

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

Barbara L. Reedy
Member

John S. Sweetser
Chair

Linda M. Smrkovsky
Member

**Thursday, September 10, 2020
10:00 a.m.
Agenda
Regular Meeting
Luna County Courthouse**

Meeting ID: <https://meet.google.com/wcm-iczv-vnr> To dial in: 617-675-4444 PIN: 309 156 665 9554#

1. **Call to Order:** Chair Sweetser to commence meeting (At this time, please silence your cell phones and any other electronic devices) Pledge of Allegiance, State Pledge.
2. **Roll Call:**
3. **Approval of Agenda:**
4. **Minutes:**
 - a. Regular Meeting- August 13, 2020
 - b. Work Session- August 26, 2020

MOTION AND ROLL CALL VOTE

5. **Service Awards:**

• Desadaria Malina	JJCS	5yrs
• Rosalba Lara	PAT	5yrs
• Viviana Silva	CASA	5yrs
• Dora Madrid	Treasurer's Dept	20yrs

Retirement Award:

- Frank Chavez Maintenance Dept. 8/20/2003-8/31/2020

6. **Elected Officials Report:**

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

8. **Indigent Claims Report:**

- a. Recess as County Commission Convene as Claims Board

MOTION AND VOTE

- b. Presentation of Claims Report by Joanne Hethcox
c. Consider Claims dated September 10, 2020 - \$7,411.33

MOTION AND VOTE

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

MOTION AND VOTE

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

10. **Public Hearing:**

- Ordinance 96 Amending the Delayed Repeal of a County Local Option Gross Receipts Tax (Increment 430)
- Ordinance 99: Process for Adoption of All Ordinances and Resolutions

11. **Ordinances:**

- a. Ordinance 96: Amending the Delayed Repeal of a County Local Option Gross Receipts Tax (Increment 430)

MOTION AND ROLL CALL VOTE

- b. Ordinance 99: Process for Adoption of All Ordinances and Resolutions

MOTION AND ROLL CALL VOTE

12. **Consent Agenda:**

- a. Accounts Payable: \$684,700.35
b. Payroll: \$1,053,276.85
c. Final Budget Approval – Joanne Hethcox

MOTION AND ROLL CALL VOTE

13. **New Business:**

- a. Resolution 20-46 Supporting the Amendment of the Delayed Repeal of Ordinance 96

MOTION AND ROLL CALL VOTE

- b. Resolution 20-47 Budget Increases

MOTION AND ROLL CALL VOTE

CONTINUATION OF NEW BUSINESS

- c. Resolution 20-48 Budget Transfers
MOTION AND ROLL CALL VOTE
- d. Resolution 20-49 Luna County Infrastructure Capital Improvement Plan (ICIP) FY 22-26
MOTION AND ROLL CALL VOTE
- e. Resolution 20-50 Disposal of Fixed Assets
MOTION AND ROLL CALL VOTE
- f. Certification Tax Rates for 2020
MOTION AND ROLL CALL VOTE
- g. Appointment of Member of Labor Management Relations Board (Independent)
MOTION AND ROLL CALL VOTE
- h. Approval of Commission on Aging Board Member- Allen Rosenberg
MOTION AND ROLL CALL VOTE
- i. Elected Official Salary Survey
DISCUSSION ONLY
- j. Wild and Scenic Rivers
DISCUSSION ONLY

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

- Regular Commission meeting: October 8, 2020 at 10:00 a.m.

15. Adjourn:

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, August 13, 2020**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, August 13, 2020 in the in the Basement Training room of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting any and all business to come properly before the Board. Due to the Covid-19 Pandemic and the Governor's Orders regarding social distancing, the commission meeting was also conducted via teleconference and webcasting with a minimum in attendance from the public and staff.

The following staff and elected officials were present: County Manager Chris Brice, Executive Assistant Yossie Nieblas, County Attorney Charles Kretek, Deputy Clerk Pilar Salcido, Deputy Clerk Rachel Bishop, Assessor Michelle Holguin, Chief Deputy Assessor Isabelle Enciso, Sheriff Kelly Gannaway, Captain Michael Brown, IT Help Desk Debbie Seats, Road Department Director Marty Miller, Community Development Director Premal Patel, and Budget & Procurement Director Joanne Hethcox. Other directors and elected officials were present virtually.

CALL TO ORDER: Chair Sweetser 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, District 2
John S. Sweetser, Chair District 3**

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

MINUTES: Upon a motion made by Commissioner Reedy and a second by Commissioner Smrkovsky the Minutes for the Regular Meeting of July 9, 2020, Work Session of July 23, 2020 and Special Meeting of July 27, 2020 were unanimously approved following a roll call vote.

ELECTED OFFICIALS REPORTS: Assessor Michelle Holguin reported they received evaluations back from the Property Tax Division in which the Assessor's Office was found to be in compliance, with no statutory requirement discrepancies. Ms. Claudia Lucero from Property Tax Division wrote a very positive statement giving the Assessor's Office much praise for their performance. Ms. Holguin further reported they are getting ready to fill two positions within their office, one for Appraiser Associate and the other for County Service Specialist. Interviews are scheduled for next week.

Sherriff Gannaway reported for the month of July, burglaries, larcenies and accidents are up, overall totals are up. Officer Baeza has returned to his training at the law enforcement academy and should be finished by the end of August. Deputies Sias and McBurney have returned from their tour in Africa but are currently quarantined and should be returning to work in September. Sherriff Ganaway further reported they are in the process of hiring more deputies. Commissioner Reedy asked Mr. Gannaway about the cameras used by the Deputies. Mr. Gannaway responded that he has already implemented the use of cameras by his Deputies but has reached out to Ms. Torres-Small to see if they are eligible for any funds to help in the maintenance and storage.

Commissioner Smrkovsky clarified that the Elected Officials potential salary increase if approved, can only be issued at the next election run. This was confirmed by Steven Copleman and Linda Stover. They explained that by statute the County has to issue increases after an election. She also stated the Board will visit the Elected Officials increase again in November or December.

COUNTY MANAGER'S REPORT: County Manager Chris Brice reported:

- Dispatch – Had over 10,500 calls for the month of July. The department is struggling with consoles and computers with them shutting down and not archiving data so the State had to get involved on numerous occasions. To make resolutions easier it was decided that State equipment will be installed which will be maintained by the State and our IT will be able to wash their hands of the equipment. Four State computers are being brought in pre-loaded and imaged by the State and will be strictly handled by the State.
- Detention Center – Marshalls inmates are up to 200. Five individuals have graduated the academy last week. Luna County is currently the only intake facility for Marshalls in the State. Luna County has taken over Hidalgo's County detention center temporarily as they have some leadership issues. The plan is to put the Hidalgo detention center employees through our academy starting on the 24th which will include Covid training. During this training time all inmates currently in the Hidalgo Detention Center are being moved to the Luna County Detention Center. Hidalgo Detention Center will be considered the isolation unit for Covid for now.
- The Road Department has bladed 33.5 miles of road. Mr. Brice stated that in the contract between the City of Deming and the private waste management company, part of the money the City pays them is for them to take the tires from the County. The City gives us a break for dumping tires and we take care of their tires. The County is still working with Waste Management on the possibility of taking over the remote trash sites. Waste Management would like to put trash compactors out at those sites instead of trash containers to only pick up once a week.
- Budget and Procurement – The County is waiting for the final budget approval. Stonegarden is up to speed and in good standing thanks to Laura. The GRT received by the County is much higher than originally anticipated.
- The County has hired a dispatcher, three detention officers, a truck driver and we currently hired two seasonal IT individuals. The County currently has Detention Center Officers, Truck Drivers, Court Security Corporal, and a Mechanic openings. The County has implemented the

30, 60, 90 day evaluation process for all new hires, hopefully it will become routine. Leadership training on discipline for all Directors and Elected Officials has been held.

