

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L. Reedy
Member

Linda M. Smrkovsky
Chairperson

John S. Sweetser
Member

Thursday, December 12, 2019
10:00 a.m.
Regular Meeting
Luna County Courthouse

1. **Call to Order:** Chair 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 November 21, 2019.

MOTION AND VOTE

5. **Service Awards:**

- | | | |
|-----------------|---------------|----------|
| • Rosie Moreno | Healing House | 5 years |
| • Martha Garcia | Detention | 20 years |

6. **Retirement:**

- | | |
|--------------------|----------|
| • Mark Jasso | 23 years |
| • Danny Gonzales | 22 years |
| • Moses Pastran | 20 years |
| • Benny Ramon | 17 years |
| • Carolina Trevizo | 13 years |

7. **Elected Officials Report:**

8. **County Manager's Report:**

9. **Indigent Claims Report:**

- a. Recess as County Commission, Convene as Claims Board

MOTION AND VOTE

- b. Presentation of Claims Report by Joanne Hethcox
c. Consider Claims dated December 12, 2019 \$11,884.11

MOTION AND VOTE

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

MOTION AND VOTE

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

11. **Consent Agenda:**

- a. Accounts Payable: \$1,036,095.39
b. Payroll: \$1,170,106.80
c. 2020 Luna County Holiday Schedule
d. Luna County Organizational Chart

MOTION AND ROLL CALL VOTE

12. **New Business:**

- a. Resolution 19-58 Budget Increases

ROLL CALL VOTE

- b. Resolution 19-59 Budget Transfers

ROLL CALL VOTE

- c. Animal Ordinance Fee Schedule

MOTION AND ROLL CALL VOTE

- d. Addendum to Memorandum of Agreement Between Luna County and Deming-Luna County Humane Society

MOTION AND VOTE

- e. Collective Bargaining Agreement modifications for LCDC - AFSCME #2061

MOTION AND VOTE

- f. Collective Bargaining Agreement modifications for LCSO - AFSCME #1764

MOTION AND VOTE

- g. Road Maintenance Application

DISCUSSION ONLY

13. **Executive Session:**

Executive Session pursuant to §10-15-1(H)(7) NMSA 1978 Subject to Attorney/Client Privilege for Pending Litigation (Najera).

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

Regular Meeting January 9, 2020 at 10:00 a.m.

15. **Adjourn:**

NOTE TO THE PUBLIC: Please use the microphone when addressing the Board. This is necessary for recording purposes. Thank you for your cooperation. Headphones for hearing enhancement are available upon request.

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Thursday, November 21, 2019**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, November 21, 2019 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, County Attorney Charles C. Kretek, Executive Assistant Yossie Niebles, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Probate Judge Diana May-Diaz, Deputy Clerk Pilar Salcido, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Treasurer Gloria Rodriguez, Sheriff Kelly Gannaway, Captain Michael Brown, IT Technician Judy Hatch, Administrative Assistant Debra Seats, Road Department Director Marty Miller, Human Resource Director Rosa Porras, Maintenance Director Paden Vendrely, Planning Director Byron Hollister, Code Compliance Supervisor Frankie Tarazon, Administrative Assistant Patricia Rodriguez, and Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox.

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 Pilar Salcido called roll. The following members of the Board constituting a quorum were present:

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

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

MINUTES:

- **Regular Meeting – October 10, 2019:** Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of the October 10, 2019 Regular Meeting were unanimously approved.
- **Special Meeting – October 31, 2019:** Upon a motion made by Commissioner Sweetser and a second by Commissioner Reedy the Minutes of the October 31, 2019 Special Meeting were unanimously approved.
- **Special Meeting – November 12, 2019:** Upon a motion made by Commissioner Reedy and a second by Commissioner Sweetser the Minutes of the November 12, 2019 Special Work Session were unanimously approved.

PRESENTATION:

