

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Friday, September 11, 2015**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 9:00 a.m. on Friday, September 11, 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 Juarez, Chief Deputy Clerk Berenda McWright, Deputy Clerk JoAnna Zurinsky, Treasurer Dora Madrid, Chief Deputy Treasurer Gloria Rodriguez, County Assessor Delilah Rojo, Chief Deputy Assessor Barbara Cobos, Sheriff Jonathan Mooradian, Special Projects and Facilities Management Director Billy Ruiz, Detention Director Matthew Elwell, Dispatch Supervisor Lauree Sanchez, Community Projects Director Jessica Etcheverry, Road Director Marty Miller, Starmax Facilities Director Ira Pearson, Public Information Officer Matt Robinson, IT Technician Manny Armendariz, DWI Program Director Edith Vazquez, Volunteer Fire Department Director Luis Malina, Partnerships for Success II Program Coordinator Jessica Jara, Grant/Audit Compliance Officer Palmira Valentine

**CALL TO ORDER:** Chairman Milo called the meeting to order at 9:02 a.m. and Commissioner Diaz led the Pledge of Allegiance.

**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  
Linda M. Smrkovsky, District 2  
R. Javier Diaz, District 3**

**MOMENT OF SILENCE:** On September 11, 2001- attacks on America claimed the lives of 2,996 people. A moment of silence was observed for respect and in remembrance for those who lost their lives and loved ones.

**ELECTED OFFICIALS REPORT:** There was not an Elected Official Report from the County Clerk.

County Assessor Delilah Rojo reported that the State Property Tax Division performed an evaluation of her office on April 8<sup>th</sup>- 10<sup>th</sup>. The office received a very good evaluation, and

they are currently working on some suggestions that the State recommended to them for ways to further their efficiency.

Sheriff John Mooradian reported that his department will be stepping up strategic placement of deputies in high crime areas. Sheriff Mooradian reported that the placement of deputies in these areas has been successful in reducing burglaries. Sheriff Mooradian also reported that his department was also the recipient of a \$2,500 grant for landscaping the Sheriff's Complex through Keep Luna County Beautiful. The department is also the recipient of a vehicle donation from the District Attorney's office, and will be used by the Administration Staff. Sheriff Mooradian also pledged his department's support for all Law Enforcement Agencies, and stated community-wide support was of utmost importance. The department is in the process of sourcing lapel cameras for every Deputy. District Attorney Francesca Estevez stated they are in working in conjunction with all of the local Law Enforcement Agencies for training.

Treasurer Dora Madrid announced to the Board that Larry Lundberg of Wells Fargo is here to give a brief presentation on the County's Financial Report.

**ANNOUNCEMENTS:** Commissioner Diaz announced that he is still working diligently on the water issues associated with the NM CAP entity.

Chairman Milo announced that on September 18<sup>th</sup>, there will be a Deming Night Out at Voiers' Pit Park from 7:00 p.m. to Midnight. There will be live music, food, games and prizes. Dr. Victor Cruz is hosting the event for the entire community, and admission is free.

**PRESENTATIONS:**

- a. Gila National Forest Plan Revision:** Matt Schultz, Planner with the U.S. Forestry Service gave a presentation on the U.S. Forestry Service's plan to revise the Gila National Forest. Mr. Schultz's presentation outlined the direction of the forest, phases of revision, management mandate, objectives, historical and economic impact of the Gila, and how Luna County's Comprehensive Plan may fit into the plan revision.
- b. Juvenile Detention Needs by District Court Judge Jennifer Delaney and JPO:** District Court Judge Jennifer Delaney and JPO (Juvenile Probation Officer) Rosemary Chavira gave a presentation on Juvenile Detention Needs. Their presentation outlined the impacts of closing the juvenile section of the Luna County Detention Center. Judge Delaney discussed topics such as legal issues, clinical impact and other related issues such as but not limited to: cost of transportation, time taken away from law enforcement officers doing their regular duties, safety/liability issues, and impact on the community.
- c. County Financial Report by Larry Lundberg, Wells Fargo:** Larry Lundberg with Wells Fargo gave a financial statement recap. Mr. Lundberg explained market value versus par value, and reviewed the County's last three statements with the Board

for the Hospital Trust. Mr. Lundberg also summarized how Luna County may best optimize their stock portfolio in accordance with market trends.