- Starmax sales for the month of July is \$1,900, this time last year sales were \$145,000. Mr. Brice stated that he is drafting the General Manager Job description for Starmax. Monica Bustamantes will be trained by Rosa, Joanne and Grisel to learn how to properly do things at Starmax so we do not get into the situation that we were in recently.
- Emergency Manager Phillip Rodriguez continues to work with the State Emergency Management team. The State previously provided us with all supplies needed. Mr. Rodriguez was the distributor throughout the County including the hospitals. Now, the State expects Mr. Rodriguez to prove that we can not purchase the items ourselves before they will send us the needed supplies. This is a change to the process it is unknown why this changed. We are getting reimbursed 75% through FEMA right now and believe we will get the remainder reimbursed through the CARES Act.
- Luna County Volunteer Fire Department responded to five brush fires, one vehicle fire, a structure fire and an RV fire. About fifteen to twenty individuals are participating in the volunteer fire department training being held on Sundays. Birthday parades are still being held.
- DWI has 95 individuals being tracked. Edith was submitted for the DWI award for our County because she deserves it.
- Community Health and Wellbeing – Samantha Apodaca has been doing a tremendous job. Yossie is taking over all the administrative functions for all the grant programs. Jessica Moreno still does the actual grant reporting for consolidating and reports to me.
- The IT Department received 204 work orders for the month.
- Planning and Development – The Federal bill grant for \$15,000,000 for storm water diversion down in Columbus has moved on to the next stage. The Planning Department is looking into the EDA grant to help support some of the visions we have out at Starmax regarding the business and apartment complex. Capital Outlay just finished the survey updating the vehicles and the \$750,000 for the Department of Health building. We lost \$116,000 of the Park Plaza building which expired on June 30th and the only person that can approve an extension at this point is the Governor or through the Legislative Conference. This project has been in the works since January but since Covid hit we have not been able to get the abatement team or the construction company mobilized here to start the project. The plan is to send a request to the Governor's Office to try to get back the money.

PRESENTATIONS:

- **Heritage Waters Coalition Presentation by Hayden Forward:** Board Member for Heritage Waters Coalition and Supervisor for the San Francisco Soil and Water Conversation District Hayden Forward gave an extensive presentation in opposition of New Mexico Wild and Scenic Rivers Act.

CALL FOR ORDINANCE:

Ordinance 96; Adopting a Special County Hospital Gross Receipts Tax (Continuation of GRT): Chair Sweetser entertained a motion to approve Ordinance 96. Commissioner Smrkovsky moved to approve Ordinance 96 Adopting a Special County Hospital Gross Receipts Tax (Continuation of GRT). Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

Ordinance 99; Process for Adoption of All Ordinances and Resolutions. Chair Sweetser entertained a motion to approve Ordinance 99. Commissioner Smrkovsky moved to approve Ordinance 99 Process for Adoption of all Ordinances and Resolutions. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote

INDIGENT CLAIMS REPORT: Upon a motion by Commissioner Reedy and a second by Commissioner Smrkovsky, the meeting of the Board of County Commissioners was unanimously recessed and the meeting of the Indigent Hospital Claims Board convened.

Budget and Procurement Director Joanne Hethcox reported one claim for the month of July in the amount of \$1,103.03. The gross receipts collections totaled \$184,906.20 and the balance for the Indigent Claims Fund totaled \$1,379,196.02, of that \$402,156.95 is encumbered. Commissioner Reedy motioned to approve the Indigent Claims Report as presented. Commissioner Smrkovsky seconded the motion which carried unanimously.

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

PUBLIC COMMENT: Chair Sweetser opened the floor to public comment. Alberta Morgan went before the board and expressed her concerns about having the Commissioners meeting in the basement and having to use the stairs, she felt the chambers has better equipment for presentations. Ms. Morgan also commented that with the new waste management in Deming she is concerned about all of the trash being thrown in the desert instead of being taken to the dump. She believes we should also hear from New Mexico Wilderness on the New Mexico Wild and Scenic Act.

Edward Khanbabian went before the board to express his concerns about using the basement for the Commissioner meetings. Mr. Khanbabian also suggested that before the Board of Commission makes any decision on New Mexico Wild Scenic Water's Act it would be good to hear from New Mexico Wild. Mr. Khanbabian wanted to know how the County is paying for the \$55,000 per month obligation to pay for the Starmax building with only making \$1,900 for the month.

OLD BUSINESS:

- a. **ETZ Variance Request: 3 Tracts in T23s, R9W:** Community Economic Development Director Premal Patel explained that Luna County has no jurisdiction to decide on the ETZ variance. County Manager Chris Brice explained that because of the way the ETZ was formed previously, and the way the County backed out of the ETZ including the location of the lots, the County does not have any say whatsoever. The decision falls completely on the City of Deming because of the one mile that the County left with the City to regulate. Commissioner Reedy asked that we start a dialog to enter into ETZ and make sure it works for all parties. Chair Sweetser entertained a motion to dismiss the request for variance as Luna County does not have jurisdiction. Commissioner Smrkovsky moved to approve the dismissal of the request for variance as Luna County does not have jurisdiction and to reestablish the three mile ETZ zone. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

CONSENT AGENDA: Upon a motion from Commissioner Smrkovsky, and a second by Commissioner Reedy the Consent Agenda was approved as submitted. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

- a. Accounts Payable: \$899,649.64**
- b. Payroll: \$1,532,408.02**

NEW BUSINESS:

- **Resolution 20-45 Agreement between Luna County and Southwest New Mexico Council of Governments & Appointments of Representatives:** Mr. Brice explained this is to appoint the voting member and the alternate for the Council of Governments. Commissioner Reedy moved to nominate County Manager Chris Brice as Luna County representative member and herself to be named as the alternate. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.
- **Luna County Infrastructure Capital Improvement Plan FY 22-26:** Community Development Director Premal Patel explained that every year Luna County passes an infrastructure capital improvement plan. DFA has re-established a new computer software system recently which is causing some issues. Mr. Patel further reported that the current top ten projects for ICIP are:
 1. Healing Hourse Domestic Violence Shelter Improvement.
 2. Dispatch Communications Improvement
 3. Upgrade Dispatch Center
 4. Accelerate Luna County
 5. Fiber Installation
 6. Flood Prevention Projects
 7. Sunshine/Majestic View Improvement Project
 8. Maintenance Department Equipment
 9. Luna County Affordable Housing Plan
 10. Mimbres Valley/Special Event Center

Mr. Patel asked if anyone still has projects they would like to add to the ICIP that they communicate with him before final approval next month. Commissioner Reedy stated that a number of these projects may qualify for different funding sources and may not always be in this order, she wanted to make sure that is clearly understood. Chris Brice explained this has to be voted on next regular meeting and he recommended a work session be scheduled prior to the regular meeting to discuss each project.

- **Luna County Road Policy:** County Manager Chris Brice explained that since the last review of the road policy only misspellings have been corrected and that no changes to the substance of the policy have been made. Road Department Director Marty Miller explained that all maintained roads are maintained at least once a year. He further explained that if anyone would like to get a road added to the maintained road list they must first apply and petition for that addition. Then a decision will be made if that specific road can be added. Commissioner Reedy moved to approve Luna County Road

Policy. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.

UPCOMING MEETINGS: Chair Sweetser announced the following upcoming meetings:

Strategic Planning Committee Meeting – August 19, 2020 at 11:00 a.m.

Census Parade – August 21, 2020 at 7:00 p.m.

Complete Count Committee Meeting – August 25, 2020 at 4:00 p.m.

Census Event with Congresswoman Xotchil Torres Small – September 3, 2020 at 1:00 p.m.

LEPC Meeting – September 9, 2020 at 10:00 a.m.

