

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Linda M. Smrkovsky
Chair

Barbara L. Reedy
Member

John S. Sweetser
Member

Thursday, October 6, 2022
10:00 a.m.
Agenda
Regular Meeting
Luna County Courthouse

Meeting ID: meet.google.com/zyv-hhnh-pka To dial in: (US)+1 541-797-0423 PIN:357 394 004#

1. **Call to Order:** Chair Linda Smrkovsky 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:**
 - a. Regular Meeting- September 8, 2022
 - b. Special Meeting – September 19, 2022

MOTION AND VOTE

5. **Service Awards:**
 - Joann Moorman Safety/Risk 5 Years
- Retirement:**
 - Dolores Gonzales LCDC
6. **Presentations:**
 - Restrictive Housing Quarterly Report
 - Luna County Broadband Expansion

13. New Business:

- a. Resolution 22-73: Budget Increases
MOTION AND ROLL CALL VOTE
- b. Resolution 22-74: Budget Transfers
MOTION AND ROLL CALL VOTE
- c. Resolution 22-75: Disposal of Assets
MOTION AND ROLL CALL VOTE
- d. Resolution 22-76: Luna County and Cattleman's Agreement
MOTION AND ROLL CALL VOTE
- e. Resolution 22-77: Small Wireless Facility Design Guidelines
MOTION AND ROLL CALL VOTE
- f. Resolution 22-78: Application for Sun State Towers to construct a 150' monopole at 130000 Silver City Highway
MOTION AND ROLL CALL VOTE
- g. Amended Resolution 22-03: Notice of fees
MOTION AND ROLL CALL VOTE
- h. Amended Resolution 22-37: Authorizing the Sale of County Property (PMS Building)
MOTION AND ROLL CALL VOTE
- i. Collective Bargaining Agreement for LCDR- AFSCME #2061
MOTION AND ROLL CALL VOTE
- j. Proclamation 22-07; October as Domestic Violence Awareness Month
MOTION AND ROLL CALL VOTE

14. Upcoming Meetings/ Events (unless otherwise specified):

Indigenous People's Day: October 10, 2022 - Offices Closed

Special Meeting: TBD

Candlelight Vigil Ceremony: October 28, 2022 at 6:30 p.m., Courthouse Park

Regular Meeting: November 10, 2022

- 15. Executive Session:** Executive Session pursuant to 10-15-1H(7) NMSA 1978 two matters of pending litigation Opioids; Ruiz; Thomas; Punchall; Valencia; Purvis; Higgins; Declaratory Judgment; Code Enforcement Gate; Section 10-15-1(H)(8) for the purpose of discussing the potential purchase, acquisition and disposal of certain parcels of real property.

MOTION AND ROLL CALL VOTE

16. Adjourn:

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, September 8, 2022**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, September 8, 2022, in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following staff and elected officials were present: County Manager Chris Brice, Administrative Assistant Malarie Villegas, Executive Assistant Yossie Nieblas, Budget and, County Attorney Charles Kretek, Emergency Management Director Pablo Montoya, Chief Deputy Clerk Leslie Nabours, Deputy Clerk Toni Esparza, Chief Deputy Assessor Isabelle Enciso, Treasurer Kristie Hobbs, Chief Deputy Treasurer John Richmond, Planning Director Lupita Hernandez, Grant Administrator Heather Lutz, Starmax Director Tyler Massey, Central Dispatch Director Lauree Sanchez, Operations Manager Yovanie Granillo, Luna County Detention Center Director Lee Cook, Chief Andrew Gilmore, Captain Robert Apodaca, Sheriff Kelly Gannaway, Captain Michael Brown, IT Tech Nathan Ortberg.

CALL TO ORDER: Chair Smrkovsky called the meeting to order at 10:01 a.m. and led the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

ROLL CALL: Deputy Clerk Toni Esparza called roll. The following members of the Board constituting a quorum were present:

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

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

MINUTES: Upon a motion by Commissioner Reedy to accept the minutes for the Regular Meeting of August 11, 2022, Work Session August 11, 2022, as presented and a second by Commissioner Sweetser. The motion was carried out and unanimously approved.

SERVICE AWARDS/RETIREMENT:

- County Attorney Charles Kretek was presented with his five-year service pin by, County Manager Chris Brice.
- Executive Assistant Pilar Salcido was not in attendance to receive her five-year service pin.
- Emergency Services Director Pablo Montoya was presented with his 10-year service pin by, County Manager Chris Brice.

PRESENTATIONS:

- Swearing-in of LCDC staff by Judge Davalos- There were a total of 12 new Detention Officers that were sworn in by taking Oath.
- Lemonade Day Presentation by Debbie Troyer, Deming Chamber- Miss Troyer reported on the events that took place for Lemonade Day on May 31, 2022. She said that there is a website set up (lemonadeday.org), and a Facebook page (leomonadedayluna). These two web pages are to learn more about the Lemonade day events. There will be another Lemonade day main event that will be held on May 13, 2023, the project itself runs from March to October for the majority of the children and the partners and volunteers as well. Miss Troyer explained that this program was built to help children learn to be business owners, profit margins, sign making, bank loans, etc. Deming Public Schools will be helping next year in hopes of getting more children involved. This year there were a total of 122 registered children. The average revenue for the children was \$436.47 and the average profit margin was \$277.76. The winners of the Lemonade Day contest were as follows. The first place winner for the Best Tasting Contest was Main Squeeze (Ingrid Madrid, Leilanny Calderon, and Emmalyn Flores), second place was the Zesty Lemon (Rubiel, Antonio, and Anitzia Martinez), and third place was The Sour House (Jayce Keeler). For the Best Lemonade Stand contest, first place Q's Lemonade (Isreal and Kiahna Valdez), second place was a Llama-Nade (Katherine Johnston), and third place was Main Squeeze (Ingrid Madrid, Leilanny Calderon, and Emmalyn Flores). Miss Troyer said that there were about 40 lemonade stands that were registered, and maybe more. Destiny Fields was named Entrepreneur of the year. Destiny was presented with a gift certificate from Starmax, Rebecca Lescombs also presented Destiny with a gift card along with Mimbres Valley Feed, the Deming Chamber of Commerce presented her with a lemonade day tent, and was also the winner of the National Bike Contest, and will receive a Bicycle. A special congratulations were given to Destiny from Mrs. Connie Maag Principal of Ruben Torres Elementary School, Commissioner Barbara Reddy, and County Manager Chris Brice.
- Presentation on Wind and Solar by James Townsend- Mr. Townsend came to explain some of the pros and cons of Wind and Solar Renewable Energy, and also about how IRB (Industrial Revenue Bonds) are being used here in New Mexico. He stated that Wind and Solar Energy when built on an industrial level, these energy sources can be economical. He also stated that the problem with the renewable industry is that it is immature in the sense that it is not reliable on a round-the-clock basis. Without wind or sun, there will be no electrical output from these facilities. Another issue is energy storage and battery capacity. The project in New Mexico that is wanting to utilize the IRB (Industrial Revenue Bonds) to build infrastructure here in New Mexico to be used in Arizona and California, not supplying New Mexicans at all. He explained that the IRB is a financial tool that was originally developed to create jobs in New Mexico, and has been successful in creating long-term jobs. The problem with pipeline and construction jobs is that the jobs created only last as long as the project. The companies that come to New Mexico and ask for an IRB, If allowed to do so this company does not pay Gross Receipt Taxes on any of the building materials that are used. Therefore, having a facility that is being built in New Mexico at the expense of the taxpayers. This costs taxpayers of New Mexico millions and millions of dollars, and not getting any benefit from the project in any way.

ELECTED OFFICIALS REPORT:

- **Assessor:** Chief Deputy Assessor Isabelle Enciso presented the Assessor's Office monthly report. Miss Enciso stated that the Assessor's Office will be contacting the local Realtors to schedule a meeting to open up communication on any questions that they may have for their office to help the Realtors serve the Public better. She explained that there was 1 protest hearing that was rescheduled for September 29, 2022, which will be held in the basement conference room. The Appraisal Department is busy out in the field reviewing permits, and affidavits, and finishing calculating for 2023. Miss Enciso encouraged the public to call their office if they see the Appraisers out in the field and have any questions. The County Specialists are busy processing deeds, affidavits, address changes, tax levies, and helping customers on the phone, online, and in the office. She also reminded the public, that the online services are readily available for everyone to use. The GIS/911 Addressing/Flood plain Department is very busy processing deeds, reviewing and signing off on flood plain inquiries for both the County and the City, also processing parcel data inquiries and issuing new addresses in the County. Miss Enciso encouraged the public to call, email, and/or come by the office if there are any questions.
- **Clerk:** Chief Deputy Clerk Leslie Nabours gave the report for the month of August. She reported the Clerk's Office has been busy and Voter Registration has reopened. There have been 19 in-person Voter Registrations, 0 by mail, there were 50 removable, this meaning that some are deceased, have moved out of the County, or were processed through the Eric Process. There have been 122 online voter registration processed. Ms. Nabours stated that Luna County currently has a total of 10,888 active voters, 4,507 Democrats, 3,643 Republicans, 99 Libertarians, and 2,639 DTS/other. The Clerk's Office processed a total of 459 recordings, and four new businesses were registered, 16 were canceled, with a total of 259 total businesses. There were a total of 11 Marriage Licenses issued and 15 were filed. There were a total of nine Probates that were opened, four that were closed, and 7 that had updates. The Clerk's Office took in \$28.27 for Lodger's tax. It was also reported, that one regular meeting and one work session were recorded and reported. Dates to remember are October 11, 2022, Early Voting and Absentee begin in the Clerk's Office, October 22, 2022, and Early Voting begins at the Mimbres Valley Learning Center, November 5, 2022, which will be the last day for any early voting to take place, and November 8, 2022, is Election Day where voting will take place from 7 am to 7 pm.
- **Probate Judge:** The Probate Judge's report was included with the Clerk's report.
- **Treasurer:** Treasurer Kristie Hobbs reported that the remodeling of the Treasurer's Office is complete. Tim Sibert came in and completed the project by installing the glass. She stated that the Treasurer's Office is putting out bids for the 2022 tax bills to be going out. Also, the Treasurer's Office is working on fine-tuning the IVR system, this system will allow customers to call in and pay their bills with a credit card. There are a few glitches in the system at this time but Triadic is working to get these taken care of. The system is built to have the customer information readily available so that when you call you will not have to enter your personal information, just payment information to get the bill paid. She stated that the Treasurer's Office is also working with Triadic on starting a mortgage company system, this being where a mortgage company can call in and get updated information, this will make things easier for everyone involved, and the system will also cut down on the amount of returned checks and stop double payments therefore also cutting down on the number of refunds having to be issued. Also, helping taxpayers who have a lot of different tax bills, to be able to see all of their properties listed in the same place and making it easier to pay. If the taxpayer has an amount that is under \$500.00 it will be free. Ms. Hobbs also reported that her office is

working on the destruction of old files trying to get everything organized to make it easier on her and her office staff with accessibility to the files needed. Demand warrants on mobile homes that are delinquent for more than three years are also going out. Mr. Tyler Massey gave a quick explanation on how exactly the new tax payment system will work.