**d. Promotion of Bobby Brookhouser, Jr. to Lieutenant by Matt Elwell:** Luna County Detention Center Director Matt Elwell conducted a Promotion Ceremony for Bobby Brookhouser, Jr. to Lieutenant.

**e. Retirement of Jim Hienzman from LCDC Maintenance by Matt Elwell:** Luna County Detention Center Director Matt Elwell conducted a retirement ceremony for Jim Hienzman, and presented Mr. Hienzman with a service plaque.

**f. Detention Officer Oath of Office by County Manager, Tink Jackson:** Mr. Jackson administered the Oath of Office to Luna County Detention Center Officers: Savory Camran, Samantha Grimes, Joshua Guerrero, Robert Little, and Sergio Sandoval.

**PUBLIC COMMENT:** Sean Blaine made comment pertaining to *New Business Item 'H'* on the agenda. Mr. Blaine implored the Board to consider reopening or to reinstate the County back to four fully functioning Volunteer Fire Departments, as it was in his opinion in the best interest of the community, residents and their properties.

Lynn Olson voiced her concerns that the *Travel Requests* contained an exclusivity and excessiveness between the County Manager Charles "Tink" Jackson and Commissioner Diaz.

Fred Williams commented on the Ordinance Items, and requested that the items be postponed until the public is allowed to further view what is being proposed. Mr. Williams further inquired other items that he did not see in the Agenda Packet pertaining to items *J* and *H*. Mr. Williams offered his suggestions to the Board that the NM CAP Entity Representative (Commissioner Diaz) give a regular report as part of the regular agenda for accuracy, and for the Board to reexamine a motion made following an Executive Session on May 26<sup>th</sup> pertaining to acquisition of Real Property.

Ann Shine-Ring commented on the use of acronyms and including more information in purchase orders (such as the purpose of why a particular piece of property or the reason of use of an item).

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

- The second meeting of the New Mexico CAP Entity was held September 1<sup>st</sup> in Silver City. Agenda topics included the discussion on a draft budget, bylaws and general operations. The Negotiations Committee has met numerous times, and met for a second time with the BOR after the CAP Entity meeting. Work continues on creating the New Mexico Unit Agreement due before November 23, 2015.
- The final documents for the Alta Luna Solar Project were executed by Chairman Milo this month on behalf of Luna County, and by the School Board. The final numbers were 2.5% lower than what was presented, however they were within

the 3% +/- approved by the Commission when the project was approved. Construction plans should begin within the month.

- The City of Deming will be holding an auction on October 31<sup>st</sup>. Charles Dickerson will be the auctioneer. The County is working with Mr. Dickerson to see if an afternoon auction can be included the same day to auction off the vehicles that are set for disposal.
- The Luna County Detention Center (LCDC) has instated a new visitation scheduling and registration process. Citizens wanting to schedule visitation times with inmates can now reserve a time online from any computer, or they can use the new kiosk at the LCDC to reserve a time. The new process should reduce wait times at the LCDC and reduce the number of people waiting to get in to visit inmates.
- The U.S. Immigration and Customs Enforcement (ICE) Department has issued a revision to their Immigration Detainer. The new detainer adds the word *voluntary* into the title, and appears to still have the same problems as the old detainer had. As discussed previously, Luna County was listed as a “sanctuary county” recently because we do not honor the ICE 48 hour detainers. Luna County stopped honoring them because of the liability related to them. However, the County’s relationship with ICE is very good, and will continue to monitor the situation and any legal opinions that are issued related to accepting the new forms.
- The County Manager attended the first meeting of the protestors related to the application filed by the Interstate Stream Commission on the Canadian River. After the meeting and numerous discussions with ISC Staff, the ISC Members went into executive session with the full ISC Commission, and will amend their application to meet the demands of the protestors. There will be one additional meeting with the protestors on September 28<sup>th</sup>, to finalize the amended application.
- The County Manager and LCDC Director Matt Elwell attended the third meeting of the Senate Joint Memorial 4 Task Force. The Task Force was established to study and make recommendations for clinically appropriate housing options for individuals with serious mental illness who are in custody in county detention centers. Additionally, Mr. Elwell has provided a significant amount of leadership to the subcommittee that has been meeting more frequently. The Task Force has made good progress in vetting options to help county detention centers. The Task Force report is due in October, and the group is almost finished with the assigned tasks.
- The Courthouse Park hosted another Duck Race weekend, and Luna County once again had a float in the Duck Race Parade. A special Thank You to Moses Pastran and everyone who helped put it together. The float was great!
- The Luna County Youth Football League kicked off its regular season this past Saturday. The League has 12 teams, and there were a lot of people out to support the kid’s opening games. Cesar and Jessica Moreno are managing the League this year, and have done a fantastic job of getting community support for the kids.
- Luna County Dispatch received/sent 13,047 calls for the month of August. The Luna County Sheriff’s Office generated 250 calls for service. The Deming Police