Regular Commission Meeting – September 10, 2020 @ 10 a.m.

ADJOURN: The meeting was adjourned by Chair Sweetser at 12:02 p.m.

ATTEST:

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

ANDREA RODRIGUEZ, LUNA COUNTY CLERK

BARBARA L. REEDY, DISTRICT 1

APPROVED: _____

LINDA M. SMRKOVSKY, DISTRICT 2

CHAIR, JOHN S. SWEETSER, DISTRICT 3

**MINUTES
WORK SESSION
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS
Wednesday, August 26, 2020**

BE IT REMEMBERED that the Luna County Board of County Commissioners met at 2:34 p.m. on Wednesday, August 26, 2020 in the Basement Training room of the Luna County Courthouse, Deming, New Mexico, for the purpose of conducting a Work Session. Due to the Covid-19 Pandemic and the Governor's Orders regarding social distancing, the commission meeting was conducted via teleconference and webcasting with a minimum in attendance from the public and staff.

CALL TO ORDER: Chair Sweetser called the meeting to order at 2:30 p.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 Commissioners constituting a quorum were present:

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

COMMISSIONERS AND STAFF DISCUSSION ITEMS: The Luna County Board of County Commissioners presented the items for discussion by staff and attending members of the public. *(*Note: Items were presented for discussion only and no actions were taken.)* The following agenda items were discussed:

- a. **Luna County Infrastructure Capital Improvement Plan (ICIP) FY 22-26:** The Luna County Board of County Commissioners were presented the following priorities for the ICIP items for review and discussion. Economic Development Director Premal Patel, County Manager Chris Brice, and Priscilla Lucero from SWNM Council of Governments gave input on the top ten items: Upgrading dispatch center facility, Dispatch communication improvements, Luna County accelerator, Luna County Detention communication disease wing, Fiber installation, Flood prevention project, Majestic View Sunshine improvement project, Comprehensive plan update, Asset management plan, Mimbres Valley special event center, Luna County affordable housing plan, . Respectively, Premal Patel, Chris Brice and Priscilla Lucero stood for questions.
- b. **Sample Resolution in Opposition to the designation of the Gila and San Francisco Rivers as National Wild & Scenic Rivers:** Commissioner Reedy invited Ray Trejo who works for New Mexico Wildlife to present his position in favor of the designation of the Gila and San Fan Francisco Rivers as National Wild & Scenic Rivers. Respectfully, Mr. Trejo stood for questions.

PUBLIC COMMENT: Alberta Morgan and Christi Ann Harvey provided public input on the discussion items.

NEW BUSINESS: No new business was presented.

ADJOURN: Chair Sweetser adjourned the meeting at 4:02 p.m.

ATTEST:

**LUNA COUNTY BOARD OF
COUNTY COMMISSIONERS**

Andrea Rodriguez, Luna County Clerk

Barbara L. Reedy, District 1

Approved: _____

Linda M. Smrkovsky, District 2

Chair, John S. Sweetser, District 3

Indigent Hospital Claims Office

Chris A. Brice, County Manager

IHC Board Meeting September 10, 2020

Month	Number	Amount	Number	Denied
January	9	\$20,649.49	0	\$0.00
Feburary	4	\$20,700.21	0	\$0.00
March	0	\$0.00		
April	11	\$30,846.52		
May	5	\$6,257.04		
June	2	\$8,013.26		
July	1	\$1,103.03		
August	3	\$7,411.33	1	\$4,273.26
September		\$0.00		
October		\$0.00		
November		\$0.00		
December		\$0.00		
Total	35	\$94,980.88	1	\$4,273.26
This Month's Total	Mimbres Memorial Hospital			\$5,976.33
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			\$1,435.00
Total				\$7,411.33
Year to Date Total	Mimbres Memorial Hospital			\$72,912.93
Year to Date Total	All Other Hospitals			\$0.00
Year to Date Total	Deming Fire Dept./EMS			\$500.00
Year to Date Total	All Other Services			\$21,567.95
Total				\$94,980.88
Care of Prisoners This Month - Not including SNCP Funds				\$247,117.92
Care of Prisoners Year to Date Indigent - Not including SNCP Funds				\$1,054,061.76
Care of Prisoners Year to Date Inmate Prescriptions/OTC Meds				\$72,871.89
Care of Prisoners Year to Date Dr. Bills				\$370.00
Total Cost of Care of Prisoners Year to Date				\$1,127,303.65
Monies Received for August, 2020				\$258,296.71
Balance in IHC Fund as of August 31, 2020				\$1,595,998.61
Encumbrances as of August 31, 2020				\$350,000.00
		Date	Amount Approved	Amount Denied
	Signatures	9/10/2020	\$7,411.33	\$4,273.26
Barbara L. Reedy				
Linda M. Smrkovsky				
John S. Sweetser				

[illegible]

ORDINANCE 96
AMENDING THE DELAYED REPEAL OF A COUNTY
LOCAL OPTION GROSS RECEIPTS TAX (Increment 430)

BE IT ORDAINED BY THE GOVERNING BODY OF LUNA COUNTY that Section 6 of Ordinance Number 96, effective January 1, 2017, and imposing 0.1250% tax is amended to read:

Section 6. Delayed Repeal. Ordinance Number 96 is repealed effective December 31, 2026.

The effective date of this amendment shall be July 1, 2021.

ADOPTED BY THE GOVERNING BODY OF LUNA COUNTY THIS 10TH DAY OF SEPTEMBER, 2020.

ATTEST:

John S. Sweetser, Chairperson
Commissioner, District 3

Andrea Rodriguez,
County Clerk

Linda M. Smrkovsky,
Commissioner, District 2

Barbara L. Reedy,
Commissioner, District 1

ORDINANCE 96
ADOPTING A SPECIAL COUNTY HOSPITAL
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
LUNA COUNTY:

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this county for the privilege of engaging in business in this county an excise tax equal to one-eighth of one percent (.125%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensation Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the County Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "special county hospital gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No special county hospital gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor, vehicle, air transportation or any other means from one point within the county to another point outside the county; or
- B. direct broadcast satellite services.

Section 4. Dedication. Revenue from the special county hospital gross receipts tax is dedicated for county ambulance transport costs or for operation of a rural health clinic

Section 5. Effective Date. The effective date of the special county hospital gross receipts tax shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

LUNA COUNTY-NM
ANDREA RODRIGUEZ, CLERK
201601681
1 of 2
05/16/2016 11:27:26 AM
BY MARIA



Section 6. Delayed Repeal. (Mandatory) Ordinance Number 96
(if it becomes law) is repealed effective December 31, 2021.

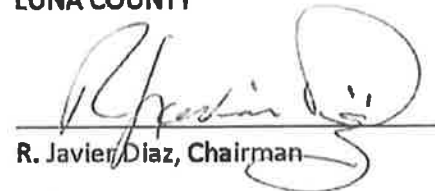
ADOPTED BY THE LUNA COUNTY BOARD OF COMMISSIONERS, THIS 12th DAY OF MAY 2016.

ATTEST:

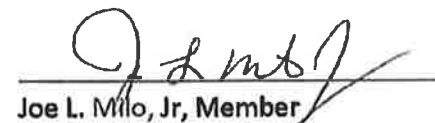

Andrea Rodriguez, County Clerk



LUNA COUNTY


R. Javier Diaz, Chairman


Linda M. Smrkovsky, Member


Joe L. Milo, Jr, Member

LUNA COUNTY-NM
ANDREA RODRIGUEZ, CLERK
201601681
2 of 2
05/16/2016 11:27:26 AM
BY MARIA

Luna County, NM

Ordinance 99

Ordinance: Process for Adoption of All Ordinances and Resolutions

Title 3: Administration Officers

Chapter 4: Process for Adoption of All Ordinances and Resolutions

Process for Adoption of All Ordinances and Resolutions

Whereas: The Luna County Code of Ordinances is frequently amended, corrected, revised, updated, and expanded. This Chapter is intended to formalize the procedure for adding any and all new language to the Luna County Code of Ordinance.