- **Swearing in of LCDC Cadet by Judge Van Gundy:** Municipal Judge Frank Van Gundy conducted the swearing in ceremony for Luna County Detention Center Cadets Angel Villa and Denise Garay.
- **Ryan Jewell of Yearout Energy-Presentation on Energy Efficiency:** Ryan Jewell presented information on guaranteed energy savings performance contracting. Mr. Jewell stated GESPC is a funding mechanism to be able to update infrastructure building using energy efficiency. Mr. Jewell indicated his primary focus is to audit government buildings in order to find energy efficiencies to help pay for infrastructure upgrades using things like solar, lighting, HVAC equipment efficiency in the buildings to pay for itself. Mr. Jewell stated they have identified a couple of measures that could be beneficial to Luna County buildings. The next step to this process would be to take a deep dive into the buildings if the Commission chooses to move forward through an investment grade audit. The County spends \$271,000 on energy a year which includes the County Courthouse, Detention Center, Star Max and District Courthouse. It is estimated that on a conservative level the savings can be up to 25% which equates to about \$80,000 a year in utility savings. Mr. Jewell explained there are three phases to a guarantee energy savings performance contract. The first one would be the investment grade audit which is the development team taking a deep dive at the buildings and working and partnering with the client to see what the goals are for the future and creating a project through goal expectations. The second phase is the implementation phase and the construction phase. The third phase would be the measurement verification phase and because this is a guaranteed project they would outline guaranteed savings and guarantee a maximum price for the project. The guaranteed savings would be on the back-end. County Manager Chris Brice asked Mr. Jewell if the fee for the construction side of the project is all up front or is extrapolated over time. Mr. Jewell stated their fee is all up front but would be paid for through utilities. He also stated that the investment grade audit is a financeable document and that a loan can be obtained. Because the savings are guaranteed, it is very easy to get funding for construction work. If they could not achieve the project for the dollar amount given they would be responsible for the expense to make sure all work is completed. Also, if they guarantee a savings amount and come up short they will also cut a check for the difference. They carry insurance on all "project which is State" mandated.
- **John Costilla-Gonzalez – Center for Health Innovation: Results for the NM Community Survey for Alcohol and RX Misuse in Luna County:** John Costilla-Gonzalez Project Coordinator introduced Christina Lopez-Gutierrez as the evaluator and data person. Mr. Costilla-Gonzalez stated they are a coalition against teen substances use which is a sub-committee of the Luna County Health Council. Mr. Costilla-Gonzalez indicated he is the Project Coordinator, the Center for Health Innovations is the physical agent and are the paying agent for his services. He stated that their focus is to reduce underage drinking and to reduce prescription drug usage for ages twelve to twenty years old and sixty plus. Mr. Costilla-Gonzalez believes misuse is not all intentional he believes more knowledge and education is needed. Ms. Lopez-Gutierrez stated they were here presenting a year ago, at that point it was a planning year for this grant and now they are in the implementation phase. She indicated that they are trying to change behaviors at the County level. They have implemented a survey for this measurement and have collected 457 surveys. That is the baseline for this project including Columbus.

SERVICE AWARDS: LCDC Captain Apodaca presented five year service award to Brent Jasso from the Detention Center. Alvaro Granillo from the Sherriff's Office was not available to receive his ten year service award.

ELECTED OFFICIALS REPORTS: Clerk Andrea Rodriguez thanked the Elections Administrator Leslie Nabours for her hard work and all she does during elections. Mr. Rodriguez stated Ms. Nabours is responsible for taking care of the elections from the very beginning to the very end. Ms. Nabours puts her blood sweat and tears into her job and does a tremendous job. She also thanked Berenda McWright and the rest of her staff for working together to get it all done. She also thanked the poll workers, and Maintenance Director Paden Vendrely and his team for their hard work in getting us ready and doing a great job at the polling places. The Clerk's Office had a few hiccups during this election and the County Attorney Charles Kretek was there to do the legal work to resolve those issues in a timely manner. She thanked him for his participation.

Assessor Michelle Holguin reported that on October 15th they issued final abstract to the Property Division with all of their values. Once elections were completed and canvassed, they turned over the tax rules to the Treasurer. Ms. Holguin stated they are busy getting ready for the end of the year duties. She also stated she and the Treasurer Gloria Rodriguez met with the Relators at their MLS November meeting explaining the online services to see if they had any questions. Ms. Holguin mentioned they received a lot of good feedback from them and are hearing a lot of good things about the online services being offered. Ms. Holguin stated she will have year-end numbers next month at the year-end report.

Treasurer Gloria Rodriguez thanked the Assessor Michelle Holguin for delivering the tax rule to the Treasurer, all went smoothly with no errors. She also thanked the Clerk and other departments who cooperated with the preparation of the tax rule. Ms. Rodriguez stated they are now busy getting the tax bills out. Out of 66,000 tax bills, 58,000 will be mailed out. Tax exempt bills are not mailed. Online tax information is up to date including penalty and interest if it applies and bills will be mailed out tomorrow or no later than Monday.

Diana May-Diaz reported she has filed 111 probates, year to date probates are 125. Ms. May-Diaz also stated she has had 14 new cases last month. No marriages performed by her for the month of October and November.

Sheriff Kelly Gannaway reported the October stats are down. He reported the Non-Criminal is up, accidents are down, DWI's are down, but overall totals are up as well. Sheriff Gannaway stated he attended the academy on October 25th and that Dylan Graves graduated as a Certified Officer, he also graduated as a Valedictorian. Robert Ramirez was promoted to Sergeant, he has fourteen plus years of service as a law enforcement officer. Clark Smith was also promoted to Corporal, he has twenty years of service as a law enforcement officer. Deputy Sias and Deputy McBurney are in the National Guard and are being deployed and will be gone for about a year. Deputy Solana and Baeza the two newest hires will be attending the Academy in January, so the department will be short four individuals from January to April.

