

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, April 9, 2015**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 9:00 a.m. on Thursday, April 9, 2015 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 Charles "Tink" Jackson, Assistant to the County Manager Glory Johnson, County Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk JoAnna Zurinsky, Treasurer Dora Madrid, Chief Deputy Treasurer Gloria Rodriguez, Captain Jose Martinez, Lieutenant Richard Cowles, Detention Director Matthew Elwell, Community Projects Director Jessica Etcheverry, Road Director Marty Miller, Human Resources and Payroll Director Daniel Gonzales, Budget and Procurement Director Joanne Hethcox, Starmax Facilities Director Ira Pearson, Public Information Officer Matt Robinson, IT Technician Manny Armendariz, Emergency Services Director Mark Jasso, Planning and Zoning Administrative Assistant Patsy Rodriguez, Grant/Audit Compliance Officer Palmira Valentine, Security Screener Moses Pastran.

CALL TO ORDER: Commissioner Diaz called the meeting to order at 9:02 a.m. and Deputy Clerk JoAnna Zurinsky led the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

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

**Chairman, Joe L. Milo, Jr., District 1 (present telephonically)
Linda M. Smrkovsky, District 2
R. Javier Diaz, District 3**

CHAIRMAN ANNOUNCEMENT: Commissioner Diaz announced that the public hearing on the Double H Subdivision will not be held today. A notice will be published once the public hearing is rescheduled.

ELECTED OFFICIALS REPORTS: There were no reports from the County Clerk, County Assessor or County Treasurer.

Captain Jose Martinez reported that crime is up 8.5 percent. The Sheriff's Office is awaiting a final building inspection for the Sheriff's Complex, and expects to move into the building on Monday and Tuesday. Services will not be interrupted. Captain Martinez also reported that the department currently has two positions open.

PUBLIC COMMENT: Community Projects Director Jessica Etcheverry announced that there will be a Legislative Session public forum hosted at La Fonda Restaurant on April 21 from Noon to 1:00 p.m. On April 23, Mizkan Foods (formerly Border Foods) will host a job fair at the Mimbres Valley Learning Center. Keep Luna County Beautiful will host a community yard sale at the Courthouse Park on April 25th from 8:00 a.m. to Noon.

COUNTY MANAGER'S REPORT: County Manager Charles "Tink" Jackson reported on the following items:

- County staff started the process of planning for the remodel/expansion of the Luna County Detention Center. Requests for proposals for architectural services will be requested under state contract this month.
- County Staff met with an electrical contractor (APIC) regarding a proposal to switch out existing lighting with new energy efficient LED lighting in the main county buildings. APIC will be conducting an energy audit in all county buildings beginning in April, and staff will assess which buildings will have the largest savings to potentially begin the changeover process. The new lighting will save energy, is brighter, and switching will come with rebates from PNM for a portion price of the new bulbs. No new equipment will be necessary.
- The County Manager and Commissioner Diaz continue to work with the GSFWC related to the Arizona Water Settlement Act. The GSFWC is currently working with the ISC to develop a joint powers agreement that will allow the GSFWC or a group that is similarly organized to the New Mexico CAP entity. This is the next major step required in the process for the region to be able to utilize the water and funding available under the act.
- The County has received an IPRA request related to solitary confinement at the Luna County Detention Center. This is a continuation of the ongoing mass lawsuit campaign being waged against New Mexico detention centers. The request has been answered, and based on the management practices of the detention center, there are no records to produce as defined by the law firm requesting the information.
- Luna County held a joint economic development planning and brainstorming meeting with the City of Deming. The County hopes to continue the meetings as they work on common goals and projects with the City for the betterment of the community.
- Luna County Dispatch received/sent 11,635 calls for the month of March. The Luna County Sheriff's Office generated 178 calls for service. The Deming Police Department generated 524 calls for service. The Deming Fire Department generated 254 calls for service. The Volunteer Fire Departments generated 9 calls for service.
- Keep Luna County Beautiful will host the Community Yard Sale and Recycle Fair on April 25th at 8:00 a.m. in the Luna County Courthouse Park.