Whereas: Section 3-17-5A, NMSA 1978 provides a municipality must show proof of ordinance and the ordinance shall be kept in a book for that purpose and be authenticated by the signature of the presiding officer of the governing body and the municipal clerk and shall bear the seal of the municipality.

Whereas: Section 3-17-5C, NMSA 1978 If the ordinances and resolutions of the municipality are codified or codified and revised, it is not necessary to publish the entire codification or codification and revision. An ordinance, referring to the codification or codification and revision by title only and specifying one place in the municipality where the codification or codification and revision may be inspected during the normal and regular business hours of the municipal clerk, may be published instead of the codification or codification and revision.

Therefore: The Board of County Commission of Luna County establishes the designation of County Code Reviser and the compilation of ordinances and resolutions as the Luna County Code of Ordinances.

3.04.010 County Code Reviser

The Luna County Commission shall designate the County Code Reviser. The County Code Reviser shall compile the ordinances and resolutions and of the County into titles, chapters and sections without substantial change or alteration of purpose or intent.

3.04.020 Codification and revision of ordinances and resolutions

Subject to such general policies as may be promulgated by the Board of County Commission of Luna County and to the general supervision of the Board of County Commission of Luna County, the reviser shall:

A. Codify for consolidation into the County Code all ordinances and resolutions of a general and permanent nature from and after the passage of this ordinance, resolved or adopted by the Board of County Commission of Luna County and assign permanent numbers to all new titles, chapters and sections so added to the code;

B. Edit and revise such ordinances and resolutions for such consolidation to the extent deemed necessary or desirable by the reviser and without changing the meaning of any such ordinance, in the following respects only:

1. Make capitalization uniform with that generally followed in the code,
2. Make chapter or section division and subdivision designations uniform with that followed in the code,
3. Substitute for the term "this ordinance," where necessary, the term "section," "article," "chapter," "title" or "code," or reference to specific section or chapter numbers, as the code may require,
4. Substitute for reference to a section of an ordinance the proper code section number reference,
5. Substitute for "as provided for in the preceding section" and other phrases of similar import the proper code section number references,
6. Substitute the proper calendar date for "effective date of this act" and other phrases of similar import,

7. Strike out figures where merely a repetition of written words, and substitute, where deemed advisable for uniformity, written words for figures,

8. Rearrange the order of sections of ordinances and resolutions, incorporate any omitted material as well as correct manifest errors in spelling and manifest clerical or typographical errors or errors by way of additions or omissions,

9. Correct obvious and apparent errors that are not substantive in references by chapter or section number to other laws,

10. Correct obvious and apparent errors in numbering or renumbering sections of the code,

11. Divide long sections into two or more sections and rearrange the order of sections to conform to such logical arrangement of subject matter as may most generally be followed in the code when to do so will not change the meaning or effect of such sections,

12. Change the wording of the section captions, if any, and provide captions to new sections and chapters,

13. Strike provisions apparently obsolete;

C. Create new code titles, chapters and sections of the County code, or otherwise revise the title, chapter and sectional organization of the code, as may be required from time to time, to effectuate the orderly and logical arrangement of the code.

2.04.030 Omission of certain sections of ordinances and resolutions.

The reviser may omit from the code all titles to ordinances and resolutions, enacting and repealing clauses, preambles, declarations of emergency, and validity and construction sections unless, in a particular instance, it may be necessary to retain such to preserve the full intent of the law. The omission of validity or construction sections is not

intended to, nor shall it change, or be considered as changing, the effect to be given thereto in construing ordinances of which such validity or construction were a part. Any section so omitted, other than repealing, emergency or validity provisions, shall be referred to or set forth as an annotation to the applicable sections of the ordinance as codified.

2.04.040 Code index.

The reviser shall compile and thereafter maintain a comprehensive index and from time to time prepare for publication supplements thereto.

2.04.050 Code tables.

The reviser shall prepare and maintain full historical records showing the enactment, amendment, revision, supersession and repeal of the various sections of the code.

2.04.060 Inclusion of local rules of the Luna County Magistrate Court.

The reviser may provide for inclusion in the code of the local rules of the Luna County Magistrate Court.

2.04.070 Improvement of statutes.

A. The Code Reviser shall from time to time make written recommendations to the Board of County Commission of Luna County concerning deficiencies, conflicts or obsolete provisions in, and need for reorganization or revision of the ordinances and resolutions, and shall prepare for submission to the Board of County Commission of Luna County ordinances and resolutions for the correction or removal of such deficiencies, conflicts or obsolete provisions, or to otherwise improve the form or substance of any ordinance of the County as the public interest or the administration of the subject may require.

B. Such or similar projects may be undertaken at the request of the Board of County Commission of Luna County or other County agencies and departments if such undertaking will not impede the other functions of the reviser.

2.04.080 Ordinances and resolutions provided to the reviser.

All ordinances and resolutions submitted to the Board of County Commission of Luna County shall, in addition to any other requirements, contain:

- A. A title reflecting the subject matter of the ordinance;
- B. The date at which the ordinance shall become effective if passed;
- C. A final paragraph next below the Commission members' signatures reading as follows:

This ordinance/resolution has/has not been codified as Luna County Code of Ordinances on the ___ day of _____, 20____..

Immediately following this paragraph there shall be a signature line under which shall be the title "County Code Reviser."

2.04.090 Ordinances and Resolutions – Copies to be provided to the reviser.

The Board of County Commission of Luna County shall cause to be made two duplicate originals of all ordinances and resolutions passed. One of the two such duplicate originals shall be immediately forwarded to the code reviser and the second would be recorded with the County Clerk of Luna County and subsequently forwarded to the County Code Reviser.

2.04.10 Specifications for code publication – Certificate of compliance.

County Clerk_____ Date____/____/____

A. The Code Reviser shall formulate specifications relative to the format, size, contents, indexing and general scope and character of footnotes and annotations, if any, for any publication for general use of the code and supplements. No such publication or the contents thereof, other than such temporary edition as may be authorized by the Board of County Commission of Luna County, shall be received as evidence of the ordinances and resolutions of this County unless it complies with the specifications of the Code Reviser as are current at the time of publication, including compliance with the section numbering adopted by the reviser. If a publication complies with such specifications, the Code Reviser shall furnish a Certificate of Compliance to the publisher.

B. Upon request of any publisher in good faith interested in publishing the code, the Code Reviser shall furnish a copy of the current specifications and shall not during the process of any bona fide publication of said code or supplement thereto modify any such specifications, if such modification would result in added expense or material inconvenience to the publisher, without written concurrence therein by such publisher.

2.04.11 Code deemed official if certified.

The County Code and any supplement or addition thereto or reprint edition thereof which contains the certificate of the Code Reviser referred will be deemed official and shall be prima facie evidence of the ordinances and resolutions contained therein.

2.04.12 Severability.

If any section, subsection, sentence, clause, phrase, portion or part of this code is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this code. The Board of County Commission of Luna County hereby declares that it would have adopted this code and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

Done at Deming, New Mexico this ____ day of September, 2020

**Board of County Commissioners
of Luna County**

ATTEST:

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

Andrea Rodriguez, County Clerk

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

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

This ordinance has/not been codified as Luna County Code of Ordinances on
the __ day of ____, 20__.