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

- Dispatch served 363 warrants in the County and 19 out of the County. The dispatchers received 1,242 911 calls for the month of October, the majority are from within City limits. Calls within the city limits are a topic that we will be discussing with Aaron Sera at the City of Deming on what their cost share is for dispatch. The dispatch office has three vacancies and it is imperative they keep that department fully staffed. Mr. Brice also stated they are working on having State police holding their own warrants and turned over to the State Dispatch Center which should be completed by January.
- Luna County Detention Center has 857 people booked, 380 released, US Marshalls average day in population (ADP) was 343 for the month of October and they have just concluded negotiating a new IGA with the Marshalls which was increased from \$60 a day in per diem to \$75 a day in per diem. From that contract alone Mr. Brice anticipates \$1,000,000 more a year. Transportation went up as well and the Detention Center will probably break even on transport. LCDC is currently going into a new phone system for jail management which is called Securus. The system includes inmate video visitation. The phone company profits a lot and they in turn will pay us back by giving us free software, bells and whistles. The system should be switched over on January 1st. Mr. Brice stated they are still working on the SOP for accreditation.
- The Road Department continues to work on repairing roads from the past and current rains. Mr. Brice stated he met with the Department of Homeland Security regarding a grant including three Counties, Hidalgo, Luna and Sierra. Luna County will probably get about \$375,000 to repair some of the damaged roads from the flooding in Columbus and other areas. The scrap tire pile is all caught up at this time.
- Budget and Procurement: The Stone Garden is not quite where we need to be, Laura Garcia will be working on that grant full time to try to get us caught up.
- Human Resources: There were two new hires in Maintenance, one in the Road Department and five in LCDC. Six employees have been off-boarded.
- Starmax sales for the month of October were \$103,875 down \$6,000 from last year in October. The Veterans Bowling Tournament was held on October 9th. The fire detection and sprinkling system is in need of replacement or repair.
- Community Health and Well Being: October was the Purple Ribbon Campaign. They conducted the "Cram the Cruiser" event with Deming Police Department and they have received funding in the amount of \$12,000 from FEMA. Mr. Brice stated they are working on new vehicles with Parents as Teachers and actually are working on new vehicles for everybody which is a big monster to tackle but we will get there. Mr. Brice stated he is working with the City of Deming and their facility to do our vehicle maintenance.

- Luna County Fire Department: The fire department responded to two brush fires, two vehicle fires, one gas leak and a report of smoke. Mr. Brice also stated they applied for the 2025 Fund Act. They had to beg because we didn't meet the requirements to apply for the grant. They agreed to help us with the grant as they know our position. He also stated that they sent three firefighters to the fire academy in Dona Ana and two have passed, one needs to retest and that will make seven State qualified firefighters as volunteers.
- The Christmas tree will be put up and decorated soon. On December 7th the Christmas tree lighting ceremony will be held.
- There is a Bowling tournament this Saturday to raise money for Shop with a Cop.
- Mr. Brice met with Priscilla and the State Health Department and the County is looking to apply for CDBG funding in the amount of \$750,000 to fix the State Health Department building correctly, or looking at the building on Florida Street which was the rehabilitation building. The building off Florida Street is now empty and the County is also considering the possibility of turning it into offices for the Health and Human Service and Community Health and Well Being departments. Mr. Brice believes it is a newer building and it is a better located area for those services as it is closer to the hospital and the high school.
- The IT Department has installed cameras in the court house and plans to install two going into the Treasurer's Office. Wi-Fi is being installed for Pat at Parents as Teachers in Lordsburg. IT is moving to the Plaza Building and work is being done to get that fixed up for them.

INDIGENT CLAIMS REPORT: Upon a motion by Commissioner Reedy and a second by Commissioner Sweetser, the meeting of the Board of County Commissioners was recessed and the meeting of the Indigent Hospital Claims Board convened. Budget and Procurement Director Joanne Hethcox reported in October there were six claims, two of which, were from the Detention Center in the amount of \$19,097.79. The total gross receipts collected in October was \$52,061.77. The balance in that fund is \$1,136,044.09, of which \$598,281.20, is encumbered for obligations. Commissioner Reedy moved to approve the October Indigent Claims report in the amount of \$19,097.79. Commissioner Sweetser seconded the motion which carried unanimously. Commissioner Sweetser motioned to recess as a Claims Board and reconvene as a County Commission. Commissioner Reedy seconded the motion which carried.

PUBLIC COMMENT: Chair Smrkovsky opened the floor to public comment: Susan Shiffner commented extensively on issues she is having with flies on her property in Luna County. She drafted an Ordinance which she would like the Board to put into effect.

Rosemarie Lynch also commented on a similar situation as Susan Shiffner. Ms. Lynch was able to resolve her issue by contacting Environmental Protection.

Mike Reitz from Deming Animal Guardians and DAG SHIP Rescue questioned Section 5.5.2 and 5.5.3 of the Animal Ordinance regarding amount of animals allowed. DAG recommended the amount of animals should be 20.