- **Sheriff:** Sheriff Gannaway gave the monthly report for August. There were no homicides or rapes reported. Assaults are up a bit, burglaries are down, and larcenies are down as well. He reported Vehicle thefts are way up again, there were no arsons, and no robberies to report. The overall totals for the criminal side are down. The Sheriff reported that the non-criminal paper service is up. Accidents are down, and no DWI to report. The overall totals for non-criminals are down. The overall totals for both criminal and non-criminal are down as well. Sheriff Gannaway reported that the HVAC system in the Sheriff's has gone out. There are four deputies attending the Academy at this time, which he stated has left him four deputies short here in Luna County. He stated that it's been rumored that he will be losing four more deputies to other Law Enforcement entities. Another problem that Sherriff Gannaway is dealing with is the fact that he is two units down, and has no new units to replace the ones that are down. He reported that Shop with a Cop will be held on December 10, 2022, at Walmart, a bowling tournament on November 12, 2022, at Starmax, a golf tournament, and a cornhole tournament to be held at Boogies, both of these events will be held sometime in October. He stated that there will also be a carwash and a raffle, and community donations are always welcome.
- **Commissioners:** Commissioner Sweetser reported that he had received some calls on certain roads that have gone from pavement to gravel. Mr. Brice stated that he had been receiving the same calls. He stated that some of the Road Department's machinery is down, but assured that they are working very hard to keep up with all road repairs. The County does not own a reclaimer, this machine is used to crush up all of the old concrete. Mr. Brice said that this particular piece of machinery has to lease whenever it is needed. Chair Smkovsky also reported that she is on the board for Workforce Investment Act Board for Luna County and there will be a meeting held on September 9, 2022, at 10:00 am in T or C. There are seven counties in this area that compete for programs and it gets difficult when competing against the other six counties. Chair Smrkovsky stated that the program has changed hopefully making it easier to get more services for the people here in Luna County.

COUNTY MANAGER'S REPORT: County Manager Chris Brice Reported that there was a county employee clean-up day where the employees who chose to participate helped pick up trash, paint over graffiti, etc. These employees that participated worked in the morning and were allowed to take the afternoon off as an incentive. There were a total of about 27 employees that attended. Mr. Brice also mentioned that there was a short video of the clean-up on the Luna County Facebook page. He said that he had sent out an email informing him that the Armory Board had contacted Mr. Brice about having canceled the September meeting. There has been no decision made on when the next meeting will be rescheduled for. Mr. Brice stated that the board vote is what is needed to be able to take possession of the Armory building. He attended the Memorial task force on Corrections and Detention which was held in Santa Fe. The last meeting that was held was to see if there would be a possibility of combining Corrections and Detention due to the lack of staffing, the lack of funding, and the extreme cost of medical. Mr. Brice mentioned that City Administrator Aaron Sera invited Mr. Brice to attend the City Managers Conference. He stated that next week Emergency Services Director Pablo Montoya, Administrative Assistant Malarie Villegas, Assistant to the County Manager Yossie Nieblas, and himself would be attending the New Mexico State Fair for the gathering of Counties, and setting up the booth for the walk-through for that. Fire Chief Conference is coming up in October.

- **Dispatch:** Mr. Brice reported that CAD radio kickoff meeting will be in a few weeks this is the \$1.3 million that was spent on radios. Dispatch received 1,398 (911 calls), and there were 200 warrants that were processed.
- **LCDC:** Mr. Brice reported that there are 256 ADPs which he stated is a good number. There has been a proposal submitted to the US Marshall for an increase in the per diem rate, waiting on confirmation of the receipt of his proposal to begin the negotiation. Once the US Marshall comes up with what deem as a fair rate this is what all of the rest of the counties will be charged as well.
- **Road Department:** Mr. Brice reported that a new front-end loader was received, and was in the Duck Race Parade. There is a new roll-off truck that should be arriving soon as well.
- **Budget and Procurement:** Mr. Brice reported that still working on Open Gov
- **Safety/Risk Management:** There were a total of 14 employees that tested positive for COVID. Mr. Brice also reminded everyone that there are no longer free COVID tests available here at the Courthouse. Testing sites such as Curative and any other sites are available.
- **Emergency Management:** The County has assisted the City with flooding. Emergency Management Director Phillip Rodriguez and Emergency Services Director Pablo Montoya have been out delivering sandbags wherever they might be needed.
- **Luna County Fire:** There were 14 Fire calls. Mr. Brice said that they are still working on the water system for the Cooks Peak Station, Sunshine Station has no water at this time, and the Florida Station pump is not working.
- **Casa:** This program is in need of volunteers.
- **PAT:** No Report Given.
- Mr. Brice reported that Mary Mackey will be leaving us. She is going to the Department of Health, where she will be taking Rebecca Sanchez's place.
- **Grant Administrator:**
- **IT:** No Report Given.
- **Planning Department:** Currently working on preparing the purchase agreements for all of the properties needed for the BERM Project which have been sent out to the Sander's Group and other smaller property owners as well.
- **DWI:** No Report Given.
- **Luna County Health Council:** No Report Given.
- **Starmax:** Tyler Massey is now the Director. Both the Detention Center and Starmax buildings are about 22 years old, and this is pretty much the lifespan of buildings. There are Air Conditioners going out, roofs leaking, and boilers also in need of repair. Preventative Maintenance is key.
- Mr. Brice Reported on ARPA. There was a total of \$4,600,000.00 received a few years ago in two separate payments each of \$2.3 million. Some of the things that the money has been spent on are our Fiber runs that improve the capabilities of our County buildings, Guardians RFID a program at the Detention Center, and a body scanner for the Detention Center. Once the body scanner is up and running it will be a big help in the sense that it will help to see what people are trying to bring into the facility. Mr. Brice stated that it will be a great tool in the aide of staff safety. Another part of the ARPA cost is the Starmax renovation which was \$547,000.00 spent on the carpet, drapes, and anything else that was needed to get the building back up to code, and \$1.3 for Central Dispatch for the CAD system and radios. The total that has been used from the ARPA fund is about \$3,000,000.00 to date.

Mr. Brice also gave a short report for Sandy Foster at the Humane Society. Best Friends Animal Society and Sanctuary out of Utah are partnering up with the Deming Humane Society in taking from 20 to 40 animals to foster on a regular basis. They will be giving the Humane Society \$50 per dog and \$25 per cat adopted on September 16th and 17th, which is National Adoption Weekend. Anyone that is looking to adopt a pet that would be the time to do so.

INDIGENT CLAIMS REPORT: Upon a motion by Commissioner Reedy to recess as a County Commission and convene as a Claims Board, and a second by Commissioner Sweetser, the meeting of the Board of County Commissioners was unanimously recessed and the meeting of the Indigent Hospital Claims Board convened.

County Manager Chris Brice reported that there may have been a big jump in the County Indigent claims, this was due to bringing back Grisel Taylor on a part-time basis to help get caught up on the claims. For the month of August, the total was \$22,976.89. The total for the year so far is at \$159,200.68. Mr. Brice also stated that the County has gone out for a new RFP for the Detention Center. The Indigent helps to pay a lot of the medical for the Detention Center, which is also available for private citizens to use.

Commissioner Sweetser motioned to approve the Claims Report presented on September 8, 2022, for \$23,976.89. The motion was seconded by Commissioner Reedy the motion which was carried unanimously.

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

COMMUNITY SUPPORT REPORTS: Debbie Troyer reported that there are several new members of the Chamber of Commerce. The new members are Harry's Engraving, Dola Rock, Fast Lane MVD2/E&G Wireless, Deming Cannabis Company, Irma's Restaurant, and As you Wish Party Decorators. She stated that the Chamber of Commerce is currently serving 258 business members with a Facebook following of 3,491. The Duck Race Parade was very successful there were a total of 72 entries and about upwards of 200 participants. The winners of the event were first place Southwest Smile, second place Solitaire Homes, and third place Columbus Co-op which was also a sponsor. There was also a four-way tie, which included the Lemonade Day Float, the Elks Lodge, Help New Mexico, and Deming Cheerleaders. The Office is currently preparing for the annual Enchanted Garden Gala fundraiser which has not happened in a few years. This event is to be held on October 1, 2022. Tickets for the event are on sale at the Chamber of Commerce, Silver Whiskers, Stagecoach Mercantile, and Mimbres Valley Feed. Credit card payments are welcome. Miss Troyer stated that the Chamber is preparing for the October 4 Candidate forum. She stated that all but one of the candidates have responded. This event will be held at Train Depot next to Starmax, this would be a good event to attend for all of the community members with questions and concerns. She encouraged the public to present their questions to the Chamber webpage so that the moderator will have the questions in hand to read them to the candidates the night of the event. Hello Thursday has been brought back in the form of Hello Thursday Morning, the first meeting will be next week on Thursday from 9 am to 10:30 am. The event's first host will be the Deming Art Center and will be sponsored by Compas Roads. There will be no RSVP needed.

Main Street Director Chealsea Evans announced the Multiple Fasade Project, which is a renovation project that will be used to renovate 109 S Gold, 111 S Gold, 113 S Gold, and 117 S Gold. She also mentioned that there is a new mural going up at Art's Park. The Art theme is Mimbres, which is the Main Street branding theme. The mural will include some mountain ranges, one of which is the Three Sisters. The Trunk or Treat event will take place on Halloween evening October 31, 2022 from 6 pm to 8 pm, it will be on Gold St all the way from Pine St to Ash St. The Southwest New Mexico State Fair parade will be held on October 8, 2022, beginning at 10 am, and the last Main Street Market will be held on Saturday, September 10, 2022, from 8 am to 11 am outside at the Courthouse Park. There will be some crafts, baked goods and also some produce.

Mr. Brice introduced Julianna Guzman with Colores United, she just received her healthcare workers certification. Miss Guzman stated that she had been the shelter director for the Asylum Seeker Shelter that was here but is now transitioning into the health advocacy program for which she will be heading all of the projects. She reported that the Mariposa Ranch Shelter receives about 65 people daily coming in and out. The program participates in bussing people from Texas to New York City at this time. At one time there was bussing available to Chicago but currently is only to New York City. She said that the shelter is reaching the year mark of receiving Asylum Seeking families. Miss Guzman stated that the program is about to reach 10,000 families. This program is looking to expand to non-domestic violence, non-transitional, and houseless. There is some emergency shelter for one to five families per month that may request assistance that may look like a hotel voucher. As far as community events the Mariposa Ranch Shelter will be having two food distributions, one of which will be held on September 16, 2022, in Columbus, and also another which will be held on September 21, 2022, at the Armory. She said that the Mariposa Ranch Shelter received a grant from Save the Children, and with this grant, they were able to provide over 12,000 free meals to children in our community. Another grant was awarded to be able to purchase a food truck to make meal distribution easier and to be more active in the community. The new location is at 820 E Spruce St., and soon invitations to the open house of the new facility will be sent out.

Mr. Brice introduced Christie Ann Harvey's transition from Former Economic Development & Community Director to now a Non-Profit named The Greater Luna County Economic Opportunity Council, obtaining the DBA The Council. The purpose of this organization is economic development. This has been created not in conflict with anything that the City does, but compliments the work that the City does. Christie Ann Harvey stated that this will be the vehicle to extend Luna County all the way down to the Industrial BERM Project, which will bring economic development to the Southern part of Luna County. Commissioner Sweetser presented the question of what the purpose of the program was. Christie Ann Harvey went on to explain that the program will assist everyone in economic development in Luna County, to help dedicate resources to help everyone grow. Another question that was presented by Commissioner Sweetser was if there is a contract in the works for the program. Christie Ann stated that yes there is. She also went on to explain that it is the vehicle of a non-profit the County will now be able to go for certain grants and pursue things that in a government structure sometimes become difficult to do so it is just an additional way to reach out and fund projects as we all move forward. Miss Harvey stated again that this non-profit is in cooperation with the City, and will collaborate wherever possible.

PUBLIC COMMENT: Chair Smrkovsky opened the floor to public comment. Several Members of the community stood to comment.