Department generated 548 calls for service. The Deming Fire Department generated 279 calls for service. The Volunteer Fire Departments generated 9 calls for service. Tipsoft generated 10 calls.

- Economic Development- Luna County Community and Economic Development will be hosting a Job Fair with Workforce Connections on October 14<sup>th</sup> at the Special Events Center from 9:00 a.m. to Noon.
  - Manufacturing Days will be held on September 29<sup>th</sup> and 30<sup>th</sup>. Luna County, the City of Deming, and the Chamber of Commerce are hosting the event. For more details or if you are interested in participating, contact Jessica Etcheverry.
  - Jobs Council: The Legislative Job Council Meeting was held on August 10<sup>th</sup>. Luna County hosted 70 Legislators and guests, as they discussed the Economic Base Theater of Tourism with Mark Lautman Group.
- Keep Luna County Beautiful partnered with BLM for the illegal dumping cleanups in Luna County. To date, 14,344 lbs. of trash have been cleaned up and properly disposed of.
- Luna County Detention Center: For the month of August, the inmate daily average population was 372. The U.S. Marshal's Service daily average population was 198. Local daily inmate population was 174. The average length of stay for inmates was 37 days. The average daily population for Sierra County inmates was 57.
- The U.S. Marshals Service conducted an annual inspection of the Detention Center. The Inspection Team found the facility in compliance of all federal detention standards. A fire marshal inspection was also conducted.
- Special Projects assisted with the Alta Luna Solar Project IRB and Ordinance Process including coordination with Deming Public Schools. The department continues responding to numerous records requests and worked with LFC Records Request Work Group Initiative.
- The DWI Program is currently tracking 146 misdemeanor DWI offenders. 5 new clients were screened for substance abuse. 15 offenders attended outpatient treatment. 2 offenders completed a 90-day treatment program.
- The Road Department acknowledges they are behind with regular road maintenance due to recent rain storms, and are down to 5 blade men to service over 1,800 miles of road. The department is in the process of training 3 new men.
- Starmax has received a total of \$174,385.80 towards the digital reimbursement program through 08/31/2015. Remaining balance on conversion expenses is \$214,275.47. Funds are put back into Fund 416.
- Budget and Procurement continues the fiscal audit process. The fiscal auditors began field work and procedure testing July 27<sup>th</sup>- 31<sup>st</sup>. They will return on September 14<sup>th</sup>. The Audit is due to Office of the State Auditor on November 1<sup>st</sup>, 2015.
- Maintenance Department worked on 3 AC units at the Learning Center. The department also ran fiber to the Evidence Room at the Sheriff's Complex, performed routine maintenance, and removed tree trunks in the Courthouse Park and prepared the park for the Duck Races.
- Starmax sales for the month of August 2015 \$112,096. Bowling Leagues start September 14<sup>th</sup>.