Diana Bell from Deming Animal Guardians reported that it cost Deming Animal Guardians over \$25,000 to deal with the last hoarding situation. She mentioned this Ordinance is great but feels the only way to prevent another hoarding situation is an alliance upon enforcement and inspection which must happen.

Christy Ann Harvey Executive Director of Deming Luna County Main Street Program extended a warm welcome to the new County Manager Chris Brice. She also mentioned that Main Street is involved in the following upcoming events: The distribution of Luna County Coats for Kids, Shop Small Business on November 30th, Shop with a Cop on December 7th, the lighting of Downtown and the Christmas tree lighting. Ms. Harvey asked if they could use a PA system for the event.

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

- a. **Accounts Payable: \$729,431.28**
- b. **Payroll: \$1,107,792.70**

OLD BUSINESS:

- **Animal Control Ordinance Number 98:** County Attorney Charles Kretek stated that the Ordinance is a conglomeration of a survey of New Mexico Counties and it also includes input from DAG, the Humane Society and several other individuals. The intent of the ordinance was to make Luna County a safer place for animals and residents. Fees have been established on the number of animals being kept and the more animals a person has the higher the fee. Mr. Kretek stated that a facility with 80 animals should be inspected monthly. He also stated the Sheriff has the authority to enforce all Ordinances and he specifically has the authority to inspect facilities themselves, delegate to inspect or go together with the animal control. The Humane Society of the US from Washington has agreed that once the Ordinance has been passed, they will bring a free training program to town for prosecutors, law enforcement and animal control officers. Mr. Brice asked Mr. Kretek where the number of 80 animals came from, Mr. Kretek stated that he thought it came from the Otero County Animal Ordinance. Mr. Kretek stated if anyone has more than 60 animals, the County will be there for inspection at least once a month. If they are not in compliance they will lose their license and will be shut down. Mr. Brice would like to get this Ordinance approved today and if needed in the future it can be amended. Mr. Kretek stated he would like to do a six month evaluation and a twelve month evaluation to make sure what is working or what is not working and a report can be submitted to the Board. Commissioner Reedy moved to approve Animal Control Ordinance Number 98 as presented. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote. Chair Smrkovsky added that the fee schedule be presented in the December meeting for approval, then at that point a six month review will be scheduled.

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

- a. **Resolution 19-54 Budget Increases:** Budget and Procurement Director/Indigent Claims Administrator Joanne Hethcox explained each budget increase line items in detail to the Board. Commissioner Sweetser moved to approve Resolution 19-54 Budget

Increases. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

- b. Resolution 19-55 Budget Transfers:** Budget and Procurement Director/Indigent Claims Administrator Joanne Hethcox explained these budget transfers are all intra-fund transfers which means department heads realizing they need to move money around within their own funds. The first four items are within their own funding for transfers to allow spending through the remainder of the fiscal year. Item number five is a fund to fund money transfer for the EMPG grant salary which was reimbursed to us from June 30th. Commissioner Reedy moved to approve Resolution 19-55 Budget Transfers. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.
- c. Resolution 19-56 Colonias Infrastructure Project Fund (Road):** Road Department Director Marty Miller stated this resolution would allow the road department to move forward with phase two of the Colonias Infrastructure Project which has already started on Rockhound. Chair Smrkovsky asked for clarification on sites included in the project, she was under the impression that it included all of the sites. Marty Miller stated the two roads not included in this resolution were El Gordo and Triste that were supposed to be included in the \$880,000. County Manager Chris Brice stated he will clarify with Mario which sites are definitely included. Ms. Hethcox stated that the only thing she has seen is the three roads and she does not think the \$880,000 is enough to cover all five roads. She also stated that there are at least two more additional phases to the project. Chair Smrkovsky stated that it was her understanding that they were able to negotiate down the cost with Mario and still include the five roads. Chair Smrkovsky asked if the decision could be postponed. Mr. Kretek suggested approving the resolution and possibly correcting the documents if the \$780,000 cannot be applied to all five roads. Commissioner Sweetser moved to consider passing Resolution 19-56 Colonias Infrastructure Project Fund (Road). Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.
- d. Resolution 19-57 Supporting the New Mexico Counties 2020 Legislative Priorities:** Chair Smrkovsky stated the County does this on an annual basis and the priorities are listed in the Resolution. Commissioner Reedy motioned to approved Resolution 19-57 Supporting the New Mexico Counties 2020 Legislative Priorities. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.
- e. Authorizing closure of County Offices for employee meeting December 20, 2019 at 1:00 p.m.:** Commissioner Reedy motioned to approve authorizing closure of County Offices for an employee meeting on December 20, 2019 at 1:00 p.m. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.

UPCOMING MEETINGS: Chair Smrkovsky announced the following upcoming meetings:

Regular Meeting – December 12, 2019 @ 10 a.m.