Interim Code Reviser

County Clerk____ Date____/____/____

LCBCC Meeting September 10, 2020

Accounts Payable

08/06/2020	\$42,252.03
08/14/2020	\$214,859.02
08/14/2020	\$9,807.51
08/20/2020	\$313,156.77
08/27/2020	\$31,632.16
08/27/2020	\$846.42

P-Cards

July 2020

\$72,146.44

Total \$684,700.35

Luna County
Board of County Commissioners

AGENDA 09/10/2020

PAYROLL

08/14/2020	Register # 20200041	\$ 518,573.38
08/14/2020	*Register # 20200042	\$ 10,581.72
08/28/2020	Register # 20200043	\$ 505,638.37
08/28/2020	*Register # 20200044	\$ 18,483.38

Total \$ 1,053,276.85

* Special

MICHELLE LUJAN GRISHAM
GOVERNOR

DONNIE J. QUINTANA
DIRECTOR



DEBORAH K. ROMERO
ACTING CABINET SECRETARY

STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION
Bataan Memorial Building ♦ 407 Galisteo St. ♦ Suite 202 ♦ Santa Fe, NM 87501
PHONE (505) 827-4950 ♦ FAX (505) 827-4948

August 31, 2020

The Honorable Linda M. Smrkovsky
Luna County
700 South Silver Ave.
P.O. Box 551
Deming, NM 88031

Dear Commissioner Smrkovsky:

The final budget for your local government entity for Fiscal Year 2020-2021, as approved by your governing body, has been examined and reviewed. The Department of Finance and Administration, Local Government Division (LGD) finds it has been developed in accordance with applicable statutes and budgeting guidelines, and sufficient resources appear to be available to cover budgeted expenditures. In addition, the *Budget Certification of Local Public Bodies* rule, 2.2.3 NMAC, requires that your entity's audit or "Agreed Upon Procedures" (per the *Tier System Reporting* rule, 2.2.2.16 NMAC) for Fiscal Year 2019 should have been submitted to the Office of the State Auditor as of this time. The LGD's information indicates that you are in compliance with this requirement. Therefore, in accordance with Section 6-6-2E NMSA 1978, the LGD certifies your entity's final Fiscal Year 2020-2021 budget.

Please take note that state statute requires all revenue sources be expended only for public purposes, and if applicable, in accordance with the Procurement Code, Chapter 13, Article 1, NMSA 1978. Use of public revenue is governed by Article 9, Section 14 of the Constitution of the State of New Mexico, commonly referred to as the anti-donation clause.

Budgets approved by the LGD are required to be made a part of the minutes of your governing body according to Section 6-6-5 NMSA 1978. In addition, Section 6-6-6 NMSA 1978 provides that the approved budget is binding on local officials and governing authorities; and any official or governing authority approving claims or paying warrants in excess of the approved budget or available funds will be liable for the excess amounts.

Finally, as required by Section 6-6-2H NMSA 1978, LGD is required to approve all budget increases and transfers between funds not included in the final approved budget via submission on the Local Government Budget Management System (LGBMS).

If you have questions regarding this matter, please contact Erica Cummings of my staff at erica.cummings@state.nm.us.

Sincerely,

A handwritten signature in blue ink that reads "Brenda J. Suazo-Dila".

On behalf of:

Donnie J. Quintana, Director
Local Government Division

xc: file

Be it remembered that at the Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 10th day of September 2020, the following proceedings were had and entered of record.

RESOLUTION NO. 20-46

A RESOLUTION SUPPORTING THE AMENDMENT OF THE DELAYED REPEAL OF ORDINANCE 96

WHEREAS, Luna County has imposed a local option gross receipts tax county wide of 1/8 of 1 percent (0.1250%) pursuant to Ordinance 96 since 2006;

WHEREAS, Ordinance 96 was last enacted after a mail-in ballot and became effective January 1, 2017 and will expire December 31, 2021;

WHEREAS, following a proper call for ordinance and publication, and pursuant to the Public Hearing of this date, the Board of County Commissioners of Luna County has heretofore amending the Delayed Repeal of Ordinance 96 to December 31, 2026.

WHEREAS, such amendment shall not go into effect until July 1, 2021, which occurs after the expiration of at least three months from the date the amendment is approved by the electorate.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Luna County as follows:

1. That an election for the purpose of voting upon the above-mentioned question shall be held in Luna County, New Mexico, coincidentally with the 2020 General Election on Tuesday, November 3, 2020.
2. That there shall be published the required Notice and Proclamation of Election at the time and in the manner provided by law and the same shall be filed with the Minutes of this Meeting, along with Affidavits of Publication.
3. That the following question shall be placed on the ballot:

Shall Luna County, New Mexico, pursuant to the amendment to Ordinance #96, adopted September 10, 2020, continue to impose the Special County Hospital Gross Receipts Tax of one-eighth of one percent (0.1250%)(1/8%) on the gross receipts reported or required to be reported by persons engaging in business in Luna County for continued financing of county ambulance transport costs or for operation of a rural health clinic within Luna County from December 31, 2021 to December 31, 2026?

¿Deberá el Condado de Luna, Nuevo México, conforme a la enmienda a la Ordenanza Nro. 96, adoptada el día 10 de septiembre, 2020, continuar imponiendo un Impuesto Especial de Ingresos Brutos para el Hospital del Condado de un octavo de un por ciento (0.125%) (1/8%) a personas conduciendo negocio en el Condado de Luna igual a un

octavo de un por ciento (0.125% (1/8%) de los ingresos brutos reportados o requeridos ser reportados por las personas para financiar gastos de los servicios de ambulancia o operación de una clínica de salud rural dentro del Condado de Luna desde el día 31 de Diciembre, 2021 al día 31 de Diciembre, 2026?

4. Said election shall be held at the same time and manner and at the same polling places coincidentally with the November 3, 2020 General Election.

5. All qualified electors in Luna County, New Mexico, shall be entitled to vote at said elections.

6. The registration books will close at 5:00 p.m. on Tuesday, October 6, 2020, as prescribed by law.

Done at Deming, New Mexico this 10th day of September, 2020

**Board of County Commissioners
of Luna County**

ATTEST:

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

Andrea Rodriguez, County Clerk

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

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

**LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 20-47
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 109, July 1, 2020 through June 30, 2021 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 10th DAY OF SEPTEMBER, 2020.

LUNA COUNTY

Chairperson

ATTEST:

Andrea Rodriguez, Luna County Clerk

Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming NM on the 10th day of September, 2020, the following budget adjustments are proposed and entered of record.