- Economic Development held its first Luna County Community and Economic Development Meeting on April 8th.
- Growing Food Connections is in the process of setting up a steering committee for the Growing Food Connections Grant. Jessica Etcheverry is accepting letters of interest for the committee.
- Luna County Homeowner Septic System Maintenance Workshops were held on March 17th from 6:00-8:00 p.m. and March 18th from noon to 2:00 p.m. at the Mimbres Valley Learning Center, and were well attended.
- Luna County Detention Center: For the month of March, the inmate daily average population was 321. The U.S. Marshal's Service daily average population was 171. Local daily inmate population was 150. The average length of stay for inmates was 50 days. The average daily population for Sierra County inmates was 49.
- Detention Staff continues to prepare for a P.R.E.A. audit, which will take place on April 20th.
- The DWI Program is currently tracking 141 DWI offenders. 3 new clients were screened for substance abuse. 12 offenders attended outpatient treatment. 4 offenders completed outpatient treatment program.
- Alcohol Prevention Classes were held at the Red Mountain Middle School to 6th grade Health Class students. A total of 58 students completed a 45-minute underage drinking presentation.
- The Road Department has completed the 2016 State Projects application, and they were filed with Debbie Hudson with the NMDOT.
- The Luna County Road Department is busy installing culverts and preparing/repairing on Hermanas Grade south of Bisbee Road SW. The department is also currently running an ad in the paper for 3 truck driver positions.
- Starmax has received a total of \$139,484.70 towards the digital reimbursement program through 02/28/2015. Remaining balance on conversion expenses is \$249,176.57. Funds are put back into Fund 416.
- Budget and Procurement is preparing budget resolutions and indigent report for the Commission Meeting and is also in the beginning stages of budget preparation for the Commission and the Department of Finance Administration.
- Human Resources and Payroll posted and hired for the following positions: Starmax positions: concession, wait staff, bartender, and bowling lane attendant. Sheriff's Department: A Certified Field Deputy with the Safe Border grant. Road Department: Administrative Assistant. Human Resources is currently working on a Personal Services Schedule with the Elected Officials and Directors for the preliminary budget with a 3% increase in medical premiums only, to be effective July 1, 2015.
- Maintenance Department finished the evidence room for the Sheriff's Complex. The department is currently working on the cooling tower for the courthouse A/C units and the landscaping (grass).
- Starmax sales for the month of March \$137,025. The Special Olympics bowling league has resumed on Tuesday nights, and volunteers are welcome, or come and support the bowlers. Volunteers are also needed for the Buzz Free Prom Party which is happening again at Starmax on May 2nd.

- **Emergency Services Department:** For the month of February, there was 1 tort claim, 2 workers comp claims, and 0 vehicle accidents. A meeting was held with Local Law Enforcement and First Responders to go over a scheduled training drill to take place on Tuesday, March 10 at the Emergency Services Office. The training will focus on a chemical leak situation at Border Foods.
- **Community Health and Well-Being:** The Parents as Teachers program is providing services to 115 clients.
 - The Healing House assisted 12 clients with victim advocacy services and provided emergency shelter to 3 women and 0 children. There are currently 6 domestic violence offenders in the ENOUGH! Project. The shelter was full for the month of March.
- **Volunteer Fire Departments- Cooke's Peak:** Responded to 9 fire calls. Sunshine: Responded to 1 call. The departments are working with the grants assistant to close out and clear any remaining grant funds. The substations and funding transfer is on hold due change in staff at the State Fire Marshal's office.

CONSIDER MINUTES: Upon motion of Commissioner Smrkovsky, seconded by Commissioner Diaz, the minutes of the March 12, 2015 Regular Meeting were unanimously approved.

CONSENT AGENDA: Upon motion of Commissioner Smrkovsky, seconded by Commissioner Diaz, Accounts Payable Registers totaling \$1,368,735.41 and Payroll Registers totaling \$989,891.08 were unanimously approved.

NEW BUSINESS: County Manager Charles "Tink" Jackson reviewed each item on the New Business agenda with the commissioners:

- a. **RESOLUTION 15-22 BUDGET INCREASES:** Eight intra/inter departmental budget increases in the amount of \$43,580.19 were proposed. Commissioner Smrkovsky motioned to approve Resolution 15-22 Budget Increases. Commissioner Diaz seconded the motion which carried unanimously following a roll-call vote.
- b. **RESOLUTION 15-23 BUDGET TRANSFERS:** Ten inter/intra departmental budget transfers in the amount of \$72,951.37 were proposed. Chairman Milo motioned to approve Resolution 15-23 Budget Transfers. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll-call vote.
- c. **RESOLUTION 15-24 FAIR HOUSING RESOLUTION AND PROCLAMATION:** Mr. Jackson summarized this Resolution is a requirement for funding for the Community Development Block Grant program, and Luna County will abide by fair housing mandates. Mr. Jackson further outlined the policies and requirements of the program. Commissioner Diaz motioned to amend and approve Resolution 15-24 Fair Housing Resolution and Proclamation adding sexual orientation into any

part of the document that discusses discrimination. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll-call vote.