ADJOURN: Upon a motion made by Commissioner Reedy and a second made by Chair Smrkovsky the meeting was adjourned at 11:32 a.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

ANDREA RODRIGUEZ, LUNA COUNTY CLERK

BARBARA L. REEDY, DISTRICT 1

APPROVED: _____

LINDA M. SMRKOVSKY, DISTRICT 2

JOHN S. SWEETSER, DISTRICT 3

Indigent Hospital Claims Office

Chris Brice, County Manager

IHC Board Meeting November 21, 2019

Month	Number	Amount	Number	Denied
January	23	\$26,055.34	0	\$0.00
Feburary	6	\$14,781.78		
March	5	\$3,640.93		
April	13	\$2,412.27		
May	8	\$24,060.58		
June	1	\$51.51		
July	12	\$13,465.94		
August	0	\$0.00		
September	17	\$16,198.34		
October	6	\$19,097.79		
November	7	\$11,884.11	1	\$1,600.80
December	0	\$0.00		
Total	98	\$131,648.59	1	\$1,600.80
This Month's Total	Mimbres Memorial Hospital			\$11,884.11
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				\$11,884.11
Year to Date Total	Mimbres Memorial Hospital			\$125,470.03
Year to Date Total	All Other Hospitals			\$2,949.36
Year to Date Total	Deming Fire Dept./EMS			\$1,000.00
Year to Date Total	All Other Services			\$2,229.20
Total				\$131,648.59
Care of Prisoners This Month - Not including SNCP Funds				\$0.00
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$971,098.47
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$110,414.83
Care of Prisoners Year to Date Dr. Bills				\$17,288.79
Total Cost of Care of Prisoners Year to Date				\$1,098,802.09
Monies Received for November 2019				\$49,258.46
Balance in IHC Fund as of November 30, 2019				\$1,210,566.25
Encumbrances as of November 30, 2019				\$597,681.20
		Date	Amount Approved	Amount Denied
	Signatures	12/12/2019	\$11,884.11	\$0.00
Barbara L. Reedy				
Linda M. Smrkovsky				
John S. Sweetser				

[illegible]

LCBCC Meeting December 12th, 2019
Accounts Payable

11/1/2019	\$326,467.66
11/1/2019	\$5,085.03
11/1/2019	\$5,709.00
11/8/2019	\$81,763.86
11/8/2019	\$7,591.65
11/8/2019	\$4,055.93
11/12/2019	\$61,768.88
11/19/2019	\$47,482.24
11/19/2019	\$16,806.61
11/19/2019	\$3,332.79
11/22/2019	\$251,197.29
11/22/2019	\$9,218.81
11/22/2019	\$4,109.19
11/26/2019	\$110,833.50
 P-Cards	
October 2019	\$100,672.95
 Total	 \$1,036,095.39

Luna County
Board of County Commissioners

AGENDA 12/12/2019

PAYROLL

11/01/2019	*Register # 20190131	\$ 5,918.55
11/01/2019	*Register # 20190132	\$ 29,906.94
11/05/2019	*Register # 20190133	\$ 3,749.85
11/08/2019	Register # 20190134	\$ 530,103.16
11/08/2019	* Register # 20190135	\$ 19,474.97
11/08/2019	*Register # 20190136	\$ 255.69
11/08/2019	*Register # 20190137	\$ 1,191.69
11/22/2019	Register # 20190138	\$ 539,363.81
11/22/2019	*Register # 20190139	\$ 26,676.05
11/22/2019	*Register # 20190140	\$ 236.65
11/25/2019	*Register # 20190141	\$ 4,989.90
11/25/2019	*Register # 20190142	\$ 8,239.54

Total \$ 1,170,106.80

* Special

STATE OF NEW MEXICO

COUNTY OF LUNA

700 S. SILVER AVENUE
P.O. DRAWER 551 DEMING, NEW MEXICO 88031-0551
(575) 543-6579 FAX (575) 543-6577



2020 Luna County Holiday Schedule

Holiday	Day of Observance	Date
New Year's Day	Wednesday	1/01/2020
Martin Luther King, Jr. Day	Monday	1/20/2020
Presidents' Day	Monday	2/17/2020
Good Friday	Friday	4/10/2020
Memorial Day	Monday	5/25/2020
Independence Day	Friday	7/03/2020
Labor Day	Monday	9/07/2020
Columbus Day	Monday	10/12/2020
Veteran's Day	Wednesday	11/11/2020
Thanksgiving Day-Close @ noon	Wednesday	11/25/2020
Thanksgiving Day	Thursday	11/26/2020
Personal Day	Friday	11/27/2020
Christmas Eve	Thursday	12/24/2020
Christmas Day	Friday	12/25/2020