SCHEDULE OF BUDGET ADJUSTMENTS				Budget Resolution Number 20-47 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 - Managers	401/11000	\$ 1,000.00	401-01-2116 Uniforms	\$ 1,000.00	To pay for shirts for management representation.	\$ -	\$ 1,000.00
Two	Increase	401/11000	General Fund - Maintenance	401/11000	\$ 121,200.00	401-03-2028 Capital Outlay	\$ 121,200.00	To pay for capital projects carried over from FY 2020 that were inadvertently left out of final budget.	\$ -	\$ 121,200.00
		401/11000	General Fund - Safety/Risk Assmnt	401/11000	\$ 360.00	401-28-2007 Telephone	\$ 360.00	To pay for cell phone stipend that was left off during final budget.	\$ -	\$ 360.00
		426/29900	Assessors - Non-Rendition Fund	426/29900	\$ 8,210.00	426-06-2036 Administrative Expense	\$ 8,210.00	To pay for computers already on order and not carried over from FY2020.	\$ -	\$ 8,210.00
		403/20800	Farm & Range Improvement Fund	403/20800	\$ 959.00	403-11-2093 Controls - Predatory Animal	\$ 959.00	To pay for final FY2020 invoice per contract that was not carried over into this fiscal year.	\$ 40,250.00	\$ 41,209.00
		709/20600	Amulance Fund 1/8 GRT	709/20600	\$ 834.00	709-00-2119 Funding - Elite Medical	\$ 834.00	To pay for final FY2020 invoice per contract that was not carried over into this fiscal year.	\$ 10,000.00	\$ 10,834.00
		609/22600	Adult Detention	609/22600	\$ 200,000.00	609-21-2018 Inmate Medical	\$ 200,000.00	To pay for final FY2020 invoice per contract that was not carried over into this fiscal year.	\$ 704,000.00	\$ 904,000.00
Three	Increase	401/11000	General Fund - Bureau of Elections	401/11000	\$ (7,200.00)	401-77-1262 (Revenue) Reimbursements to County	\$ (7,200.00)	To account for reimbursement from Secretary of State for postage costs for 2020 Primary Election.	\$ -	\$ (7,200.00)
					\$ 7,200.00	401-05-2006 Postage	\$ 7,200.00	To allow for spending of reimbursement from Secretary of State for postage costs for 2020 Primary Election.	\$ 6,700.00	\$ 13,900.00
Four	Increase	401/11000	General Fund - Dispatch	401/11000	\$ 23,366.00	401-20-2002 Salaries - Full-Time	\$ 4,300.00	To adjust salaries as discussed during final budget preparation.	\$ 497,943.16	\$ 502,243.16
						401-20-2003 Salaries - Part-Time	\$ 14,000.00	To allow for two part-time positions to assist with floating shifts and staffing shortages.	\$ -	\$ 14,000.00
						401-20-2060 Match - Medicare 1.45%	\$ 300.00	To adjust salaries as discussed during final budget preparation.	\$ 8,152.12	\$ 8,452.12
						401-20-2063 Match - PERA 16.42%	\$ 3,100.00	To adjust salaries as discussed during final budget preparation.	\$ 83,007.12	\$ 86,107.12
						401-20-2064 Match - FICA 6.2%	\$ 1,300.00	To adjust salaries as discussed during final budget preparation.	\$ 34,870.03	\$ 36,170.03
						401-20-2070 Match - RHCA 2.0%	\$ 366.00	To adjust salaries as discussed during final budget preparation.	\$ 9,958.86	\$ 10,324.86
Five	Increase	411/21800	Community Improvements	411/21800	\$ (702,000.00)	411-77-1477 (NEW) MFA Grant - Rockhound Colonias Project	\$ (702,000.00)	To set up revenue and expense for Phase 2 of the Rockhound Colonias Project per MFA Loan/Grant Agreement.	\$ -	\$ (702,000.00)
					\$ (78,000.00)	411-77-1478 (NEW) MFA Loan - Rockhound Colonias Project	\$ (78,000.00)	To set up revenue and expense for Phase 2 of the Rockhound Colonias Project per MFA Loan/Grant Agreement.	\$ -	\$ (78,000.00)

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
					\$ 780,000.00	411-00-2477 MFA - Rockhound Colonias Project	\$ 780,000.00	To set up revenue and expense for Phase 2 of the Rockhound Colonias Project per MFA Loan/Grant Agreement	\$ -	\$ 780,000.00
Six	Increase	415/21800	Community Services - Juvenile Field Services	415/21800	\$ (800.61)	415-77-1262 Reimbursements to County	\$ (800.61)	To account for insurance reimbursement for claim paid by Progressive Insurance.	\$ -	\$ (800.61)
					\$ 800.61	415-13-2011 Vehicle Expense	\$ 800.61	To allow for spending of insurance reimbursement for claim paid by Progressive Insurance.	\$ 3,000.00	\$ 3,800.61
Seven	Increase	415/21800	Community Services - Luna County Health Council	415/21800	\$ (3,662.00)	415-77-1363 Grant MCH Adm Fee	\$ (3,662.00)	To correct budget to adjust for award that was not known during final budget preparation.	\$ (5,800.00)	\$ (9,462.00)
					\$ 1,985.50	415-17-2002 Salaries - Full-Time	\$ 2,000.00	To correct budget to adjust for award that was not known during final budget preparation.	\$ 1,000.00	\$ 3,000.00
						415-17-2003 Salaries - Part-Time	\$ 400.00	To correct budget to adjust for award that was not known during final budget preparation.	\$ 600.00	\$ 1,000.00
						415-17-2060 Match - Medicare 1.45%	\$ 47.50	To correct budget to adjust for award that was not known during final budget preparation.	\$ 14.50	\$ 62.00
						415-17-2064 Match - FICA 6.2%	\$ 203.20	To correct budget to adjust for award that was not known during final budget preparation.	\$ 62.00	\$ 265.20
						415-17-2363 Grant MCH 2363	\$ (665.20)	To correct budget to adjust for award that was not known during final budget preparation.	\$ 34,097.18	\$ 33,431.98
Eight	Increase	415/21800	Community Services - NM Culture of Health Grant (NEW)	415/21800	\$ (22,500.00)	415-77-1479 (NEW) (Revenue) NM Culture of Health Grant	\$ (22,500.00)	To budget revenue and expense for new NM Culture of Health Grant managed by the LC Health Council to complete project deliverables.	\$ -	\$ (22,500.00)
					\$ 22,500.00	415-79-2010 (NEW) Mileage/Per Diem	\$ 2,000.00	To budget revenue and expense for new NM Culture of Health Grant managed by the LC Health Council to complete project deliverables.	\$ -	\$ 2,000.00
						415-79-2020 (NEW) Supplies	\$ 8,500.00	To budget revenue and expense for new NM Culture of Health Grant managed by the LC Health Council to complete project deliverables.	\$ -	\$ 8,500.00
						415-79-2020 (NEW) Professional/Contract Services	\$ 12,000.00	To budget revenue and expense for new NM Culture of Health Grant managed by the LC Health Council to complete project deliverables.	\$ -	\$ 12,000.00
Nine	Increase	416/39900	Local ICIP	416/39900	\$ 625,000.00	416-00-2301 Local ICIP	\$ 625,000.00	To allow for expenditure of fund to fund transfer to pay for camera system at LCDC to integrate both camera systems.	\$ 1,596,000.00	\$ 2,221,000.00
Ten	Increase	605/21100	Law Enforcement Protection Fund	605/21100	\$ 1,822.00	605-00-2012 Equip/Supplies/ Mtn/Repairs	\$ 1,822.00	To pay for equipment as provided for by LEPP agreement (to project -0- balance at end of FY per DFA requirements).	\$ 20,050.00	\$ 21,872.00
Eleven	Decrease	605/21100	Law Enforcement Protection Fund	605/21100	\$ 600.00	605-77-1026 (Revenue) Law Enforcement Protection	\$ 600.00	To adjust budget for final FY award per DFA.	\$ (37,400.00)	\$ (36,800.00)
					\$ (600.00)	605-08-2010 Mileage/Per Diem	\$ (600.00)	To adjust budget for final FY award per DFA.	\$ 17,350.00	\$ 16,750.00

ITEM NO	Adjustment Type	Fund/ DFA Fund	Dept.	From	Amount	To	Amount	Purpose	Approved Budget Balance	Adjusted Budget Balance
Twelve	Increase	610/21800	Drug Investigation	610/21800	\$ (1,200.00)	610-77-1481 (Revenue) US Marshal Service	\$ (1,200.00)	To adjust revenue and expense for additional grant award from USMS for FY20 D/NM County Verification.	\$ (4,000.00)	\$ (5,200.00)
					\$ 1,200.00	610-69-2005 Salaries - Overtime	\$ 1,182.85	To adjust revenue and expense for additional grant award from USMS for FY20 D/NM County Verification.	\$ 3,942.83	\$ 5,125.68
						610-69-2060 Medicare - 1.45%	\$ 17.15	To adjust revenue and expense for additional grant award from USMS for FY20 D/NM County Verification.	\$ 57.17	\$ 74.32
					\$ 981,074.50		\$ 981,074.50		\$ 3,023,854.97	\$ 4,004,929.47

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 10th day of September, 2020.**

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 BOARD OF COUNTY
COMMISSIONERS**

**RESOLUTION NO. 20-48
Proposed Inter Department/Fund 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 109, July 1, 2020 through June 30, 2021 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 10th DAY OF SEPTEMBER, 2020.