PUBLIC HEARING:

CALL FOR ORDINANCE:

- a. Resolution 22-59: Call to Amend Ordinance 53 – Luna County Wireless Telecommunications Ordinance

Planning and Zoning Director Lupita Hernandez gave a short explanation of the changes which are only the cost and that the application is now to be submitted online.

After a motion from Commissioner Reedy Resolution 22-59: Call to Amend Ordinance 53 – Luna County Wireless Telecommunications Ordinance, and a second for Commissioner Sweetser, the motion was approved following a roll call vote.

CONSENT AGENDA:

- a. Accounts Payable: \$1,494,965.78
- b. Payroll: \$1,230,431.22

After a motion from Commissioner Sweetser to approve the Consent Agenda as presented and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.

NEW BUSINESS:

- a. Resolution 22-60 Budget Increases: Correction of Final Budget(LGBMS Only)

After a motion from Commissioner Reedy to approve Resolution 22-60: Budget Increases-Correction of Final Budget (LGBMS) only, and a Second by Commissioner Sweetser, the motion was unanimously approved following a roll call vote.

- b. Resolution 22-61 Budgets Transfers: Correction of Final Budget (LGBMS Only).

After a motion by Commissioner Reedy to approve Resolution 22-61 Budget Transfers: Correction to Final Budget (LGBMS) only, and a second by Commissioner Sweetser, the motion was unanimously approved following a roll call vote.

- c. Resolution 22-62 Budget Increases:

After a motion by Commissioner Sweetser to approve Resolution 22-62 Budget Increases, and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.

d. Resolution 22-63 Budget Transfers:

After a motion by Commissioner Reedy to approve Resolution 22-63 Budget Transfers, and a second by Commissioner Sweetser, the motion was unanimously approved following a roll call vote.

e. Resolution 22-64 Disposal of Assets:

After a motion by Commissioner Sweetser to approve Resolution 22-64 Disposal of Assets, and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.

f. Resolution 22-65 Amending Resolution 21-49; Luna County SP Project: Participation in Local Government Road Funding Program Administered by NMDOT

After a motion by Commissioner Reedy to approve Resolution 22-65; Luna County SP Project: Participation in Local Government Road Funding Program Administered by NMDOT, and a second by Commissioner Sweetser, the motion was unanimously approved following a roll all vote.

g. Resolution 22-66: Hazzard Mitigation Plan for Luna County/ City of Deming/ Village of Columbus

After a motion by Commissioner Sweetser to approve Resolution 22-66: Hazzard Mitigation Plan for Luna County/ City of Deming/ Village of Columbus, and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.

h. Luna County Volunteer Fire Department Departmental By-Laws Amended:

After a motion by Commissioner Sweetser to a approve Luna County Volunteer Fire Department By-Laws Amended, and a second by Commissioner Reedy, the motion was carried out and unanimously approved following a roll call vote.

i. RFP #111-02 for Cooks Peak FD-Fire Protection Water System.

After a motion by Commissioner Sweetser to approve RFP #111-02 for Cooks Peak FD-Fire Protection Water System, and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.

Upcoming Meetings/Events (Unless otherwise specified):

Special Meeting: September 19, 2022 at 10 a.m.

Indigenous People's Day: October 10, 2022-Offices Closed

Regular Meeting: October 10, 2022 at 10:00 a.m.

EXECUTIVE SESSION: Executive Session pursuant to Section 10-15-1H(8) for the purpose of discussing the potential purchase, acquisition, and disposal of certain parcels of real property.

Commissioner Reedy motioned to enter into Executive Session pursuant to Section 10-15-1H(2) NMSA 1978 Limited personnel matter; Section 10-15-1(H)(8) for the purpose of discussing the potential purchase, acquisition, and disposal for certain parcels of real property, the motion was seconded by Commissioner Sweetser, and the motion was unanimously approved following a roll call vote.

Commissioner Reedy motioned to return from Executive Session where no other matters were discussed and no action was taken. Commissioner Sweetser seconded the motion and the motion was unanimously approved following a roll call vote.

ADJOURN: Upon a motion by Chair Smrkovsky the meeting was adjourned at 1:45 p.m.

ATTEST:

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Berenda McWright, Luna County Clerk

Barbara L. Reedy, District 1

Approved: _____

Chair, Linda M. Smrkovsky, District 2

John S. Sweetser, District 3

**MINUTES
SPECIAL MEETING
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Monday, September 19, 2022**

BE IT REMEMBERED: That the Luna County Board of County Commissioners met at 10:00 a.m. on Monday, September 19, 2022, in Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Special Session.

CALL TO ORDER: Chair Smrkovsky called the meeting to order at 10:00 a.m. and led the Pledge of Allegiance and the salute to the flag of New Mexico.

ROLL CALL: Deputy Clerk Toni Esparza called roll. The following Commissioners constituting a quorum were present:

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

AGENDA: After a motion from Commissioner Sweetser to approve the agenda as presented, and a second from Commissioner Reedy, the motion was unanimously approved.

PUBLIC COMMENT: Chair Smrkovsky opened the floor to public comment. Alberta Morgan, Esequiel Salas Mayor of the Village of Columbus, and Linda Harmon all came forth and offered comments and concerns.

CALL FOR ORDINANCE:

- a. **Resolution 22-67: Call to Adopt Ordinance 115; increasing the size of the Board of County Commissioners to Five Members:** All County Commissioners and County Manager Chris Brice offered comments and concerns. After a brief explanation, it was said that the approval of the ordinance would allow the Luna County Board of Commissioners to research and see if this is something that the Commission Board would actually like to move forward with. There will be a work session at a later date in order to discuss this agenda item further. After a motion by Commissioner Reedy to approve 22-67: Call to Adopt Ordinance 115; increasing the size of the Board of County Commissioners to five, and a second by Chair Smrkovsky, the motion approved following a roll call vote.

NEW BUSINESS:

- a. **Resolution 22-68: Amending Resolution 21-50 Luna County School Bus Routes (SBR) Project** Mr. Brice offered a brief explanation that the amendment of this Resolution was due to cost and funding. After a motion by Commissioner Reedy to approve Resolution 22-68: Amending Resolution 21-50 Luna County School Bus Routes

(SBR) Project and a second by Commissioner Sweetser the motion was unanimously approved.

- b. **Resolution 22-69; Amending Resolution 21-45: Authorization to Participate in a Transportation Project Fund by NMDOT: Columbus International Gateway Project.** Mr. Brice stated that the amendment of this Resolution was also due to cost and funding. After a motion by Commissioner Reedy to approve Resolution 22-69; Amending Resolution 21-45: Authorization to participate in a Transportation Project Fund by NMDOT: Columbus International Gateway Project and a second by Commissioner Sweetser the motion was unanimously approved.
- c. **Resolution 22-70; Authorization to Participate in a Transportation Project Fund (TPF) by NMDOT: Camino Doce Roadway & Drainage.** After a motion by Commissioner Sweetser to approve Resolution 22-70; Authorizing to Participate in a Transportation Project Fund (TPF) by NMDOT: Camino Doce Roadway and a second by Commissioner Reedy the motion was unanimously approved.
- d. **Resolution 22-71; Authorization to Participate in a Transportation Project Fund (TPF) by NMDOT North Boundary Road.** After a motion to approve Resolution 22-71; Authorization to Participate in a Transportation Project Fund (TPF) by NMDOT North Boundary Road and a second by Commissioner Sweetser the motion was unanimously approved.
- e. **Resolution 22-72; Authorizing Submission of an application to the Water Trust Board for Construction Services for the Florida Mountains, Rockhound Park, and Cookes Peak Flooding Areas.** Mr. Brice explained that this Resolution is just to do design and discovery on the flood issues to be able to find solutions. After a motion by Commissioner Reedy to approve Resolution 22-72; Authorizing Submission of an Application to the Water Trust Board for Construction Services for the Florida Mountains, Rockhound Park, and Cookes Peak Flooding Areas, and a second by Commissioner Sweetser the motion was unanimously approved.
- f. **Certification of 2022 Property Tax Rates:** Assessor Michelle Holguin explained that tax rates had increased due to covid. She explained that there was also a significant drop in personal property due to self-rendering causing the rates to go up due to the overall value decreasing. After a motion by Commissioner Sweetser on Certification of 2022 Property Tax Rates and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.
- g. **Letter of Intent Fort Sill Apache Tribe and Luna County:** Mr. Brice explained that this is an intergovernmental agreement to see how the county will work together with the construction of the gaming area, truck stop, etc. Pablo has been working with a representative of the tribe on getting money from Capital Outlay to put a volunteer fire station and maybe even a new fire truck in that area. At this point, this will be is a truck stop and restaurant for now. After a motion by Commissioner Reedy on the Letter of Intent Fort Apache Tribe and Luna County and a second by Commissioner Sweetser, the motion was unanimously approved.

- h. **Deming Luna County Commission on Aging Appointment of Board-Member Debra French:** This is due to a vacancy needing to be filled. After a motion by Commissioner Sweetser on Deming Luna County Commission on Aging Appointment of Board-Member Debra French and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.

PUBLIC HEARING:

- a. **Ordinance 76 Amended; Tax Obligation for Land Transfers, Divisions and recombinations:** County Attorney Charles Kretek explained that this amendment was to show the change that the taxes on a property will need to be paid before the transfer is approved by the Assessor. Treasurer Kristie Hobbs also explained that the taxes will need to be paid in advance to avoid a double assessment. After a motion by Commissioner Reedy to approve Ordinance 76 Amended; Tax Obligation for land Transfers, Divisions, and recombinations, and a second by Commissioner Sweetser, the motion was unanimously approved following a roll call vote.
- b. **Ordinance 113; An Ordinance Approving a Local Economic Development Project for USDA Certified Meat Processing Facility in Luna County** Mr. Brice stated that this Ordinance gives the County the ability to negotiate on buying the property and all of the structures on the property. Mayor Salas commented on this agenda item. The meat processing plant is out of Arizona and it will have its main corporate headquarters here in Luna County. All waste will be sent to other places to be used in other ways such as dog food. After a motion by Commissioner Reedy to approve Ordinance 113; An Ordinance Approving a Local Economic Development Project for USDA Certified Meat Processing The facility in Luna County and a second from Commissioner Sweetser, the motion was unanimously approved following a roll call vote. The facility in Luna County and a second from Commissioner Sweetser, the motion was unanimously approved following a roll call vote.
- c. **Ordinance 114; An Ordinance Approving Application for a loan from the New Mexico Clean Water State Revolving Fund:** Mr. Brice explained that this Ordinance is for the Lescombes Winery to be able to use the County as a conduit for the States Revolving Trust Fund for water reclamation to build a project to prevent the winery from having to have the water brought in from other sources. After a motion by Commissioner Sweetser to approve Ordinance 114; Ordinance Approving Application for a loan from the New Mexico Clean Water State Revolving Fund and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.
- d. **Variance Request for the Village of Columbus Berm Project Surrounding Properties: Ordinance 56; Subdivision Regulations, and from having to file a Claim of Exemption:** Mr. Brice explained that the County is now in the process of getting the purchase agreements to property owners to be able to start purchasing the property needed to start the BERM Project. Mayor Salas commented on this agenda item, requesting that the Commission Board change the wording on this Variance for it to read (Variance Request for the village of Columbus Berm Project Surrounding **Luna County** Properties: Ordinance 56; Subdivision Regulations, and from having to file a Claim of Exemption.) After a motion by Commissioner Reedy for Variance Request for the Village of Columbus Berm Project Surrounding properties: Ordinance 56; Subdivision

Regulations, and from having to file a Claim of Exemption and a second by Commissioner Sweetser, the motion was unanimously approved following a roll call vote.