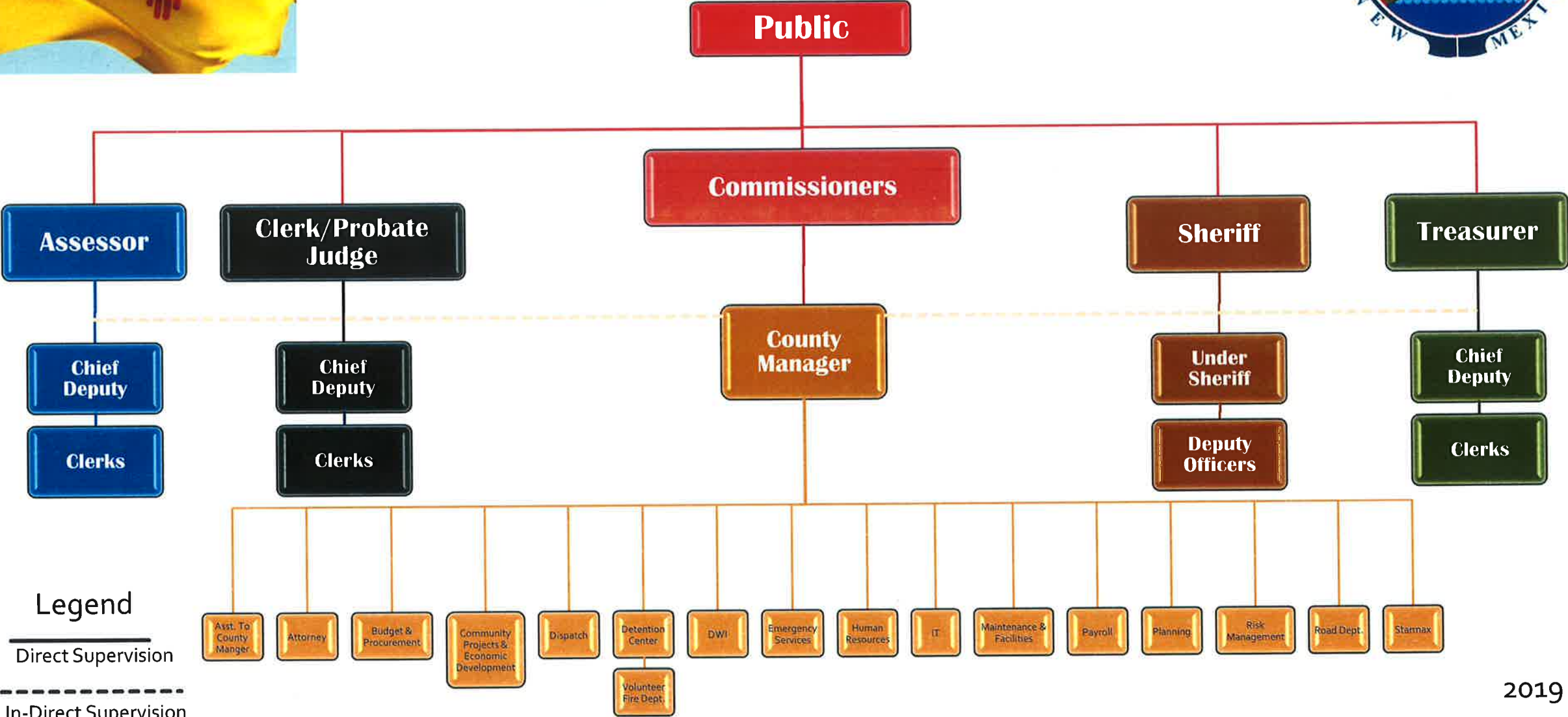
Linda M. Smrkovsky, Chair

Date

Luna County Government exists to provide structure and order to enable the people to address their common need for safety, wellness and community development.



Luna County Organizational Chart



**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 19-58
Proposed Inter/Intra Fund Budget Increases**

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

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

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

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

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

PASSED, APPROVED AND ADOPTED THIS 12th DAY OF DECEMBER, 2019.

LUNA COUNTY

Chairperson

ATTEST:

Andrea Rodriguez, Luna County Clerk

Be it remembered that at a Special meeting of the Luna County Board of County Commissioners in Deming NM on the 12th day of December, 2019, the following budget adjustments are proposed and entered of record.

SCHEDULE OF BUDGET ADJUSTMENTS				Budget Resolution Number 19-58 Proposed Inter/Intra FUND Budget Increase					Entity Code DFA Resolution Number	
ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
One	Increase	402/20400	Road Department	402/20400	\$ (972,550.00)	402-77-1520 Road Gasoline Tax	\$ (972,550.00)	To account for loan proceeds from NMFA for purchase of equipment per NMFA Loan Agreement Documents.	\$ (325,000.00)	\$ (1,297,550.00)
					\$ 972,550.00	402-10-2028 Capital Outlay	\$ 972,550.00	To purchase road equipment per NMFA Loan Agreement Documents.	\$ 103,500.00	\$ 1,076,050.00
Two	Increase	426/29900	Assessor's Non-Rendition Fund	426/29900	\$ 10,000.00	426-06-2036 Administrative Expense	\$ 10,000.00	To complete GIS mapping project. Services provided by Sidwell.	\$ -	\$ 10,000.00
					\$ 10,000.00		\$ 10,000.00		\$ (221,500.00)	\$ (211,500.00)

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

Done at Deming New Mexico this Thursday the 12th day of December, 2019.