LUNA COUNTY

Chairperson

ATTEST:

Andrea Rodriguez, Luna County Clerk

Be it remembered that at a Regular meeting of the Luna County Board of County Commissioners in Deming NM on the 10th day of September, 2020 the following budget adjustments are proposed and entered of record.

Budget Resolution Number 20-48

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	411/21800	Community Improvements - Emergency Management	411 Emergency Management	\$386,354.50	\$4,144.43	401 General Fund	\$4,144.43	To transfer monies from Fund 411 for 3rd Quarter EMPG Reimbursement
				411 Emergency Management	\$382,210.07	\$8,292.31	401 General Fund	\$8,292.31	To transfer monies from Fund 411 for 4th Quarter EMPG Reimbursement
Two	Transfer	510/20500	LCDC Addition - 3/8 GRT	510 LCDC Addition - 3/8 GRT	\$3,576,092.99	\$625,000.00	416 Local ICIP	\$625,000.00	To allow for budget increase to pay for camera system at LCDC to integrate both camera systems.
					\$4,344,657.56	\$637,436.74		\$637,436.74	

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 10th day of September, 2020.**

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

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming, NM on the 10th day of September 2020, the following among the proceedings had and entered of record.



RESOLUTION 20-49

A Resolution for the Adoption of 2022-2026 Infrastructure Capital Improvement Plan (ICIP)

WHEREAS, the Luna County Board of County Commissioners recognize that the financing of public capital projects has become a major concern nationally and in New Mexico; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms to maximize and leverage the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define development needs, establish priorities, and pursue tangible actions and strategies to achieve necessary local and regional project development for the benefit of our residents; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long range planning efforts.

NOW, THEREFORE, be it resolved by the Luna County Board of Commissioners that:

1. Luna County has adopted the attached Infrastructure Capital Improvement Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for the infrastructure of Luna County, New Mexico, and
3. This Resolution supersedes previous Infrastructure Capital Improvements Plan resolutions.

Done at Deming, New Mexico this ____ day of September, 2020

**Board of County Commissioners
of Luna County**

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

Barbara L. Reedy, District 1

Linda M. Smrkovsky, District 2

ATTEST:

Andrea Rodriguez, County Clerk

Be it remembered that at a Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 10th day of September 2020, the following proceedings were had and entered of record.

LUNA COUNTY

RESOLUTION 20-50

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 10th day of September 2020.

LUNA COUNTY BOARD OF COMMISSIONERS

ATTEST:

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

Andrea Rodriguez, County Clerk

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

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



From: Sheriff Kelly Gananway
To: Joanne Hethcox, Budget and Procurement Director
CC: Chris Brice, County Manager
Subject: Disposal of LCSO vehicles via auction
Date: 7/30/2020

YEAR	MAKE	MODEL	VIN	MILEAGE	UNIT#	PLATE
2014	DODGE	CHARGER	2C3CDXAT4EH358499	86041	982369	G-94133
STONEGARDEN UNIT, HAS ENGINE ISSUES, HIGH COST TO REPAIR						
YEAR	MAKE	MODEL	VIN	MILEAGE	UNIT#	PLATE
2015	DODGE	RAM	1C6RR7XT7FS760453	114879	982418	G-96802
VILLAGE OF COLUMBUS PURCHASE, HAS ENGINE ISSUES, HAS BEEN CRASHED						
HIGH COST TO REPAIR						
YEAR	MAKE	MODEL	VIN	MILEAGE	UNIT#	PLATE
2010	CHEV	TAHOE	1GNUKAE06AR212903	155183	981739	G-88045
LCSO PURCHASE, HAS HIGH AND HARD MILEAGE						
YEAR	MAKE	MODEL	VIN	MILEAGE	UNIT#	PLATE
2013	CHEV	TAHOE	1GNLC2E00DR309873	120672	982248	G-88695
STONEGARDEN UNIT, ENGINE AND TRANSMISSION HARD MILEAGE						
YEAR	MAKE	MODEL	VIN	MILEAGE	UNIT#	PLATE
2011	CHEV	SILV	3GCPKSE31BG353126	143620	982021	G-694RHT
LCSO PURCHASE, HIGH MILEAGE AND HARD MILEAGE						
UNMARKED UNIT						

STATE OF NEW MEXICO
County of Luna

Barbara L. Reedy
Commissioner, District 1

Linda M. Smrkovsky
Commissioner, District 2



John S. Sweetser
Chairman, District 3

Chris A. Brice
County Manager

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

August 13, 2019

From: Yossie Nieblas, Manager's Office
To: Joanne Hethcox, Budget and Procurement Director
CC: Chris Brice, County Manager

Subj: Disposal of Vehicle

I would like to auction off or dispose of the following vehicles:

Make	Model	VIN	Inventory #	License Plate
2004 Ford	Taurus (Tan)	1FAFP53U54A185900	982393	G96043
The unit has not been in use in over a year and is beyond economical repair. Vehicle is not drivable.				

Respectfully,

A handwritten signature in blue ink, appearing to read "Yossie Nieblas".

Yossie Nieblas



Michelle Lujan Grisham
GOVERNOR

September 1, 2020

State of New Mexico
Department of Finance & Administration
180 Bataan Memorial Building
Santa Fe, New Mexico 87501
Phone: (505) 827-4985
Fax: (505) 827-4984
www.nmdfa.state.nm.us

Deborah K. Romero
Acting Cabinet Secretary

The Honorable John Sweetser
Luna County
700 South Silver Ave.
Deming, NM 88031

Order Setting Property Tax Rates - 2020 Property Tax Year

Dear Commissioner Sweetser,

Pursuant to NMSA 1978, Sections 7-37-7(A) and 7-38-33(A), I issue this order setting the 2020 tax rates in the attached Certificate of Property Tax Rates (Certificate) for all governmental units imposing rates in your county.

NMSA 1978, Section 7-38-34 requires the Board of County Commissioners (Board) to issue and deliver to the County Assessor its own written order imposing these rates within five days of its receipt of this rate-setting order. Before the Board issues its order, the county is responsible for ensuring that the rates are correct, in accordance with 3.6.50.1 I (D) NMAC. To further those efforts, please immediately share the Certificate with all governmental units (other than the State) that have rates included in the Certificate, so that they may also check the accuracy of their rates. In addition, please note that the "percentage change I" used as specified in NMSA 1978, Section 7-37-7.1 (A) for yield control calculations this year was 1.77%.

Any questions concerning or suspected errors in the rates should be immediately brought to the attention of the Local Government Division's Budget and Finance Bureau Chief, Brenda L. Suazo-Giles, at 505-670-9817; or Special Projects Analyst, Jolene Gonzales, at 505-827-4900.

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah K. Romero".

