department and the content of such site will become the responsibility of the department and its management.
- 11.1.4. Permission to author content on County authorized social media sites will only be granted to those employees who are authorized to speak on behalf of the County via these electronic communications media.
- 11.1.5. Employees are expected to recognize the confidentiality of certain County information, and the privacy rights of employees and residents, and are prohibited from disclosing confidential, personal employee and non-employee information and any other proprietary and/or nonpublic information to which employees have access. Questions regarding whether information has been released publicly or doubts regarding the propriety of any release, shall be directed to the Director.
- 11.1.6. When communicating electronically, employees are expected to speak respectfully about the County and County-related matters, and limited to items to which the employee is authorized to speak and identify themselves and their role with the County.
- 11.1.7. Employees are expected to follow copyright, fair use and financial disclosure laws when using online communications. Note that the unauthorized use of copyrighted materials, unfounded or derogatory statements, or misrepresentation can result in disciplinary action up to and including termination.
- 11.1.8. Employees acting on behalf of the County may not publish content to any website or social media application that is unrelated to subjects associated with their position with the County. When writing about County matters try to add value and provide worthwhile information and perspective.
- 11.1.9. Honor privacy rights of our current employees by seeking their permission and the permission of their Director before writing about or displaying internal happenings that involve the employee. Respect a fellow employee's request to remove his or her image from County social media platforms.
- 11.1.10. Employees should not cite or reference County contractors or suppliers without their approval. Care should be taken to not promote one contractor over another or provide preferential treatment of any kind.

- 11.1.11. Employees are permitted to use social media platforms to recognize and/or thank private and not-for-profit entities who have partnered in County events and programs.
- 11.1.12. Authorized social media sites are not be used to express a political view point or endorse a political candidate.
- 11.1.13. Be aware of your association with the County and that at all times you serve as an ambassador of the County.

Approved at Deming, New Mexico this ____ day of _____, 2020

Luna County Board of County Commissioners

ATTEST:

Andrea Rodriguez, County Clerk

John S. Sweetser, Chairperson
Commissioner, District 3

Linda M. Smrkovsky,
Commissioner, District 2

Barbara L. Reedy,
Commissioner, District 1

Be it remembered that at the Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 14th day of May, 2020, the following proceedings were had and entered of record.

RESOLUTION 20-31

ABOLISHING SUNSHINE FIRE DISTRICT

WHEREAS, the New Mexico Fire Protection Fund Law, Section 59A-53-5, NMSA 1978, authorizes County Commissions to establish one or more county fire districts;

WHEREAS, by Resolution 15-57, the Board of County Commissioners of Luna County established two main districts or departments, namely Sunshine Fire Department and including a Florida Mountain Substation, and Cooke's Peak Fire Department;

WHEREAS, by Resolution 20-17, the Board of County Commissioner of Luna County sought to consolidate the Luna County fire districts into one unified district to increase the safety of the citizens by increasing the efficiency and effectiveness of the Luna County Volunteer Fire;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Luna County abolishes the Sunshine Fire District and designates the Cooke's Peak Fire Station as Station 1 and the Sunshine Station as Station 2 and retaining a substation at Florida Mountain.

Done at Deming, New Mexico this 14th day of May, 2020

Luna County Board of County Commissioners

ATTEST:

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

Andrea Rodriguez, County Clerk

**Linda M. Smrkovsky,
Commissioner, District 2**

**Barbara L. Reedy,
Commissioner, District 1**