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Andrea Rodriguez, Luna County Clerk

Entered By:

Date

Checked By:

Date

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 19-59
Proposed Intra/Inter Department Transfers**

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

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

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

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

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

PASSED, APPROVED AND ADOPTED THIS 12th DAY OF DECEMBER, 2019.

LUNA COUNTY

Chairperson

ATTEST:

Andrea Rodriguez, Luna County Clerk

Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming NM on the 12th day of December, 2019 the following budget adjustments are proposed and entered of record.

Budget Resolution Number 19-59

Proposed Intra/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	401/11000	General Fund - Data Processing	401-09-2027 Office Equipment	\$391,253.01	\$2,400.00	401-09-2012 Equip/Supplies/ Mtn/Repairs	\$2,400.00	To clean up line item and remove negative balance.
Two	Transfer	402/20400	Road Department	402-10-2075 Equip Operating Expense/Repair	\$185,539.65	\$500.00	402-10-2101 Professional/ Contract Services	\$500.00	To clean up line item and remove negative balance.
Three	Transfer	415/21800	MCH (Luna County Health Council)	415-17-2363 Grant MCH (Health Council)	\$30,946.68	\$645.90	415-17-2003 Salaries - Part-time	\$600.00	To pay for stipend for employee to assist during Health Council meetings by taking minutes, purchasing supplies, etc. as necessary.
							415-17-2060 Match - Medicare 1.45%	\$8.70	To pay for stipend for employee to assist during Health Council meetings by taking minutes, purchasing supplies, etc. as necessary.
							415-17-2064 Match - FICA 6.2%	\$37.20	To pay for stipend for employee to assist during Health Council meetings by taking minutes, purchasing supplies, etc. as necessary.
Four	Transfer	609/22600	Adult Detention	609-21-2002 Salaries - Full-Time	\$1,925,399.91	\$100,000.00	609-21-2038 Inmate Meals	\$50,000.00	To transfer funds where need and allow for spending through remainder of fiscal year
							609-21-2005 Salaries - Overtime	\$50,000.00	To transfer funds where need and allow for spending through remainder of fiscal year
				609-21-2181 Inmate Housing	\$39,460.36	\$2,500.00	609-21-2174 Pre-Employment Physicals	\$2,500.00	To transfer funds where need and allow for spending through remainder of fiscal year
					\$2,572,599.61	\$106,045.90		\$106,045.90	

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

Done at Deming New Mexico this **Thursday the 12th day of December, 2019.**

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

John S. Sweetser, District 3



ATTEST:

Entered By:

Date

Andrea Rodriguez, Luna County Clerk

Checked By:

Date

LUNA COUNTY ANIMAL CONTROL ORDINANCE 98 - FEE SCHEDULE				
Ordinance Section	Title	Fee		
5.1.1	Domestic Animal License	\$5.00 for 2 years		
2.5.9	Qualified Service Animals	\$0.00, Application only		
2.5.9	Need Based Waived Fees	\$0.00, Application only		
5.1.2	Multiple Animal Fees			
	0 - 7 Animals	\$0.00 per year		
	8 - 20 Animals	\$50.00 per year		
	21 - 40 Animals	\$100.00 per year		
	41 - 60 Animals	\$200.00 per year		
	61 -80 Animals	\$400.00 per year		
5.1.10	Non-Profit/Humane Org.	\$0 Fee, Application only		
5.1.3	Animal Rescue	\$25.00 per year plus Multiple Animal Fee		
5.1.5	Animal Shelter (non-municipal)	\$25.00 per year plus Multiple Animal Fee		
5.1.6	Animal Sanctuary of Refuge	\$25.00 per year plus Multiple Animal Fee		
5.1.7	Breeding Facility, including Hobby Breeder	\$25.00 per year plus Multiple Animal Fee		
5.1.7.1	Intact Animal Permit	\$100.00 per year		
	Litter Fee	\$50.00 per litter		
5.1.8	Groomer/Grooming Parlors	\$100.00 per year		
5.1.9	Kennel Permits	\$100.00 per year		
5.1.11	Pet Shop Permits	\$100.00 per year		
5.1.12	Special Animal Permits	\$50.00 per year		
5.1.13	Special Animal Event Permits	\$25.00 per year		
2.3.1; 2.3.3	Sterilization Deposit	\$25.00 per animal		
In addition to the fees set out herein, the Deming/Luna County Animal Shelter shall set fees annually in June of each year, including but not limited to the following minimum fees, subject to need based waivers:				
	Relinquishment Fees	\$10.00 per animal		
	Deceased Animal Pick-up Fees	\$10.00 per animal		
	Cemetery placement Fees	\$15.00 per animal		
	Boarding/Impoundment Fees	\$10.00 per day (1-5 days)		
		\$15.00 per day (after 5 days)		
	Vaccination Fees	\$8.00 for first vaccination		
		\$15.00 for vaccinations after first		