- Emergency Services Department: For the month of August, there was 0 tort claims, workers comp claims, and 0 vehicle accidents. A meeting was held on August 5th with Local Law Enforcement and Emergency Response personnel for new State Homeland Security Grant Program federal monies for the local area. The amount of \$318,000 will be submitted for training, projects, supplies and equipment.
- Community Health and Well-Being: CASA is currently providing services to Luna, Grant, and Hidalgo Counties. Deming has 19 clients, Silver City 30, and Lordsburg 1. CASA trained 6 new potential volunteers.
- The Parents as Teachers program is providing services to 98 clients. Performed 140 visits for the month of August. Held 1 breastfeeding support group and 1 group connection. PAT administered 17 pregnancy tests, completed 2 car seat classes, installed and inspected 17 car seats and 17 car seats were distributed. Held 2<sup>nd</sup> annual World Breast Feeding Week Celebration that reached over 100 people. Offering services in Columbus.
- The Healing House assisted 21 new clients with victim advocacy services and received 11 crisis calls, and provided emergency shelter to 12 women and children. Began planning Domestic Violence awareness month (October).
- Volunteer Fire Departments- Cooke's Peak: Responded to 2 vehicle crashes, (Hwy 11 crash resulted in a fatality), 2 power pole fires, and 1 vacant structure fire. Sunshine: 1 vehicle fire.

**CONSIDER MINUTES:** Upon motion of Commissioner Diaz, seconded by Commissioner Smrkovsky, the minutes of the August 13, 2015 Regular Meeting were unanimously approved.

Upon motion of Commissioner Diaz, seconded by Commissioner Smrkovsky, the minutes of the August 27, 2015 Special Meeting were unanimously approved.

**CONSENT AGENDA:** Upon motion of Commissioner Smrkovsky, seconded by Commissioner Diaz, Accounts Payable Registers totaling \$588,889.36 and Payroll Registers totaling \$1,015,851.89 were unanimously approved.

**OLD BUSINESS:**

- a. **COMMUNITY PROSPERITY ETHICS PLEDGE:** Mr. Jackson stated that per review from NMAC Executive Director Steve Kopelman, The Luna County Ethics Pledge is a statement of principles rather than a contractual obligation, and there is no problem with it. Mr. Jackson recommended it be removed from the agenda. Commissioner Smrkovsky motioned to remove the Community Prosperity Ethics Pledge from the Agenda. Commissioner Diaz seconded the motion which carried unanimously.
- b. **AUTHORIZE THE COUNTY MANAGER TO PURCHASE THE FORMER LCROA PROPERTY:** Mr. Jackson explained he received a letter from the owners of the

LCROA property, and they are no longer interested in selling the property to the County. Mr. Jackson stated this item is no longer necessary as an agenda item and requested to have it removed. Commissioner Smrkovsky motioned to remove Authorizing the County Manager to Purchase the Former LCROA Property. Commissioner Diaz seconded the motion which carried unanimously.