- e. **Variance Request for Luna County Property; Deming Ranchettes Lots 9,10,35, and 36 Block 10 Unit 83. Allowing a motorhome as a permanent Occupied Residence:** Chair Smrkovsky stated and verified with Mr. Brice that this Variance was being put into place for one property owner only. With a motion from Commissioner Sweetser to approve Variance Request for the Luna County Property; Deming Ranchettes Lots 9, 10, 35 & 36 Block 10 Unit 83. Allowing a motorhome as a permanent Occupied Residence and a second by Commissioner Reedy, the motion was unanimously approved following a roll call vote.

Upcoming Meetings/Events (unless otherwise specified):

Regular Meeting: October 6, 2022, at 10:00 a.m.

ADJOURN: Chair Smrkovsky adjourned the meeting at 11:20 a.m..

ATTEST:

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Berenda McWright, Luna County Clerk

Barbara L. Reedy, District 1

Approved: _____

Chair, Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



Lee Cook
Detention Director

Andy Gilmore
Chief of Security

Luna County Detention Center
1700 4th St NE
Deming, NM 88030
Phone: (575) 544-0191

October 1, 2022

From: Wendy Arreola SMU Sergeant

To: Luna County Board of County Commissioners

Subj: RHU Quarterly report IAW HB 364 (New Mexico's Restricted Housing Act)

This report is being submitted in accordance with HB 364, New Mexico Restricted Housing Act reporting requirements. During the period of July 01, 2022 thru September 30, 2022 Luna County Detention Center had 2 detainee who met the reporting requirements under this act. Please see attached report.

A copy of this report will be submitted electronically to the legislative council service library IAW HB 364.

- 1. A 30-Year -Old white male. Detainee was not let out for recreation. Detainee had an extremely contagious disease.**
- 2. A 56-Year-Old- white male. Detainee was let out for recreation for 1 hour and had to be lockdown. Facility was in lockdown due to power outage.**

Very Respectfully,

Wendy Arreola SMU Sergeant

Indigent Hospital Claims Office

Chris A. Brice, County Manager

IHC Board Meeting October 6, 2022

Month	Number	Amount	Number	Denied
January	4	\$21,248.76	0	\$0.00
Feburary	1	\$90.00		
March	14	\$27,732.47		
April	0	\$0.00		
May	0	\$0.00		
June	0	\$0.00		
July	22	\$86,152.56		
August	4	\$23,976.89		
September	2	\$1,324.12		
October				
November				
December				
Total	47	\$160,524.80	0	\$0.00
This Month's Total	Mimbres Memorial Hospital			\$1,324.12
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			\$0.00
Total				\$1,324.12
Year to Date Total	Mimbres Memorial Hospital			\$134,069.58
Year to Date Total	All Other Hospitals			
Year to Date Total	Deming Fire Dept./EMS			\$1,221.00
Year to Date Total	All Other Services			\$25,234.22
Total				\$160,524.80
Care of Prisoners This Month - Not including SNCP Funds				\$422,068.65
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$1,768,993.36
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$84,923.10
Care of Prisoners Year to Date Dr. Bills				\$9,157.22
Total Cost of Care of Prisoners Year to Date				\$1,863,073.68
Monies Received - September 2022				\$112,780.34
Balance in IHC Fund as of September 30, 2022				\$1,791,724.13
Encumbrances as of September 30, 2022				\$1,457,916.87
		Date	Amount Approved	Amount Denied
	Signatures	10/6/2022	\$1,324.12	
Barbara L. Reedy				
Linda M. Smrkovsky				
John S. Sweetser				

[illegible]

October 6, 2022

LCBCC Meeting October 6, 2022

Accounts Payable

09/01/2022	\$299612.06
09/01/2022	\$13806.49
09/08/2022	\$58345.15
09/08/2022	\$8847.13
09/15/2022	\$863107.44
09/15/2022	\$20327.83
09/22/2022	\$235214.32
09/22/2022	\$7739.99
09/29/2022	\$416912.04
09/29/2022	\$5344.44

P-Cards

March 2022	\$318,398.14
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Total \$2,247,655.03

Luna County
Board of County Commissioners



Agenda 10/06/2022

PAYROLL

Date	Register	Amount
09/09/2022	20220130	\$579,230.70
09/09/2022	*20220131	\$21,698.25
09/23/2022	20220132	\$599,827.04
09/23/2022	*20220133	\$16,971.57

Total: \$1,217,727.56

* Special Assignment Pay

APPOINTMENT OF SHANNON RODRIGUEZ

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

This is to certify that I have on this 29 day of September, 2022 A.D. appointed Shannon Rodriguez as my DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, hereby authorizing her to discharge all duties of said appointment of DEPUTY SHERIFF, according to the law.

WITNESS MY HAND THIS 29 DAY OF September, 2021 A.D.


SHERIFF, LUNA COUNTY, NEW MEXICO

OATH OF OFFICE

STATE OF NEW MEXICO)
COUNTY OF LUNA) ss

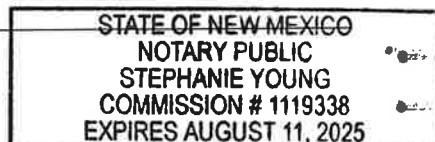
I, Shannon Rodriguez, having received the above appointment as DEPUTY SHERIFF in and for the County of Luna, State of New Mexico, do solemnly swear that I will support the Constitution of the United States, and also the Constitution of the State of New Mexico, and that I will faithfully, impartially, and to the best of my ability discharge all the duties of said office and appointment.


SIGNATURE OF APPOINTEE

STATE OF NEW MEXICO
COUNTY OF LUNA

Subscribed and sworn before me by Kelly Gannaway,
Sheriff and Shannon Rodriguez, appointee.
This 29 day of September, 2022.


NOTARY



Approved this _____ day of _____, 2022 A.D., by the Board of County Commissioners, Luna County, New Mexico.

CHAIRMAN, BOARD OF LUNA COUNTY COMMISSIONERS

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

RESOLUTION NO. 22-73
Proposed Inter/Intra Fund Budget Increases

WHEREAS, the Board of County Commissioners of Luna County 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 Board of County Commissioners of Luna County hereby adopts the changes to the County's Fiscal Year 111, July 1, 2022 through June 30, 2023 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 6th DAY OF OCTOBER, 2022.

BOARD OF COUNTY
COMMISSIONERS OF LUNA
COUNTY

Barbara L. Reedy, District One

Linda M. Smrkovsky, District Two

ATTEST:

Berenda L. McWright, Luna County Clerk

John S. Sweetser, District Three

Be it remembered that at a Regular meeting of the Board of County Commissioners of Luna County in Deming NM on the 6th day of October, 2022, the following budget adjustments are proposed and entered of record.

SCHEDULE OF BUDGET ADJUSTMENTS			Budget Resolution Number 22-73 Proposed Inter/Intra FUND Budget Increase/Decrease						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	401/11000	General Fund - Sheriff's	401/11000	\$ 12,000.00	401-08-2037 Transportation/Extradition	\$ 12,000.00	To pay for extraditions through remainder of fiscal year.	\$ 9,600.00	\$ 21,600.00
Two	Increase	402/20400	Road Department	402/20400	\$ 5,383.00	402-10-2003 Salaries - Part-Time	\$ 5,000.00	To pay for part time intern.	\$ -	\$ 5,000.00
						402-10-2060 Match - Medicare 1.45%	\$ 73.00	To pay for part time intern	\$ 13,587.65	\$ 13,660.65
						402-10-2064 Match - FICA 6.2%	\$ 310.00	To pay for part time intern.	\$ 58,119.25	\$ 58,429.25
Three	Increase	408/22300	DWI Grant	408/22300	\$ 13,566.35	408-00-2002 Salaries - Full-Time	\$ 500.00	To account for expenditures that hit FY23 budget that were from FY 22 expenses.	\$ 40,666.08	\$ 41,166.08
						408-00-2005 Salaries - Overtime	\$ 500.00	To account for expenditures that hit FY23 budget that were from FY 22 expenses.	\$ -	\$ 500.00
						408-00-2006 Postage	\$ 113.41	To account for expenditures that hit FY23 budget that were from FY 22 expenses.	\$ -	\$ 113.41
						408-00-2010 Mileage/Per Diem	\$ 2,000.00	To account for expenditures that hit FY23 budget that were from FY 22 expenses.	\$ 1,500.00	\$ 3,500.00
						408-00-2020 Supplies	\$ 9,952.94	To account for expenditures that hit FY23 budget that were from FY 22 expenses.	\$ 2,967.02	\$ 12,919.96
						408-00-2101 Professional/Contract Services	\$ 500.00	To account for expenditures that hit FY23 budget that were from FY 22 expenses.	\$ 14,500.00	\$ 15,000.00
Four	Increase	416/39900	Local ICIP	416/39900	\$ 2,200,000.00	416-00-2301 Local ICIP	\$ 2,200,000.00	For the purchase of property for economic development project (meat processing plant)	\$ 1,315,031.58	\$ 3,515,031.58
Five	Increase	428/21800	CASA	428/21800	\$ 4,000.00	428-54-2020 Supplies	\$ 4,000.00	To allow for spending of fund allocated from AOC that were received and unspent in FY 2022	\$ 3,025.00	\$ 7,025.00
Six	Increase	508/29900	SO Equipment 1/8 GRT	508/29900	\$ 100,000.00	508-00-2028 Capital Outlay	\$ 100,000.00	Purchase of Police Pursuit Vehicles	\$ 100,000.00	\$ 200,000.00
					\$ 2,334,949.35		\$ 2,334,949.35		\$ 1,558,996.58	\$ 3,893,945.93

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

Done at Deming New Mexico this **Thursday the 6th day of October, 2022.**

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY



Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3

ATTEST:

Berenda L. McWright, Luna County Clerk

Entered By:

Date

Checked By:

Date

MEMO

To: County Manager/Commissioners

From: Kelly Gannaway, Sheriff

Department: Sheriff's

Date: 09/21/2022

Total of Request

Re: Budget Request for a BUDGET TRANSFER [] \$

BUDGET INCREASE [✓] \$ 12,000.00

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401-77	General Fund		

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401-08-2037	Transportation/Extradition	991.85	12,000.00

Purpose budget adjustment: (to pay for what?)

To pay for extradition of inmates from out of state. We have a quote right now for to extradite someone from Kansas for 2600.00. We still need to get through the rest of the FY and leave 50% due to election year.

REASON FOR TRANSFER (why is current budget insufficient).

Sometimes we don't get any extraditions. Now that Covid is over we are having to bring they for prosecution. We can not deny any of them.

Department Head Signature: _____

Kelly Gannaway

Kelly Gannaway, Sheriff

MEMO

To: County Manager/Commissioners
From: Joanne C. Hethcox, CPM®
Department: Business Office
Date: 09/21/2022

Total of Request
\$5,383.00

Re: Budget Request for a BUDGET TRANSFER [] \$

BUDGET INCREASE [X] \$5,383.00

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
402	CASH RESERVES		

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
402-10-2003	SALARIES - PART TIME	0	5,000.00
402-10-2060	MATCH - MEDICARE 1.45%	11,583.59	73.00
402-10-2064	MATCH - FICA 6.20%	49,549.95	310.00

Purpose budget adjustment: (to pay for what?)

Payroll for part-time (10hr/wk) intern.

REASON FOR TRANSFER (why is current budget insufficient).