- d. **RESOLUTION 15-25 AUTHORIZING LUNA COUNTY TO SUBMIT APPLICATION FOR JUVENILE ADJUDICATION PROGRAM:** Glory Johnson explained this Resolution authorizes the County to submit an application to the Department of Finance and Administration, Local Government Division to participate in the Juvenile Adjudication Program and provides \$15,000.00 for the Teen Court Program. Commissioner Smrkovsky motioned to approve Resolution 15-25 Authorizing Luna County to Submit Application for Juvenile Adjudication Program. Chairman Milo seconded the motion which carried unanimously following a roll-call vote.
- e. **DWI PLANNING COUNCIL MEMBERSHIP LIST:** Glory Johnson requested approval of the membership list of the DWI Planning Council. The council is the recommendation by Department of Finance and Administration. The council will meet monthly and will be involved in DWI prevention programs. Commissioner Smrkovsky moved to approve the DWI Planning Council Membership List. Chairman Milo seconded the motion which carried unanimously.
- f. **FIRE PROTECTION FUND APPLICATIONS FOR COOKE'S PEAK, FLORIDA MOUNTAIN, SAVOY, AND SUNSHINE VFD'S:** Mr. Jackson stated the two applications are submitted for Fire Protection Funding for Cooke's Peak and Sunshine Volunteer Fire Departments. Currently, there is a reorganization request pending to turn Florida Mountain and Savoy into Substations. Merging the stations will subsequently lower the ISO ratings. Commissioner Smrkovsky moved to approve the Fire Protection Fund Applications for Cooke's Peak, Florida Mountain, Savoy and Sunshine Volunteer Fire Departments. Chairman Milo seconded the motion which carried unanimously.

APPROVAL OF TRAVEL REQUESTS: Mr. Jackson submitted one travel request: The request is for travel to Washington, D.C., to testify on behalf of Pegasus for a FCC hearing. Mr. Jackson outlined the history of Luna County's history with Pegasus, the purpose of the hearing, and Luna County's importance of participating in hearing. Commissioner Diaz motioned to approve Mr. Jackson's travel request to Washington, D.C. for the purpose of testifying at a hearing for Pegasus. Commissioner Smrkovsky seconded the motion which carried unanimously.

INDIGENT CLAIMS REPORT: Upon motion of Chairman Milo seconded by Commissioner Smrkovsky, the meeting of the Board of County Commissioners was unanimously recessed and the meeting of the Indigent Hospital Claims Board convened. Joanne Hethcox recommended approval of zero claims dated April 9, 2015 in the amount of zero dollars and zero denials. The monies received for March 2015 totaled \$54,100.61. The balance in the Indigent Funds Accounts as of March 31, 2015 is \$511,734.67. Commissioner Smrkovsky moved to approve zero claims dated April 9, 2015 in the amount of zero dollars and zero denials. Chairman Milo seconded the motion which carried unanimously.

Chairman Milo moved to recess as claims board and to reconvene as the Board of County Commissioners. Commissioner Smrkovsky seconded the motion which was approved unanimously.

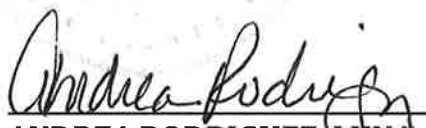
ANNOUNCE NEXT MEETINGS: Commissioner Diaz announced that a work session will be held on May 12, 2015 at 3:00 p.m., and the Regular Meeting will be held Thursday, May 14, 2015 at 9:00 a.m.

Glory Johnson announced that on May 15th, there will be a Budget Work Session at 9:00 a.m., and on May 27th, there will be a Budget Consideration (Approval) Meeting at 9:00 a.m.

ADJOURN: Commissioner Diaz adjourned the meeting at 9:59 a.m.

ATTEST:

LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

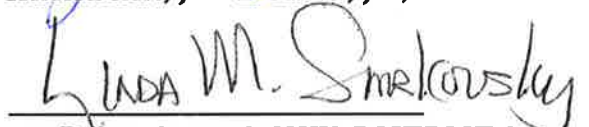


ANDREA RODRIGUEZ, LUNA COUNTY CLERK




CHAIRMAN, JOE L. MILO, JR., DISTRICT 1

APPROVED: May 14, 2015



LINDA M. SMRKOVSKY, DISTRICT 2



R. JAVIER DIAZ, DISTRICT 3