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

- a. **GILA NATIONAL FOREST PLAN REVISION (IF ACTION IS NECESSARY):** Mr. Jackson stated this item was placed on the agenda because it wasn’t clear what the U.S. Forest Service was going to request during their presentation. No action was taken on this item.
- b. **ORDER SETTING PROPERTY TAX RATES- 2015 PROPERTY TAX YEAR:** County Assessor Delilah Rojo came before the Board and requested approval of this item which sets the Property Tax Rates for the 2015 Tax Year. Ms. Rojo stated there was a minimal tax increase: Within the City Limits, for residential properties there was an increase of .53 (cents) per \$1000. Within the City Limits, non-residential property .97 per \$1000. Residential county properties .50 per \$1000, Non-residential County properties .86 per \$1000. Columbus residential properties increased .42 per \$1000, and non-residential .73 per \$1000. Commissioner Smrkovsky motioned to approve the Order Setting Property Tax Rates- 2015 Property Tax Year. Commissioner Diaz seconded the motion which carried unanimously.
- c. **KEEP LUNA COUNTY BEAUTIFUL ADVISORY BOARD APPOINTMENT:** Mr. Jackson recommended the tabling of this item per the request of Community Projects Director Jessica Etcheverry. Ms. Etcheverry explained that there was only one applicant, and in the interest of the Community, the Board would like more opportunities to obtain a wider spectrum of applicants. Commissioner Smrkovsky motioned to table the Keep Luna County Beautiful Advisory Board Appointment. Commissioner Diaz seconded the motion which carried unanimously.
- d. **FINANCIAL SUPPORT FOR DEMING PUBLIC SCHOOLS PARTICIPATION IN A NATIONALLY TELEVISED PRODUCTION ON 21<sup>ST</sup> CENTURY:** Deming Public Schools Superintendent Dr. Dan Lere explained this item. Dr. Lere summarized the timeline and history of events leading up to how Deming Public Schools was approved for consideration as a production location for a full-length feature segment on the television series *In View*. Dr. Lere went on to explain the production of this program is an excellent marketing opportunity for Deming Public Schools (DPS), the City of Deming and Luna County. Dr. Lere outlined what the television production would entail, and asked for a financial contribution from the County because the production costs are \$300,000 for the segment. Deming Public Schools is expected to pay a ‘Scheduling Fee’, which is about 9 percent of the total. Dr. Lere stated that the City of Deming and DPS have committed to sharing this percentage,

and asked that County share a third of the cost, which is approximately \$9,300. Dr. Lere has received approval from his Board to do this. A discussion ensued amongst Dr. Lere and Board about the outcomes of the marketing capabilities of the television segment as a recruitment tool, editorial controls, and the value of the project. It was suggested that a work session or a meeting between the School Board, the City and the County take place so any questions the Board may have can be answered. Commissioner Diaz moved to table Financial Support for Deming Public Schools Participation in a Nationally Televised Production on 21<sup>st</sup> Century. Commissioner Smrkovsky seconded the motion which carried with a majority vote, and Chairman Milo voting against the tabling of this item.

- e. **DISPOSAL OF ASSETS FOR PUBLIC AUCTION:** Mr. Jackson stated that Budget and Procurement Director Joanne Hethcox has submitted a list of County Assets for disposal via public auction for Board approval. The vehicles will need to be approved for disposal to be eligible for the public auction in conjunction with the City auction at the Learning Center on October 31<sup>st</sup>. Commissioner Diaz moved to approve the Disposal of Assets for Public Auction. Commissioner Smrkovsky seconded the motion which carried unanimously.
  
- f. **PARTNERSHIP AGREEMENT BETWEEN SWNM ENERGY AND GREENS TASK FORCE STAKEHOLDER BOARD, SWNM COUNCIL OF GOVERNMENTS, REGIONAL OFFICE, AND LUNA COUNTY:** Community Projects Director Jessica Etcheverry explained this item designates a primary member and an alternative to the Board. Commissioner Smrkovsky moved to approve the Partnership Agreement between SWNM Energy and Greens Task Force Stakeholder Board, SWNM Council of Governments, Regional Office, and Luna County. Commissioner Diaz seconded the motion which carried unanimously.
  
- g. **AGREEMENT BETWEEN PRESBYTERIAN MEDICAL SERVICES AND LUNA COUNTY FOR SERVICES AT LUNA COUNTY DETENTION CENTER:** Luna County Detention Center Director Matt Elwell explained this item is an amendment to a contract that already exists, and increases the amount of mental health and medical services, and the increase was approved during the budget. Commissioner Diaz moved to approve the Agreement between Presbyterian Medical Services and Luna County for Services at the Luna County Detention Center. Commissioner Smrkovsky seconded the motion which carried unanimously.
  
- h. **VOLUNTEER FIRE DEPARTMENTS DISTRICTS AND STATIONS REVIEW:** Mr. Jackson outlined a brief history of the consolidation of the Volunteer Fire Departments, and the lack of volunteers for the Fire Departments. Volunteer Fire Department Chief Luis Malina discussed options pertaining to the Volunteer Fire Departments, specifically the changing ownership of the Savoy property and purchase and lease options with Savoy as a substation. Mr. Malina stated that the County continues working with the State Fire Marshal's office for funding options and volunteer issues. This item was presented as a discussion item only, and no action was taken on this item.