Department Head Signature: _____


DAVID E. BAICRY

MEMO

To: County Manager/Commissioners

From: Edith Vazquez, Program Coordinator

Department: DWI Program

Date: 09/29/2022

Total of Request

Re: Budget Request for a BUDGET TRANSFER [] \$

BUDGET INCREASE [✓] \$ 13,566.35

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
408-00	DWI Grant		\$13,566.35

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
408-00-2002	Salaries -Full Time	28,310.74	500.00
408-00-2005	Salaries - Overtime	-40.19	500.00
408-00-2006	Postage	-113.41	113.41
408-00-2010	Mileage Per Diem	726.09	2,000.00
408-00-2020	Supplies	-1,237.58	9,952.94
408-00-2101	Professional/Contract Services	11,000.00	500.00

Purpose budget adjustment: (to pay for what?)

REASON FOR TRANSFER (why is current budget insufficient).

The above budge increase is needed to cover FY22 expenditures posted in FY23 GLs. This request will clean negative line items and cover this year's expenses. July GL highlighted expenses on the attached GL were requested for reimbursement FY22 4th Quarter DWI Grant/JAF report.

Department Head Signature: _____

Edith Vazquez



Joanne Hethcox <joanne_hethcox@lunacountynm.us>

Budget Adjustment / Increase

1 message

Edith Vazquez <edith_vazquez@lunacountynm.us>
To: Joanne Hethcox <joanne_hethcox@lunacountynm.us>

Thu, Sep 29, 2022 at 4:15 PM

Hi Joanne,

Attached please find the backup documents for the budget adjustment for 408-00.

Thank you,

Edith Vazquez
Luna County DWI Program
Program Coordinator
700 S. Silver Avenue
Deming, NM 88030
Office: 575-544-7377



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

408-00 July 2022 GL.pdf
333K

MEMO

To: County Manager/Commissioners

From: Joanne C. Hethcox, CPM®

Department: Business Office

Date: 09/20/2022

Total of Request

Re: Budget Request BUDGET TRANSFER [] \$

BUDGET INCREASE [X] \$2,200,000.00

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
416-00-2301	Local ICIP	\$1,315,031.57	\$2,200,000.00

Purpose budget adjustment: (to pay for what?) To increase Line Item to pay for the purchase of property east of Deming for an economic development project (meat processing plant).

REASON FOR TRANSFER (why is current budget insufficient). The project was not known of during final budget preparation.

Department Head Signature: _____

MEMO

To: County Manager/Commissioners

From: Jennifer Berry

Department: CASA

Date: 09/20/2022

Total of Request

Re: Budget Request for a BUDGET TRANSFER [] \$

BUDGET INCREASE [✓] \$ 4000.00

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
428-54-2020	Supplies	-743.62	4000.00

Purpose budget adjustment: (to pay for what?)

AOC Allocated \$4,000.00 last fiscal year to pay for Optima and two desks. The funds were not utilized FY 21/22.

REASON FOR TRANSFER (why is current budget insufficient).

Department Head Signature: _____

Jennifer Berry

MEMO

To: County Manager/Commissioners

From: Kelly Gannaway, Sheriff

Department: Sheriff's

Date: 09/21/2022

Total of Request

Re: Budget Request for a BUDGET TRANSFER [] \$

BUDGET INCREASE [✓] \$ 100,000.00

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
508-77	1/8 GRT	344,572.82	100,000.00

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
508-00-2028	Capital Outlay	94,854.77	100,000.00

Purpose budget adjustment: (to pay for what?)

Purchase Police Pursuit vehicles.

REASON FOR TRANSFER (why is current budget insufficient).

We need to make sure we leave 50% of budget because it is election year.

Department Head Signature: Kelly Gannaway

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

RESOLUTION NO. 22-74
Proposed Inter Department/Fund Transfers

WHEREAS, the Board of County Commissioners of Luna County 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 Board of County Commissioners of Luna County hereby adopts the changes to the County's Fiscal Year 111, July 1, 2022 through June 30, 2023 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 6th DAY OF OCTOBER, 2022.

BOARD OF COUNTY
COMMISSIONERS OF LUNA
COUNTY

Barbara L. Reedy, District One

Linda M. Smrkovsky, District Two

ATTEST:

Berenda L. McWright, Luna County Clerk

John S. Sweetser, District Three

Be it remembered that at a Regular meeting of the Board of County Commissioners of Luna County in Deming NM on the 6th day of October, 2022 the following budget adjustments are proposed and entered of record.

Budget Resolution Number 22-74

Proposed Inter Department Transfer

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	FROM Current Balance	Transfer amount	TO Line Number	Transfer Amount	Purpose
One	Transfer	415/21800	Community Services JJCS (SJDC)	415-13-2275 After School Programs	\$8,252.54	\$7,000.00	415-13-2101 Professional/ Contract Services	\$7,000.00	To pay for contracts for programming.
						\$100.00	415-13-2005 Salaries - Overtime	\$100.00	To cover negative line item balance.
Two	Transfer	605/21100	Law Enforcement Protection Fund	605-08-2012 Equipment/Supplies/ Mtn/Repairs	\$46,613.60	\$37,515.00	605-08-2028 Capital Outlay	\$37,515.00	To purchase capital outlay items through remainder of fiscal year.
Three	Transfer	401/11000	General Fund Cash Reserves	401 General Fund	\$15,017,497.04	\$2,200,000.00	416 Local ICIP	\$2,200,000.00	To transfer funds into Fund 416 (Local ICIP) for purchase of property for economic development project (meat processing plant).
					\$15,072,363.18	\$2,244,615.00		\$2,244,615.00	

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

Done at Deming New Mexico this Thursday the 6th day of October, 2022.

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Entered By:

Date

Berenda L. McWright, Luna County Clerk

Checked By:

Date

MEMO

To: County Manager/Commissioners

From: anadely martinez

Department: JJCS

Date: 09/13/2022

Total of Request

Re: Budget Request for a BUDGET TRANSFER [✓] \$ 7,000

BUDGET INCREASE [] \$

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
415-13-2275	funding-after school program	8,252.54	7,000

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
415-13-2101	Professional/ contract services	4782.50	7,000

Purpose budget adjustment: (to pay for what?)

covering shortfall

REASON FOR TRANSFER (why is current budget insufficient).

covering short fall

Department Head Signature: Anadely Martinez

MEMO

To: County Manager/Commissioners

From: Anadely Martinez

Department: JJCS

Date: 09/23/2022

Total of Request

Re: Budget Request for a BUDGET TRANSFER [✓] \$ 100.00

BUDGET INCREASE [] \$

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
415-13-2275	After School Program	1,252.54	100.00

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
415-13-2005	Salaries-Overtime	-23.10	100.00

Purpose budget adjustment: (to pay for what?)

cover short fall

REASON FOR TRANSFER (why is current budget insufficient).

Department Head Signature: _____

Anadely Martinez

MEMO

To: County Manager/Commissioners

From: Kelly Gannaway, Sheriff

Department: Sheriff's

Date: 09/21/2022

Total of Request

Re: Budget Request for a BUDGET TRANSFER [✓] \$ 48,663.77

BUDGET INCREASE [] \$

37,515.00

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
605-77	L-E Protection Fund		11,148.77
605-08-2012	Equipment, Supplies, Maint, Repair	49,515.00	37,515.00

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
605-08-2028	Capital Outlay	0.00	48,663.77
			37,515.00

Purpose budget adjustment: (to pay for what?)

Need to Create 2028 to use for purchasing Capital Outlay items.

REASON FOR TRANSFER (why is current budget insufficient).

Department Head Signature: _____

Kelly Gannaway
SHERIFF

MEMO

To: County Manager/Commissioners
From: Joanne C. Hethcox, CPM®
Department: Business Office
Date: 09/20/2022

Total of Request

Re: Budget Request BUDGET TRANSFER [X] \$2,200,000.00

BUDGET INCREASE [] \$

TRANSFER FROM

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
401	Cash Reserves		\$2,200,000.00

TRANSFER TO

FUND or Line Item Number	Line Item Description	Current Line Balance	Proposed Transfer Amount
416	Cash Reserves		\$2,200,000.00

Purpose budget adjustment: (to pay for what?) To transfer funds from General Fund into our Local ICIP Fund to pay for the purchase of property east of Deming for an economic development project (meat processing plant).

REASON FOR TRANSFER (why is current budget insufficient). The project was not known of during final budget preparation.

Department Head Signature: _____

Joanne C. Hethcox

Be it remembered that at a Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 6th day of October, 2022, the following proceedings were had and entered of record.

LUNA COUNTY

RESOLUTION 22-75

DISPOSITION OF PERSONAL PROPERTY

WHEREAS, pursuant to Section 4-38-1, NMSA 1978, the powers of a county as a body politic and corporate shall be exercised by a Board of County Commissioners;

WHEREAS, Section 4-38-13, NMSA 1978, provides that the Board of County Commissioners shall have the power at any session to make such orders concerning the property belonging to the county as they may deem expedient;

WHEREAS, Section 13-6-1, NMSA 1978 declares that a County may dispose of tangible personal property and delete it from the public inventory upon a specific finding that each item is of current resale value of five thousand dollars (\$5,000.00) or less and is worn out, unusable or obsolete to the extent that the item is no longer economical or safe for continued use;

WHEREAS, a designated committee of three Luna County Officials has declared that all of the tangible personal property that is the subject of this resolution meets the criteria set for in Section 13-6-1, NMSA 1978; and

WHEREAS, pursuant to Section 13-6-2, NMSA 1978, the personal property will be disposed of by live or online auction open to the public or by an inter-governmental transfer to another state agency or local public body.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of County Commissioners of Luna County:

1. Finds that the property described in the Attachments hereto and incorporated by reference into this Resolution consists of property owned by the County of Luna with varying resale values, which is worn-out, unusable or obsolete to the extent that the items are no longer economical or safe for continued use by the County;
2. A copy of this Resolution and Attachments shall be sent to the State Auditor and the Local Government Division of the Department of Finance and Administration at least thirty (30) days before the disposal of the property, pursuant to Section 13-6-1(B)(2), NMSA 1978;
3. A copy of this Resolution and Attachments shall be made a permanent part of the official minutes of Luna County and maintained as a public record subject to the Inspection of Public Records Act.
4. All of the personal property will be disposed of by live or online auction process open to the public or through inter-governmental transfer.

Done at Deming, New Mexico this 6th day of October, 2022.

BOARD OF COUNTY COMMISSIONERS OF LUNA COUNTY

ATTEST:

Barbara L. Reedy
Commissioner, District 1

Berenda McWright, County Clerk

Linda M. Smrkovsky
Commissioner, District 2

John S. Sweetser
Commissioner, District 3

Barbara L. Reedy
Commissioner, District 1

STATE OF NEW MEXICO
County of Luna



Chris Brice
County Manager

Linda M. Smrkovsky
Commissioner, District 2

John S. Sweetser, Chair
Commissioner, District 3

700 South Silver Avenue · Post Office Box 551 · Deming, New Mexico 88031
Telephone (575) 546-0494 Facsimile (575) 544-4293

09/27/2022

To: Luna County Board of County Commissioners
From: Joanne C. Hethcox, Budget and Procurement Director
CC: Chris Brice, County Manager

Subj: Disposal of Assets

Year	Make	Model	VIN	Inventory #	Mileage
2005	Dodge	Caravan	1D4GP25E45B342754	981140	
	Vehicle has multiple issues where they have been unable to repair. The unit has not been in use for over 3 years ago and is beyond economical repair. All tires are worn and flat. The vehicle was taken by the maintenance department.				
Year	Make	Model	VIN	Inventory #	Mileage

Barraza

Barraza

LETTER OF INTENT TO PURCHASE
3405 Stirrup Rd SE Deming, NM 88030

September 22, 2022

Mike Ceranski – Principal Mtn Equipment Realty
3405 Stirrup Rd SE
Deming, NM 88030

Dear Mr. Ceranski:

After viewing your property, Luna County has asked me to present you with the following Offer to Purchase for the property located at 3405 Stirrup Rd SE, totaling approximately 60 Acres.