Deborah K. Romero
Acting Secretary of Finance & Administration

cc: Property Tax Division, Taxation & Revenue Department (via email)
County Assessor (via email)
County Treasurer (via email)

Enclosure(s): Certificate of Property Tax Rates

CERTIFICATE OF PROPERTY TAX RATES IN MILLS

LUNA COUNTY

TAX YEAR 2020

NET TAXABLE VALUE:

	\$617,341,001						
MUNICIPALITY:	Deming	Deming			Columbus	Columbus	
TAXABLE VALUE:	143,085,858	117,939,776	114,549,904	223,572,847	10,990,256	7,202,360	
CATEGORY:	1 IN R	1 IN NR	1 OUT R	1 OUT NR	1A IN R	1A IN NR	
State Debt Service	1.360	1.360	1.360	1.360	1.360	1.360	
Total State	1.360	1.360	1.360	1.360	1.360	1.360	
County Operational	10.179	11.850	10.179	11.850	10.179	11.850	
County Debt Service							
Total County	10.179	11.850	10.179	11.850	10.179	11.850	
Municipal Operational	4.475	4.475			3.241	5.986	
Municipal Debt Service	0.696	0.696					
Total Municipal	5.171	5.171	0.000	0.000	3.241	5.986	
School District Operational	0.500	0.500	0.500	0.500	0.500	0.500	
School District Debt Service	5.797	5.797	5.797	5.797	5.797	5.797	
School Dist. Cap. Improvement	2.000	2.000	2.000	2.000	2.000	2.000	
House Bill 33, School Building	0.000	0.000	0.000	0.000	0.000	0.000	
School District Ed. Tech. Debt Svc	0.000	0.000	0.000	0.000	0.000	0.000	
Total School District	8.297	8.297	8.297	8.297	8.297	8.297	
Total State, County, Municipal, & School District	25.007	26.678	19.836	21.507	23.077	27.493	
Other:							
Total Other	0.000	0.000	0.000	0.000	0.000	0.000	
GRAND TOTAL	25.007	26.678	19.836	21.507	23.077	27.493	

Where Applicable:

Cattle Indemnity	10.000		
Sheep/Goats/Swine/Alpaca	10.000	Caballo SWCD	
Dairy Cattle	5.000	Res:	1.000
Bison/Camelids/Ratite	10.000	NonRes:	1.000
Horses/Asses/Mules	8.256		



Deming Luna County Commission on Aging



"People Making A Difference"

Julie Bolton
Executive Director

800 S. Granite Street
Deming, New Mexico 88030

Telephone: (575) 546-8823
Fax: (575) 546-4076

August 3, 2020

Luna County Commissioners &
Mr. Chris Brice, County Manager
County Court House
700 South Silver Ave
Deming, New Mexico

Subject: Luna County Board Appointed Member for the Deming Luna County
Commission on Aging (COA)

Mr. Brice:

Mr. Allen Rosenberg has completed one full term as a County appointed Board member for the Deming Luna County Commission on Aging. Mr. Rosenberg has been an asset to the COA and has agreed to sit on the Board for a second three-year term. It is the COA Board's recommendation to the County as approval of Mr. Rosenberg for a second term. We are seeking your approval on this request.

If any further information is needed please do not hesitate to contact me.

Sincerely,

Lee Bouton
Chairman, Board of Directors
Deming Luna County Commission on Aging

Julie Bolton
Executive Director
Deming Luna County Commission on Aging

Programs:
Senior Companion Program
Foster Grandparent Program
RSVP-Retired Senior Volunteer Program

Services:
Adult Day Care
Respite Care
Congregate Meals
Transportation
Personal/Home Care
Home Delivered Meals

Allen Rosenberg

P.O.Box 531/825 Slocum St. Columbus NM 88029 (575)531-2168 h / (575) 494 -5325 c

August 5, 2020

To whom it may concern:

I am writing this letter to express my interest in serving on the Board of Directors of the Deming Luna County Commission on Aging.

I have served on the Deming Luna County Commission on Aging Inc. for three years. During my three years, I served one year as Vice-Chairman and one year as Chairman.

As a Board Member, I will continue to support the mission and goals of the Deming Senior Center. Should you need to contact me, please do not hesitate to do so.

Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script, appearing to read "Allen Rosenberg". The signature is written in dark ink and is positioned above the printed name.

Allen Rosenberg

Be it remembered that at a Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 8th day of May, 2019, the following proceedings were had and entered of record.

LUNA COUNTY

RESOLUTION 19-26

ESTABLISHING SALARIES FOR ELECTED OFFICIALS

WHEREAS, Article X, Section 1 of the Constitution of the State of New Mexico authorizes the Legislature to establish county classifications and fix salaries of all county officers; and

WHEREAS, Section 4-44-1, NMSA 1978 establishes classification of counties for the purpose of fixing salaries of public officer on a biennial basis, pursuant to Section 4-44-2, NMSA 1978; and

WHEREAS, Luna County is classified as a B-Over County and as such, the Luna County Board of Commissioners shall establish annual salaries not to exceed salaries set by the Legislature, Section 4-44-4.1, NMSA 1978, as follows:

Assessor	\$75,733;
Clerk	\$75,733;
Commissioner	\$30,196;
Probate Judge	\$26,482;
Sheriff	\$78,952;
Treasurer	\$75,733; and

WHEREAS, the New Mexico Constitution, Article IV, Section 27, prohibits changing the salary of any elected official during the term of office in which the change is made; and

WHEREAS, the salaries for eligible elected officials were implemented for Fiscal Year 2019, effective January 1, 2019, as follows:

Assessor	\$61,559.94;
Clerk	\$61,559.94;
Commissioner	\$24,544.26;
Probate Judge	\$21,525.66;
Sheriff	\$64,175.98;
Treasurer	\$61,559.94; and

WHEREAS, on December 13, 2018, the Luna County Board of County Commissioners approved additional salary of \$1,000 per year for the Assessor pursuant to Section 4-39-4D, NMSA, 1978; and

NOW THEREFORE BE IT RESOLVED that the Luna County Board of Commissioners approves the following salaries for eligible elected officials for the fiscal year 2020, beginning on July 1, 2019, as follows:

Assessor	\$61,559.94;
Clerk	\$61,559.94;
Commissioner	\$24,544.26;
Probate Judge	\$21,525.66;
Sheriff	\$64,175.98;
Treasurer	\$61,559.94;


Plus an additional \$1,000 per year to Assessor Michelle Holguin for holding an Appraiser 4 certificate.


BE IT FURTHER RESOLVED that the County Manager is directed to prepare a survey of the salaries of other elected officials in New Mexico counties by April 1, 2020, for review by the Commission in consideration of the next annual elected officials' salary resolution in May, 2020.

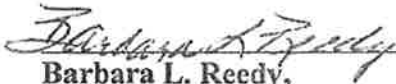
Done at Deming, New Mexico this 8th day of May, 2019.

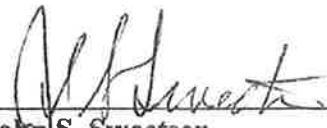
LUNA COUNTY BOARD OF COMMISSIONERS

ATTEST:


Linda M. Smrkovsky, Chairperson
Commissioner, District 2


Andrea Rodriguez, County Clerk


Barbara L. Reedy,
Commissioner, District 1


John S. Sweetser,
Commissioner, District 3



Position	Luna	5%	Δ	7.5%	Δ	10.00%	Δ	Max	Δ
Commissioner	\$24,544.26	\$25,771.46	\$1,227.20	\$26,385.08	\$1,840.82	\$26,998.69	\$2,454.43	\$30,196.00	\$5,561.74 (23%)
Treasurer	\$61,559.94	\$64,637.94	\$3,078.00	\$66,177.00	\$4,617.00	\$67,715.94	\$6,156.00	\$75,733.00	\$14,173.06 (23%)
Assessor	\$61,559.94	\$64,637.94	\$3,078.00	\$66,177.00	\$4,617.00	\$67,715.94	\$6,156.00	\$75,733.00	\$14,173.06 (23%)
Sheriff	\$64,175.98	\$67,384.78	\$3,208.80	\$68,989.18	\$4,813.20	\$74,123.26	\$6,738.48	\$78,952.00	\$14,776.02 (23%)
Clerk	\$61,559.94	\$64,637.94	\$3,078.00	\$66,177.00	\$4,617.00	\$67,715.94	\$6,156.00	\$75,733.00	\$14,173.06 (23%)
Probate Judge	\$21,525.66	\$22,601.94	\$1,076.28	\$23,140.08	\$1,614.42	\$23,678.23	\$2,152.57	\$26,482.00	\$4,956.34 (23%)

[illegible]