- i. DOMESTIC VIOLENCE MONTH PROCLAMATION:** Mr. Jackson introduced Irene Trejo from the Healing House to the Board. Ms. Trejo explained to the Board that Domestic Violence Awareness Month is in October, and that Domestic Violence is a community matter and not a private matter. The Healing House has Social Media Campaigns, a candlelight vigil and school presentations planned in order to bring community awareness. Ms. Trejo requested that the Board sign the proclamation in support as a measure of community support. Commissioner Diaz moved to approve October as the Domestic Violence Month. Commissioner Smrkovsky seconded the motion which carried unanimously.
- j. RESOLUTION 15-46 APPROVAL OF FY 2015 4<sup>TH</sup> QUARTER FINANCIAL REPORT:** Treasurer Dora Madrid requested that this item be tabled. Ms. Madrid outlined the history of the Financial Reports, and historically the State (Finance and Administration Office) has been responsible for doing the Financial Report. The format has since changed, and Ms. Madrid stated that she still has questions that remain unanswered from the DFA (Department of Finance Administration), and until everything is clear, and the facts are straight, she does not want to present anything. Commissioner Diaz motioned to table Resolution 15-46 Approval of FY2015 4<sup>th</sup> Quarter Financial Report. Commissioner Smrkovsky seconded the motion which carried unanimously.
- k. RESOLUTION 15-47 BUDGET INCREASES:** Seven intra/inter departmental budget increases in the amount \$4,431,940.93 were proposed. Commissioner Diaz motioned to approve Resolution 15-47 Budget Increases. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll-call vote.
- l. RESOLUTION 15-48 BUDGET TRANSFERS:** Seven intra/inter departmental budget transfers in the amount of \$23,000.41 were proposed. Commissioner Smrkovsky motioned to approve Resolution 15-48 Budget Transfers. Commissioner Diaz seconded the motion which carried unanimously following a roll-call vote.
- m. RESOLUTION 15-49 OPPOSING THE LIFTING OF SANCTIONS AGAINST IRAN:** Mr. Jackson stated that this Resolution is placed on the agenda at the request of gas and oil producing counties in New Mexico that would economically be harmed by the lifting of sanctions in Iran. Commissioner Smrkovsky motioned to approve Resolution 15-49 Opposing the Lifting of Sanctions Against Iran. Commissioner Diaz seconded the motion which carried unanimously following a roll-call vote.
- n. RESOLUTION 15-50 DONATIVE CONVEYANCE OF PROPERTY FROM LUNA COUNTY TO THE CITY OF DEMING (TULIP LANDFILL):** Mr. Jackson had Community Projects Director Jessica Etcheverry come before the Board and explain

this item, which conveys ownership of the Tulip Landfill property back to the City of Deming. Ms. Etcheverry explained: In November of 2012, the County took over the ownership of the landfill to obtain a Brownfield Grant, which the City of Deming was not eligible for. Ms. Etcheverry went on to explain: The ownership of the Tulip Landfill allowed the County to apply for Colonias funding, but as part of the funding obligations with the grant, there is a contingency: As a grantor, there is a \$12,000 match, and being responsible for the property for a period of 20 years. The Colonias Board approved giving the City of Deming back the property. The Brownfield Grant is now complete, and the City of Deming may receive the property back. Commissioner Smrkovsky motioned to amend and approve Resolution 15-50 Donative Conveyance of Property from Luna County to the City of Deming (Tulip Landfill) contingent upon State Board of Finance Approval, if necessary, and authorize the County Manager and staff to make any changes as recommended by the State Board of Finance. Commissioner Diaz seconded the amended motion which carried unanimously following a roll-call vote.

**ORDINANCES:** Mr. Jackson stated the Ordinances on the agenda are a call for ordinance only. There are no actions to be taken on the Ordinances.