PROPERTY: 3405 Stirrup Rd SE Deming, NM 88030, Parcel # 3044140457300, with 2 metal buildings (each including 10-ton crane), a house/office structure & small portable office building, including personal property referenced below.

BUYER: Luna County

PRICE: \$2,200,000 with seller donating \$400,000 at close of escrow to Luna County Department(s) and/or programs TBD for donation.

CLOSE OF ESCROW: On or about November 30, 2022 or before, subject to survey and due diligence period of not less than 15 days with the eligibility to extend the close date as necessary.

FINANCING: Cash at C.O.E.

CONTINGENCIES: Satisfactory review of the Preliminary Title Report;
Report and ALPA Land Survey of the Subject Property, to include boundaries, improvements, finished floor elevations, corners of buildings and random spot elevations on property be provided by Sellers;
Mutual acceptance of this Letter of Intent followed by mutual execution of a Specifications, blue-prints, as built and warranty documents for improvements
Commercial Real Estate Purchase Contract and appropriate addenda, as prepared by Kent Simpson of Steinborn/TCN Commercial Real Estate.

EARNEST MONEY DEPOSIT: \$100,000.00 or payment of entire amount in lieu thereof, within 30 days of execution of this Lol.

PERSONAL PROPERTY: To be defined, if any, in NMAR® Standard Commercial Real Estate Purchase Contract. Drake Chiller will stay with the property, as will 3 trailers (no wheels), air compressor systems, household appliances & old wooden wagon will convey with property.

NON-MONETARY TERMS TO BE CONTAINED IN SEPARATE AGREEMENT(S): Luna County and/or end user of property will consider for employment current employees of Mountain Equipment Charlie Gaxiola & Aaron Garcia, subject to satisfactory background check and drug screen at a level commensurate with their skill & experience. Currently, Gaxiola & Garcia make \$23/hr & \$20/hr

with no ancillary benefit package. End-User will allow seller to utilize outdoor fenced ASME storage area by Southwest Gate (manual operation) for 1 years, and to store Hemp Oil Extractor Units in Lab Area for 1 year (or until sold & removed) at no charge in a separate sub-lease to include terms of insurance and indemnity.

COMMISSIONS: Kent Simpson of Steinborn/TCN Commercial will function as a Transaction Facilitator between buyer & seller. A commission of 4% of Net Seller Proceeds (\$1.8MM) will be paid at close of escrow by seller per previous agreement to list property for sale.

CONFIDENTIALITY
OF NEGOTIATIONS

AND TERMS: Seller and Buyer agree to keep Financial Matters and potential End Use Information Confidential.

This letter of Intent to Purchase outlines the proposed terms for your consideration and is in no manner intended to obligate any party contractually, and no such obligation shall arise unless a mutually satisfactory Purchase Agreement is fully executed.

If the above terms are acceptable, please so indicate by affixing an authorized signature in the space provided with return of one copy to our attention. Thereafter, upon approval of enclosed terms and conditions, a Commercial Real Estate Purchase Agreement shall be prepared for everyone's review, approval and execution. The opening of escrow shall follow, subject to Luna County Commission approval and Purchase Contract contingencies addressing financing and/or due diligence inspections.

Sincerely,

Kent Simpson, Associate Broker
Steinborn/TCN Commercial Real Estate
141 Roadrunner Pkwy #141
Las Cruces, NM 88011

AGREED TO AND ACCEPTED
Buyer:

By: _____

Date: _____

AGREED TO AND ACCEPTED
Seller:

By: _____

Its: _____

Date: _____

Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 6th day of October 2022, the following proceedings were had and entered of record.

RESOLUTION #22-06
SMALL WIRELESS FACILITY DESIGN GUIDELINES RESOLUTION

WHEREAS, The Board of County Commissioners of Luna County has adopted Ordinance 53; Second Amendment; which directs that a resolution be adopted providing Small Wireless Facilities Design Guidelines, and allows that resolution to be changed from time to time; and,

WHEREAS, The Board of County Commissioners of Luna County desires to exercise its authority to establish Small Wireless Facility Design Guidelines; and

NOW, THEREFORE, BE IT RESOLVED:

Background

On September 27, 2018, the FCC released a Declaratory Ruling and Third Report and Order (hereinafter “Small Cell Order” or “FCC Order”) that significantly limits local authority over small wireless infrastructure deployment and fees for use of the rights-of-way (“ROW”). The FCC Order took effect on January 14, 2019. However, the requirements regarding aesthetics did not take effect until April 15, 2019. Under the FCC Order, aesthetic or “design standards” must be: (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; (3) objective; and (4) published in advance. The FCC Order also defines the size limitations for small wireless facilities (allowing antennas of up to 3 cubic feet each, with additional equipment not to exceed 28 cubic feet) and specifies that such facilities may not result in human exposure to radiofrequency radiation in excess of applicable standards in the FCC’s rules (federal law preempts local regulation of RF emissions the 9th Circuit Court of Appeals, in *City of Portland v. FCC*, No. 18-72689 (9th Cir. 2020). Invalidated the Small Cell Order’s specific requirements for design standards. However, to manage the deployment of small wireless facilities more efficiently (commonly referred to as “small cells”) in the ROW, it is recommended that municipalities adopt some form of written design standards.

Small Wireless Facilities Design Standard

The Wireless Facilities Ordinance and these “SWF Design Standards” are intended to be paired together.

There is no single design standard that will work for every situation. As such, the design standard is intended as a roadmap to assist local governments and wireless carriers deploying small wireless facilities to use optimal designs that preserve the nature and character of the community being served.

Additional Considerations

Design standards only applies to small wireless facilities. A utility-neutral standard covering all utilities and communications providers provides one set of “rules” for the design of the public rights-of-way.

Definitions: These definitions are applicable to all applications filed and qualifying as a Small Wireless Facility.

“**Antenna**” means the same as defined in 47 C.F.R. § 1.6002(b), as may be amended or superseded. The term includes an apparatus designed for the purpose of emitting radio frequencies (RF) to be operated or operating from a fixed location pursuant to Federal Communications Commission authorization, for the provision of personal wireless service and any commingled information services.

“**Antenna Equipment**” means the same as defined 47 C.F.R. § 1.6002(c), as may be amended or superseded, which defines the term to mean equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with an antenna, located at the same fixed location as the antenna, and when collocated on a structure, is mounted or installed at the same time as such antenna.

“**Antenna Facility**” means the same as defined in 47 C.F.R. § 1.6002(d), as may be amended or superseded, which defines the term to mean an antenna and associated antenna equipment.

“**Applicable codes**” means uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or state or local amendments to those codes that are of general application and consistent with state and federal law.

“**Applicant**” means any person who submits an application as, or on behalf of, a wireless provider.

“**Application**” means requests submitted by an applicant (1) for permission to collocate small wireless facilities; or (2) to approve the installation, modification or replacement of a structure on which to collocate a small wireless facility in the rights-of-way, where required.

“**Collocate**” means the same as defined in 47 C.F.R. § 1.6002(g), as may be amended or superseded, which defines that term to mean (1) mounting or installing an antenna facility on a preexisting structure, and/or (2) modifying a structure for the purpose of mounting or installing an antenna facility on that structure. “Collocation” has a corresponding meaning.

“**Day**” means calendar day. For purposes of the FCC shot clock, a terminal day that falls on a holiday or weekend shall be deemed to be the next immediate business day.

“Historic District” means a group of buildings, properties, or sites that are either: (1) listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register in accordance with Section VI.D.1a.i-v of the Nationwide Programmatic Agreement codified or (2) a locally designated historic districts effective at the date of this or in a locally designated historic district existing when an application is submitted.

“Person” means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including the Jurisdiction.

“Pole” means a type of structure in the rights-of-way that is or may be used in whole or in part by or for wireline communications, electric distribution, lighting, traffic control, signage, or similar function, or for collocation of small wireless facilities; provided, such term does not include a tower, building or electric transmission structures.

“Rights-of-Way” or **“ROW”** means examples: “Right-of-way,” “rights-of-way,” “public right-of-way,” or “ROW” means and includes, but is not limited to, the space in, upon, above, along, across, over or under the public streets, roads, highways, lanes, courts, ways, alleys, boulevards, bridges, trails, paths, sidewalks, bicycle lanes, public utility easements and all other public ways or areas, including the subsurface under and air space over these areas, but does not include parks, parkland, or other Jurisdiction property not generally open to the public for travel.]

“Small wireless facility” means a facility that meets each of the following conditions per 47 C.F.R § 1.6002(*I*), as may be amended or superseded:

1. The proposed facilities meet one of the following height parameters:
 - a. are mounted on structures 50 feet or less in height including their antennas as defined in 47 C.F.R. Section 1.1320(d), or
 - b. are mounted on structures no more than 10 percent taller than other adjacent structures, or
 - c. do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater.
2. Each antenna or antenna enclosure shall not exceed three cubic feet in volume.
3. The total volume of installed equipment external to the pole (including, but not limited to cabinets, vaults, boxes) shall not exceed twenty-eight (28) cubic feet. This maximum applies to all equipment installed at the time of original application and includes any equipment to be installed at a future date. Antennas and antenna enclosures are excluded. If equipment exceeds this maximum, the installation will be redefined as a Macro site installation and all the associated standards and rates for Macro installations will be applied.
4. The facilities do not result in human exposure to radio frequency radiation in

excess of the applicable safety standards specified in the FCC's Rules and Regulations [47 C.F.R. section 1.1307(b)].

“Structure” means the same as provided in 47 C.F.R. § 1.6002(m), as may be superseded or amended, which defines the term as a pole, tower, base station, or structure, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service (whether on its own or comingled with other types of service).

A. General Requirements.

1. Ground-mounted equipment in the right-of-way is discouraged, unless the applicant can demonstrate that pole-mounted equipment is not technically feasible, or the electric utility requires placement of equipment on the ground (such as an electric meter). If ground-mounted equipment is necessary, then the applicant shall conceal the equipment in a cabinet, in street furniture or with landscaping.
2. Replacement poles, new poles and all antenna equipment shall comply with the Americans with Disabilities Act (“ADA”), city construction and sidewalk clearance standards and Luna County, New Mexico and federal laws and regulations in order to provide a clear and safe passage within, through and across the right-of-way. Further, the location of any replacement pole, new pole, and/or antenna equipment must comply with applicable traffic requirements, not interfere with utility or safety fixtures (e.g., fire hydrants, traffic control devices), and not adversely affect public health, safety or welfare.
3. Replacement poles shall be located as near as feasible to the existing pole. The abandoned pole must be removed within 90 days.
4. Any replacement pole shall substantially conform to the material and design of the existing pole or adjacent poles located within the contiguous right-of-way unless a different design is requested and approved pursuant to Section I.
5. No advertising, branding or other signage is allowed unless approved by the Luna County Administrator as a concealment technique or as follows:
 - a. Safety signage as required by applicable laws, regulations, and standards; and,
 - b. Identifying information and 24-hour emergency telephone number (such as the telephone number for the carrier's network operations center) on wireless equipment in an area that is visible.
6. The total volume of multiple antennas on one structure shall not exceed fifteen (15) cubic feet, unless additional antenna volume is requested and approved pursuant to Section I.
7. Antennas and antenna equipment shall not be illuminated except as required by municipal, federal or state authority, provided this shall not preclude deployment on a new or replacement streetlight.
8. Small wireless facilities may not displace any existing street tree or landscape features unless:

- a. such displaced street tree or landscaping is replaced with native and/or drought-resistant trees, plants or other landscape features approved by the Jurisdiction, and
- b. the applicant submits and adheres to a landscape maintenance plan or agrees to pay an appropriate in-lieu fee for the maintenance costs.