	Adoption Fees	\$50.00 per dog			
		\$35.00 per cat			
	Reclamation Fees	\$10.00 first incident			
Penalties	Unless otherwise stated herein or in Ordinance 98, violations are punishable by				
	\$500 fine and/or up to six (6) months incarceration				
1st Offense	Expired Rabies Vaccination	\$20.00 per animal			
1st Offense	No Domestic Animal License	\$10.00 for sterilized animals			
		\$220.00 for unsterilized animals			
	Fees double for second offense in any 12 month period				
	Fees triple for third offenses in any 12 month period				
	Failure to pay fees or more than three offenses in any 12 month period				
	will result in forfeiture of animal, plus court costs				
	The Luna County Commission, for good cause shown, can waive any licensing or permitting fee				
	by majority vote.				

ADDENDUM TO MEMORANDUM OF AGREEMENT

BETWEEN

LUNA COUNTY AND DEMING-LUNA COUNTY HUMANE SOCIETY

RECITALS

THIS AGREEMENT made this ____ day of December, 2019, by and between Luna County (“County”) and the Deming-Luna County Humane Society (“Society”), a New Mexico non-profit corporation, for the current fiscal year ending June 30, 2020.

WHEREAS, the County and the Society entered into a Memorandum of Agreement (“MoA”) dated September 19, 2019, wherein the County contracts with the Society for services related to the ordinances related to the regulation and control of domesticated dogs and cats in Luna County and for the operation of an animal shelter;

WHEREAS, the County has enacted a new comprehensive Animal Control Ordinance placing significantly more duties on the Society, which needs supplemental funds to continue operations in connection with the MoA; and

WHEREAS, the County is in need of additional reporting in connection with performance under the MoA.

NOW, THEREFORE therefore in consideration of the foregoing recitals, and the mutual covenants contained herein, the parties agree as follows:

1. The County will provide a one-time, lump sum payment of Ten Thousand Dollars (\$10,000.00) to the Society on or before December 31, 2019, after receipt of the first monthly report.
2. The County will provide and maintain a used vehicle, suitable for use by an Animal Control Officer in the enforcement of Ordinance 98 – Animal Control.
3. The County will provide grant writing and grant management services for the Society for funds used to administer Ordinance 98 – Animal Control and for compliance with the MoA between the County and the Society.
4. The Society will provide monthly reports for the duration of the MoA, beginning in December, 2019, on the form attached hereto as Exhibit A. Said reports to be delivered to the County Manager’s Office no later than seventy-two (72) hours prior to the regularly scheduled monthly meetings of the Board of County Commissioners of Luna County.

5. The Society, in addition to the monthly report, will maintain records of the disposition of each of the live animals transferred to any person or entity other than the lawful owner or adoptee and shall produce said records upon written request by the County.
6. The Society, on or before May 1, 2019, shall deliver to the County Manager's Office the financial records required by Section 10B of the MoA, which shall include but not be limited to, an Income Statement showing all funds, from whatever source, received and all funds expended for the period from July 1, 2019, through April 30, 2020.

IN WITNESS WHEREOF, the parties hereto affixed their signatures.

Signed for and on behalf of:

Deming-Luna County Humane Society

By _____
Wade Worrell,
Society President

Signed for and on behalf of:

Board of County Commissioner of
Luna County

By _____
Chris A. Brice,
County Manager

MONTHLY SHELTER REPORT - CANINE**Month:****Dogs in Shelter at Month's Start****Puppies in Shelter at Month's Start**

Dogs Surrendered

Puppies Surrendered

Dogs Captured

Puppies Captured

Puppies Born at Shelter

Dogs from other sources

Puppies from other Sources

Total Dogs Added**Total Puppies Added**

Dogs Euthanized

Puppies Euthanized

Dogs Returned

Puppies Returned

Dogs Adopted

Puppies Adopted

Dogs Transferred

Puppies Transferred

Total Dogs Subtracted**Total Puppies Subtracted****Dogs in Shelter at Month's End****Puppies in Shelter at Month's End**

MONTHLY SHELTER REPORT - FELINE				Month:	
Cats in Shelter at Month's Start					
Kittens in Shelter at Month's Start					
Cats Surrendered					
Kittens Surrendered					
Cats Captured					
Kittens Captured					
Kittens at Shelter					
Cats from other sources					
Kittens from other Sources					
Total Cats Added					
Total Kittens Added					
Cats Euthanized					
Kittens Euthanized					
Cats Returned					
Kittens Returned					
Cats Adopted					
Kittens Adopted					
Cats Transferred					
Kittens Transferred					
Total Cats Subtracted					
Total Kittens Subtracted					
Cats in Shelter at Month's End					
Kittens in Shelter at Month's End					