- a. **SOLID WASTE ORDINANCE (REVIEW DRAFT):** Mr. Jackson explained the history of this Ordinance, which entails a Solid Waste User Fee, and how the County may cover expenses related to the collection of solid waste fees. Mr. Jackson suggested hosting a work session and then a presentation. This item was presented as a discussion item only.
- b. **CALL TO AMEND ORDINANCE NUMBER 23 (LUNA COUNTY PERSONNEL ORDINANCE):** Commissioner Smrkovsky motioned to direct County Manger's Office to publish the title and summary of Ordinance Number 23 as Amended one time in *The Deming Headlight* at least two weeks prior to the meeting of the Board at which the ordinance is proposed for final passage. The publication shall also include the date and time at which the ordinance is to be considered. Commissioner Diaz seconded the motion which carried unanimously.
- c. **CALL FOR SOCIAL HOST ORDINANCE:** Commissioner Diaz motioned to direct County Manger's Office to publish the title and summary of the Social Host Ordinance one time in *The Deming Headlight* at least two weeks prior to the meeting of the Board at which the ordinance is proposed for final passage. The publication shall also include the date and time at which the ordinance is to be considered. Commissioner Smrkovsky seconded the motion which carried unanimously.

**\*APPROVAL OF TRAVEL REQUESTS:** Mr. Jackson submitted one travel request, and explained that he would like for the Board and he to travel to Washington, D.C. in October to meet with Luna County's legislative contingency. Mr. Jackson stated the reason for his request stems from conversations with federal entities concerning lobbyists. Mr. Jackson stated that Luna County is making a huge mistake by not talking to and getting involved with the Congressional Delegation. Commissioner Diaz motioned to approve Mr. Jackson's travel

request for the Board and the County manager to travel to Washington, D.C. Commissioner Smrkovsky seconded the motion which carried unanimously.

**\*INDIGENT CLAIMS REPORT:** Upon motion of Commissioner Diaz 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. Mr. Jackson recommended approval of zero claims dated September 11, 2015 in the amount of \$0 and zero denials. The monies received for August 2015 totaled \$60,208.53. The balance in the Indigent Funds Accounts as of August 31, 2015 is \$737,238.52. Commissioner Diaz moved to approve zero claims dated September 11, 2015 in the amount of \$0 and zero denials. Commissioner Smrkovsky seconded the motion which carried unanimously. Commissioner Diaz moved to recess as claims board and to reconvene as the Board of County Commissioners. Commissioner Smrkovsky seconded the motion which was approved unanimously.

**\*EXECUTIVE SESSION:** (*\*Note: Due to a timing conflict, this item was moved to the bottom of the agenda, and Items 16 and 17 were moved ahead of this item.*) Chairman Milo entertained a motion to enter into Executive Session to discuss pending litigation matters pursuant to 10-15-1 (H) 7 NMSA 1978 pertaining to Hermanas Grade. Commissioner Diaz so moved and announced no other matters would be discussed. Commissioner Smrkovsky seconded the motion which carried unanimously following a roll call vote.

Commissioner Diaz motioned to return from Executive Session where no other matters were discussed but Pending Litigation Matters pertaining to Hermanas Grade. Commissioner Smrkovsky seconded the motion, which carried unanimously following a roll call vote. There was no action taken during the Executive Session.

**NEXT MEETING:** Chairman Milo announced the next Regular Meeting will be held on October 8, 2015 at 9:00 a.m. in the Commission Chambers.

**ADJOURN:** Chairman Milo adjourned the meeting at 2:23 p.m.


ATTEST:

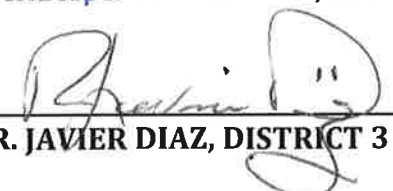
  
ANDREA RODRIGUEZ, CLERK

APPROVED: October 8, 2015

LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS

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

  
LINDA M. SMRKOVSKY, DISTRICT 2

  
R. JAVIER DIAZ, DISTRICT 3