B. Small Wireless Facilities Attached to Wooden Poles and Non-Wooden Poles with Overhead Lines. Small wireless facilities located on wooden utility poles and non-wooden utility poles with overhead lines shall conform to the following design criteria unless a deviation is requested and approved pursuant to Section I:

1. Proposed antenna and related equipment shall meet:
 - a. The Jurisdiction's design standards for small wireless facilities.
 - b. The pole owner's requirements; and
 - c. National Electric Safety Code ("NESC") and National Electric Code ("NEC") standards.
2. The pole at the proposed location may be replaced with a taller pole or extended for the purpose of accommodating a small wireless facility; provided that the replacement or extended pole, together with any small wireless facility, does not exceed 40 feet in height or 10 percent taller than the tallest pole in a 1000ft radius, whichever is shorter. The replacement or extended pole height may be increased if required by the pole owner, and such height increase is the minimum necessary to provide sufficient separation and/or clearance from electrical and wireline facilities. Such replacement poles must either match the approximate color and materials of the replaced pole or shall be the standard new pole used by the pole owner in the Jurisdiction.
3. To the extent technically feasible, antennas, equipment enclosures, and all ancillary equipment, boxes, and conduit shall match the approximate material and design of the surface of the pole or existing equipment on which they are attached or adjacent poles located within the contiguous right-of-way. Near matches may be permitted by the Jurisdiction when options are limited by technical feasibility considerations, such as when high-frequency antennas cannot be placed within an opaque shroud but could be wrapped with a tinted film.
4. Antennas that are mounted on poles shall be mounted as close to the pole as technically feasible and allowed by the pole owner.
5. No antenna shall extend horizontally more than 20 inches past the outermost mounting point (where the mounting hardware connects to the antenna), unless additional antenna space is requested and approved pursuant to Section I.
6. Antenna equipment, including but not limited to radios, cables, associated shrouding, disconnect boxes, meters, microwaves and conduit, which is mounted on poles shall be mounted as close to the pole as technically feasible and as permitted

by the pole owner.

7. Antenna equipment for small wireless facilities must be attached to the pole, unless otherwise required by the pole owner or permitted to be ground-mounted [pursuant to subsection (B)(1) above]. The equipment must be placed in an enclosure reasonably related in size to the intended purpose of the facility.
8. All cables and wiring shall be covered by conduits and cabinets to the extent that it is technically feasible, if allowed by pole owner. The number of conduits shall be minimized to the extent technically feasible.

C. Small Wireless Facilities Attached to Non-Wooden Light Poles and Non-Wooden Utility Poles without Overhead Utility Lines. Small wireless facilities attached to existing or replacement non-wooden light poles and non-wooden utility poles without overhead lines shall conform to the following design criteria unless a deviation is requested and approved pursuant to Section I:

1. **External Equipment.** The antennas and associated equipment enclosures must be camouflaged to appear as an integral part of the pole or be mounted as close to the pole as feasible and must be reasonably related in size to the intended purpose of the facility and reasonable expansion for future frequencies and/or technologies, not to exceed the volumetric requirements described in Section A. If the equipment enclosure(s) is mounted on the exterior of the pole, the applicant is encouraged to place the equipment enclosure(s) behind any decorations, banners or signs that may be on the pole. Conduit and fiber must be fully concealed within the pole.
2. **Concealed Equipment.** All equipment (excluding disconnect switches), conduit and fiber must be fully concealed within the pole. The antennas must be camouflaged to appear as an integral part of the pole or be mounted as close to the pole as feasible.
3. Any replacement pole shall substantially conform to the material and design of the existing pole or adjacent poles located within the contiguous right-of-way unless a different design is requested and approved pursuant to Section I.
4. The height of any replacement pole may not extend more than 10 feet above the height of the existing pole unless such further height increase is required in writing by the pole owner.

D. New Poles. Small wireless facilities may be attached to new poles that are not replacement poles under sections C or D, installed by the wireless provider, subject to the following criteria:

1. Antennas, antenna equipment and associated equipment enclosures (excluding disconnect switches), conduit and fiber shall be fully concealed within the structure. If such concealment is not technically feasible, or is incompatible with the pole design,
2. then the antennas and associated equipment enclosures must be camouflaged to appear as an integral part of the structure or mounted as close to the pole as feasible and must be reasonably related in size to the intended purpose of the facility, not to exceed the volumetric requirements in Section (A)(3).

3. To the extent technically feasible, all new poles and pole-mounted antennas and equipment shall substantially conform to the material and design of adjacent poles located within the contiguous right-of-way unless a different design is requested and approved pursuant to Section I.
4. New poles shall be no more than forty (40) feet in height unless additional height is requested and approved pursuant to Section I.
5. The Jurisdiction prefers that wireless providers install small wireless facilities on existing or replacement poles instead of installing new poles, unless the wireless provider can document that installation on an existing or replacement pole is not technically feasible or otherwise not possible (due to a lack of owner authorization, safety considerations, or other reasons acceptable to the Luna County Administrator).

E. Undergrounding Requirements.

This Section intentionally left blank.

F. Historic District Requirements.

Small wireless facilities or poles to support collocation of small wireless facilities located in Historic Districts shall be designed to have a similar appearance, including material and design elements, if technically feasible, of other poles in the rights-of-way within 500 feet of the proposed installation. Any such design or concealment measures may not be considered part of the small wireless facility for purpose of the size restrictions in the definition of small wireless facility.

G. Strand Mounted Equipment. Strand mounted small wireless facilities are permitted, subject to the following criteria:

1. Each strand mounted antenna shall not exceed 3 cubic feet in volume, unless a deviation is requested and approved pursuant to Section I.
2. Only 2 strand mounted antennas are permitted between any two existing poles.
3. Strand mounted devices shall be placed as close as possible to the nearest pole and in no event more than five feet from the pole unless a greater distance is required by the pole owner.
4. No strand mounted device will be located in or above the portion of the roadway open to vehicular traffic.
5. Strand mounted devices must be installed with the minimum excess exterior cabling or wires (other than original strand) to meet the technological needs of the facility.

H. Deviation from Design Standards.

1. An applicant may obtain a deviation from these design standards if compliance with the standard: (a) is not technically feasible; (b) impedes the effective operation of

the small wireless facility; (c) impairs a desired network performance objective; (d) conflicts with pole owner requirements; or (e) otherwise materially inhibits or limits the provision of wireless service.

2. When requests for deviation are sought under subsections (I)(1)(a)-(e), the request must be narrowly tailored to minimize deviation from the requirements of these design standards, and the Luna County Administrator must find the applicant's proposed design provides similar aesthetic value when compared to strict compliance with these standards.
 3. The Luna County Administrator may also allow for a deviation from these standards when it finds the applicant's proposed design provides equivalent or superior aesthetic value when compared to strict compliance with these standards.
 4. The small wireless facility design approved under this Section I must meet the conditions of 47 C.F.R. Sec. 1.6002(I).
 5. The Luna County Administrator (or designee) will review and may approve a request for deviation to the minimum extent required to address the applicant's needs or facilitate a superior design.
- I. An on-line application process enables applicants to submit up to twenty-five (25) small wireless facility locations, sites or nodes in one (1) application if qualifying criterion is followed during the application process. The qualifying requirements for multiple sites (up to 25) is for all the locations, sites or nodes must have a common design, rights-of-way Agreements, pole attachments Agreements, or other agreements that authorize the carrier to use (rent, lease or purchase) the rights to place their equipment/poles within/on specific lands or rights-of-way. The only variable allowed will be the specific locations for each of the sites or nodes. Each applicant is required at the outset to attest to the fact that the application will adhere to the specific requirements.

DONE THIS 6TH DAY OF OCTOBER, 2022

**BY THE BOARD OF COUNTY COMMISSIONERS OF
LUNA COUNTY, STATE OF NEW MEXICO**

ATTEST:

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

Berenda McWright, County Clerk

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

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

STATE OF NEW MEXICO
County of Luna



Barbara L Reedy
Commissioner, District 1

John S. Sweetser
Commissioner, District 3

Linda M. Smrkovsky
Chair, District 2

Chris A. Brice
County Manager

Planning & Zoning
700 S. Silver Ave.

PO DRAWER 551 DEMING NEW MEXICO 88031-0551
(575) 543-6620 FAX (575) 544-3455

October 6, 2022
Les Gutierrez, Agent for Verizon/Sun State Towers
3 Cibolita Peak
Santa Fe, NM 87508

RE: Recommendation for Conditional Use Permit, Sun State New Tower Build
WTS Project: 11001
Sun State Project: NM07-163 GUNSLINGER / NM5 PERRIN
Project Address: 13000 SILVER CITY HWY. NW, DEMING, NM 88030
(32.444314° N 107.924590° W)

Mr. Gutierrez,

The Luna County Planning Department is pleased to issue a Conditional Use Permit and Authorization to start construction in accordance with the approved application and based on the following condition being met:

1. The applicant notifies Luna County or its agent within 10 business days when the construction is completed so that the final inspection and application process may be completed.
2. The applicant produces a valid contractor's license prior to construction commencing.

Sun State Towers/Verizon are authorized to obtain a building permit and start construction. The permit can be obtained from Construction Industries Division at 505 S. Main St., Suite 150 Las Cruces, NM 88004; telephone number 575-524-6320 Extension 101.

Should you have any questions, please contact Dean Williamson or myself. We appreciate your cooperation with the process.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lupita Hernandez".
Lupita Hernandez
Planning Department Supervisor



Wireless Tower Solutions

www.wirelesstowersolutions.com

September 29, 2022

Lupita Hernandez
Luna County Director of Planning
700 S Silver Ave
Deming, NM 88030

RE: Recommendation for Sun State New Tower Build
WTS Project: 11001
Sun State Project: NM07-163 GUNSLINGER / NM5 PERRIN
Project Address: 13000 SILVER CITY HWY. NW, DEMING, NM 88030
(32.444314° N 107.924590° W)

Ms. Hernandez,

We have reviewed all of the materials submitted by the applicant for the above referenced application and find them to be complete and in compliance with the Luna County Ordinance #53 Revised (Luna County Wireless Telecommunications Ordinance), excepting the items noted below. They have requested to build a new 150' monopole tower on Silver City Highway.

This application must meet the Luna County Commission in accordance with the current Luna County Ordinance #53 Revised, and we recommend that this application be considered. That approval should include the following conditions:

1. The applicant notifies the County or its agent within 10 business days when the construction is complete so that the inspection and application process may be completed.
2. The applicant produce a valid contractor's license prior to construction commencing.

Please call or email me should you have any questions or concerns at (505) 738-1986 or dean.williamson@wtsgov.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean Williamson", is written over a horizontal line.

Dean Williamson
Wireless Tower Solutions

Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 6th day of October 2022, the following proceedings were had and entered of record.

AMENDED RESOLUTION #22-03

NOTICE OF FEES

WHEREAS, the Luna County Board of County Commissioners find it necessary to implement certain fees pertaining to copying, recording, business registrations, transactions within the Treasurer's Office, building permit fees, manufactured home/mobile home installation permit fees, and plan review fees, rural addressing service fees; and

NOW THEREFORE, BE IT RESOLVED that the Luna County Board of County Commissioners has determined that the above-mentioned fees be charged as followed:

General Fees:

- | | | |
|----|---|---------|
| 1. | Copies of documents, single sided, black and white or electronic: | |
| | Letter size, (8 1/2" x 11"), legal size, (8" 1/2 x 14"), or tabloid size, (11" x 17") | \$0.50 |
| | Color Copies | \$1.00 |
| 2. | Above tabloid size (11" x 17") up to three (3') feet by four (4') feet | |
| | Black and white paper map size: | \$10.00 |
| | Color Print: | \$20.00 |
| 3. | Above three (3') feet by four (4') feet up to six (6') feet | |
| | Black and white paper map: | \$25.00 |
| | Color Print: | \$35.00 |
| 4. | CD's: | \$5.00 |
| 5. | USB Flash Drive | \$25.00 |
| | Each Additional Layer of GIS Data | \$5.00 |

Requests for Specialty Maps, Data, or Data Sheets shall be detailed in writing to the Office of the County Planner for pricing, which will vary depending on complexity and density of layered information, data type, media type, and production time.

Recording Fees:

DOCUMENTS RECORDED IN THE OFFICE OF THE COUNTY CLERK ARE PUBLIC RECORDS, SUBJECT TO INSPECTION AND DISCLOSURE.

Recording fees are established pursuant to Section 14-8-13 through 17, et seq., NMSA, 1978. Unless otherwise specified by law, the county clerk shall collect a recording fee of twenty-five dollars (\$25.00) for each document filed or recorded by the county clerk. If the document being filed or recorded contains more than ten entries to the county recording index, the county clerk shall collect an additional fee of twenty-five dollars (\$25.00) for each additional block of ten or fewer entries to the county recording index from the document. For each fee of twenty-five dollars (\$25.00) collected by the county clerk, eighteen dollars (\$18.00) shall be deposited in the county general fund and seven dollars (\$7.00) shall be deposited in the county clerk recording and filing fund.

Amounts collected from the equipment recording fee shall be deposited into a restricted account to be used as authorized by Section 14-8-12.2, NMSA, 1978.

Business Registration Fees:

The annual business registration fee is \$25.00 pursuant to Ordinance No. 5 as Amended.

All licensed locations or premises in Luna County, outside the corporate limits of the City of Deming and the village limits of the Village of Columbus, beginning June 1 each year for the ensuing year, shall pay the following license tax:

(1)	Dispenser's License (Bar and Winery)	\$200.00
(2)	Retailer's License (Package Store)	\$100.00
(3)	Club License.....	\$ 50.00

This fee is due and payable to the County Clerk's Office at the time each business registration is issued on July 1.

Fees for Transactions within Treasurer's Department:

Return payment checks for correct amount **\$5.00**

This fee will partially cover the cost of returning advalorem tax payment checks that are unsigned or are for an incorrect amount.

Return item (NSF) charges **\$30.00**

This fee will not be less than current bank charges. This charge will cover the processing cost of the return items.

Cost to Luna County-Personal Property (Mobile Home) Sale

The administration and enforcement of delinquent personal property ad valorem taxes is authorized by Sections 7-38-51 through 56, NMSA 1978.

The delinquent personal property tax sale is authorized by Sections 7-38-57, 58, 59, NMSA 1867.

The County Treasurer is authorized to recover any cost incurred in preparing for the sale. To cover all additional costs of preparing for the personal property tax sale, the Luna County Treasurer hereby imposes the following fees:

- (1) **Delinquent personal property letter service fee** **\$10.00**
This charge would be for all accounts that are delinquents more than 60 days.
- (2) **Demand Warrant Processing Fee** **\$25.00**
This charge would be for all accounts that are delinquent over 180 days.
- (3) **Penalty and Interest**
The P & I charge on accounts that are more than 180 days delinquent will be retained by Luna County to defray the cost of the personal property tax sales.

Building Permit Fees:

Manufactured Home/Mobile Home Installation Permit (MHIP) fee: \$50.00

<u>Building Permit Value</u>	<u>Permit Fee</u>
\$2,000 and less	\$30.00
\$2,001.00 to \$3,000.00	\$30.00 + \$5.00 per \$500.00 increment in value over \$ 1,001.00
\$3,001.00 and over	\$40.00 + \$1.75 per \$1,000.00 increment in value
Missed Inspections	\$20/Per Scheduled Appointment
Unpermitted Construction	up to \$150.00
Unpermitted Mobile Home	up to \$100.00
Demolition Permit	up to \$100.00

Plan review fee is waived for standard residential construction projects. Complex residential and all Commercial construction project plan reviews will be +20% of permit fee.

Failure to obtain an approved building permit prior to beginning construction will result in the immediate discontinuance of further work on the project and shall be required to pay double the normal permit fee before a permit is issued.

Rural Addressing Service Fee (new residents):

Administrative processing	\$25.00
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LCDC Department Fees:

Bond Fee	\$10.00
Notary Fee	\$1.00

DWI Program Fees:

Screening Fee	Up to: \$100.00 one time fee
Treatment Fee	\$240.00
Compliance Fee	Up to: \$50.00/monthly

Sheriff's Department Fees:

Civil Process Fee/address/person	\$40.00
Report Fee	\$.50/page
VIN Inspection fee	\$35.00

Domestic Violence Shelter Fees:

--Batterer Intervention Program--

Assessment Fee	\$50.00
Program Fee	\$200.00
Workbook Replacement Fee	\$20.00

Road Department Fees:

Tire Disposal Fees	\$1.10/passenger \$5.00/truck \$10.00/tractor
Utility Easement Application Fee	\$200.00
Trenching	\$.10/ft(12x36) or \$.15/ ft (24x48
Aerial	\$150 (<90') + \$1.50/ft thereafter
Service Hook up	\$50 w/no pavement cut \$100 w/ pavement cut
Meter Replacement	\$0
Maintenance	\$100(<250') then trenching app Permit fees above apply
Reinstatement Fees	\$200.00
Appeal Fees	\$50.00

Planning Fees:

Appeals to County Commission	\$50.00
Variance	\$100.00 per variance
Conditional/Special Use	Not Yet Determined
Mobile Home Moving Permit	No Charge
Mobile Home Installation Permit	\$50
Floodplain Review	\$15
Floodplain Permit	\$35
<i>(When required by the Floodplain Manager, the applicant must submit an elevation certificate by a registered land surveyor)</i>	

**Schedule of Administrative Fees
for Administering the Luna County Subdivision Ordinance**

Summary Review Application	\$100.00 or \$10.00 per lot
Preliminary Plat Application	\$200.00 or \$15.00 per lot
RE-submittal of revised or Corrected plat application	\$100.00
Final Plat Application	\$100.00 or \$25.00 per lot
Replat	(Same as preliminary and final plat)
Vacation of Plat (Including partial vacation)	\$75.00
Vacation of Easement	\$50.00

Claim of Exemption**\$25.00**

Where additional review by the County is required above and beyond normal review requirements due to complex, unforeseen, or unique circumstances relating to the proposed plan or plat, then the County may charge additional fees to defray the cost of such reviews.

Wireless Telecommunication Facilities:

Non-Refundable (payable at the outset of the application process to Luna County)

TRADITIONAL TOWERS:

Colocation, Modification or Eligible Facility:	\$ 9,000
New Tower:	\$ 17,500
Tower Registration Update:	\$ 1,500
Approved Application Update*:	\$ 1,500

SMALL WIRELESS FACILITIES: (SWF) Per FC18-133, NM HB-38

New SWF/ System (New or Replacement Poles)	1-25	\$750/each/site or node
SWF /DAS (New or Replacement Poles)	1-25	\$750/each/site or node
SWF; Colocation or Modification	1-5	\$100; 6-25 \$20/each/site or node
SWF; Approved Application Update*	1-5	\$100; 6-25 \$20/each/site or node

SWF Rights-of-Way Fees** (Annual) \$250/site/node on an annual basis

* Approved Application Updates – Are defined as those applications that have received final approval (permit issued), and the applicants decide it is necessary to modify the application before construction and final inspection. If construction or final inspection is completed or started, the applicant must submit a new application.

**Rights-of-Way Fees apply to all sites located within Luna County's rights-of-way regardless of the owner of the structures used. The Wireless Facilities Permit shall include applicable Rights-of-way authorization/s. Annual payments will be due on the 1st of January each year, and permits are authorized as long as the applicant adheres to the defined ordinance requirements for all permitted facilities.

NOW, THEREFORE BE IT RESOLVED THAT, this resolution shall be reviewed periodically to determine if revisions are necessary.

DONE THIS 6TH DAY OF OCTOBER, 2022

**BY THE BOARD OF COUNTY COMMISSIONERS OF
LUNA COUNTY, STATE OF NEW MEXICO**

ATTEST:

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

Berenda McWright, County Clerk

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

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

Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 6th day of October 2022, the following proceedings were had and entered of record.

AMENDED RESOLUTION 22-37

AUTHORIZING THE SALE OF COUNTY PROPERTY

WHEREAS, Luna County, by and through the Board of County Commissioners, is the owner of the parcels of property listed herein:

1. A parcel of land located on the Deming Townsite Subdivision, Block C, Lots 1-4; physical address of the property is 300 S. Diamond Ave, Deming, Luna County, New Mexico;

WHEREAS, Luna County has no current or future plans to develop or utilize the property;

WHEREAS, Luna County wishes to dispose of the property by sale, trade, transfer, or lease.

NOW THEREFORE, BE IT RESOLVED by signature of the Board of Commissioners of Luna County, it is agreed to dispose of the property by process in compliance the laws of the State of New Mexico and Luna County Ordinances and Resolutions, policies and procedures.

FURTHERMORE, BE IT RESOLVED the property sale is subject to State Board of Finance approval, and if approved, the County Manager is hereby authorized to execute and enter into an agreement or take all other action necessary, including execution of documentation, to dispose of subject property;.

Done at Deming, New Mexico this 6th day of October, 2022

Board of County Commissioners of Luna County

ATTEST:

Linda M. Smrkovsky, Chairperson
Commissioner, District 2

Berenda McWright,
County Clerk

Barbara L. Reedy,
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3

Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 6th day of October 2022, the following proceedings were had and entered of record.

Proclamation 22-07
OCTOBER AS DOMESTIC VIOLENCE AWARENESS
MONTH

Whereas; domestic violence impacts countless residents of Luna County, without regard to age, race, religion, or economic status; as victims suffer at the hands of a spouse or partner, it affects their children, families, and entire communities, and

Whereas; children that grow up in a violent home are believed to be abused and neglected; their development and ability to function well in school negatively impacted for a lifetime; and

Whereas; Domestic Violence Awareness Month provides an opportunity for citizens to learn more about domestic violence; including how to prevent it and enables the community to promote the numerous organizations and individuals who provide critical advocacy, services and assistance to victims.

Therefore; be it proclaimed by the Board of County Commissioners of Luna County, Luna County staff, and its residents, that the month of October is Domestic Violence Awareness Month and we urge residents to work together to eliminate domestic violence in our community.

DONE THIS 6TH DAY OF OCTOBER, 2022

BY THE BOARD OF COUNTY COMMISSIONERS OF
LUNA COUNTY, STATE OF NEW MEXICO

ATTEST:

Barbara L. Reedy,
Commissioner, District 1

Berenda McWright, County Clerk

Linda M. Smrkovsky, Chairperson
Commissioner, District 2

John S. Sweetser,
Commissioner, District 3