

**MINUTES
REGULAR MEETING
LUNA COUNTY BOARD OF COUNTY
COMMISSIONERS
Thursday, May 12, 2016**

BE IT REMEMBERED that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, May 12, 2016 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:

Interim County Manager Glory Juarez, Executive Administrative Assistant Yossie Nieblas, Chief Deputy Clerk Berenda McWright, Deputy Clerk JoAnna Zurinsky, Treasurer Dora Madrid, Sheriff Jonathan Mooradian, Captain Kelly Gannaway, Administrative Assistant Estella Ortiz, Special Projects and Facilities Management Director Billy Ruiz, Detention Director Matthew Elwell, Detention Deputy Director Mary Gooding, Dispatch Supervisor Lauree Sanchez, Community Projects Director Jessica Etcheverry, Budget and Procurement Director Joanne Hethcox, Starmax Facilities Director Ira Pearson, IT Technician Manny Armendariz, Grant and Compliance Officer Palmira Valentine, DWI Program Coordinator Edith Vasquez, DWI Program Screener Teresa Ortberg, Security Screener Moses Pastran.

CALL TO ORDER: Chairman Diaz called the meeting to order at 10:07 a.m.

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

Joe L. Milo, Jr., District 1
Linda M. Smrkovsky, District 2
R. Javier Diaz, Chairman, District 3

APPROVAL OF AGENDA: Commissioner Smrkovsky motioned to amend and approve the Agenda, postponing the *Presentations* section of the Agenda and tabling *Item G* from the Consent Agenda, per Interim County Manager Glory Juarez's request. Commissioner Milo seconded the motion which carried unanimously.

ELECTED OFFICIALS REPORTS: County Treasurer Dora Madrid reported her department just finished collecting second half taxes, and she should have percentages by next month's meeting.

Chief Deputy Clerk Berenda McWright reported that the County Clerk's Office started Early Voting for the Primary Election this week. There are 8,829 eligible voters registered in the county, and of those 5,188 are registered Democrats and 3,641 are registered Republican. Ms. McWright stated that so far, there have been 100 absentee voters and 130 early voters. She also stated that voter registration is available online at the Secretary of State's website as well as sample ballots.

Sheriff John Mooradian reported on crime statistics, and stated that burglaries were down, and a stolen vehicle, a stolen cargo trailer, a stolen ATV, and two work utility trailers that were full of

tools were recovered in the month of April. Sheriff Mooradian reported that mail theft continues to be problematic, however the department is working diligently, and hoping to solve some of the burglaries. Sheriff Mooradian also recognized Sergeant Donnie Daniels for administering CPR to a motorist who was having a heart attack. Sgt. Daniels was credited for helping save the man's life. There was no report given by County Assessor.

ANNOUNCEMENTS: Interim County Manager Glory Juarez explained to the Board that the Department of Finance and Administration imposes a requirement as part of the prevention grant for the DWI Program, that upon hire, the department has three years to obtain a Certified Prevention Specialist. Ms. Juarez announced that Teresa Ortberg has earned her certification for this specialty, and congratulated Ms. Ortberg for her accomplishment and introduced her to the Board and attending members of the public.

PRESENTATIONS: There were no presentations given at today's Regular Meeting, as the planned presentation was postponed.

PUBLIC HEARING: Chairman Diaz opened a Public Hearing to receive testimony on Ordinance Number 96 Adopting a Special County Hospital Gross Receipts Tax (Continuation of GRT). Interim County Manager Glory Juarez stated this Ordinance already exists as a special county gross receipts tax and collects 1/8th percent, which funds ambulance services through a multi-services agreement with the City of Deming. Ms. Juarez further explained there is a five-year sunset clause, and the Ordinance should have been renewed last year; there will be a dip in the GRT, and it will come back up, should the voters agree to renew it. Ms. Juarez stated the Ordinance requires a referendum, and provided a timeline of events in order to get the Ordinance voted on and election costs. Ms. Juarez stressed that this Ordinance is not an increase in taxes, but rather a continuation, and benefits the County by approximately \$30,000 a month with ambulance transport costs and fleet maintenance. With no other public comment forthcoming Chairman Diaz closed the Public Hearing.

ORDINANCE: Commissioner Smrkovsky motioned to approve Ordinance Number 96 Adopting a Special County Hospital Gross Receipts Tax (Continuation of GRT). Commissioner Milo seconded the motion which carried unanimously following a roll-call vote.

PUBLIC COMMENT: Chairman Diaz opened the floor to Public Comment. James Paltza, Jr. came before the Board and stated his opinion that the Public Address system is used for recording, and not audio purposes. Mr. Paltza also stated that he hoped that the election for the GRT would also be used to elect a County Manager.

COUNTY MANAGER'S REPORT: Interim County Manager Glory Juarez reported on the following items:

- The State Board of Finance will be meeting with Ms. Juarez in regards to the Intergovernmental Transfer of Property for Port of Entry Expansion on May 17th. The request for a Resolution will be resubmitted in June.
- The Bond Rating trip was attended in Dallas, Texas on April 14th, pertaining to the Luna County Detention Center. A bond rating was received from Moody's of an A minus. The County is still awaiting a rating result from Standard and Poor's.
- The County is awaiting State Board of Finance approval for the Intergovernmental Transfers for the Port of Entry Expansion to GSA, for which the planning is about 95% complete.
- Ms. Juarez attended the Deming Public Schools (DPS) pre-construction meeting on April 27th. The Deming High School project has started, and DPS is pushing local labor and contractors.

- Budget planning continues, and most Elected Officials and Department Directors have submitted a flat budget. A work session is scheduled for May 19th at 9:00 a.m., and a Preliminary Budget Meeting is scheduled for May 24th at 9:00 a.m.

CONSIDER MINUTES: Upon motion of Commissioner Smrkovsky, seconded by Commissioner Milo, the minutes of the March 24, 2016 Special Meeting were unanimously approved.

Upon motion of Commissioner Milo, seconded by Commissioner Smrkovsky, the minutes of the April 7, 2016 Regular Meeting were unanimously approved.

Upon motion of Commissioner Smrkovsky, seconded by Commissioner Milo, the minutes of the April 7, 2016 Work Session were unanimously approved.

Upon motion of Commissioner Smrkovsky, seconded by Commissioner Milo, the minutes of the April 22, 2016 Special Meeting were unanimously approved.

CONSENT AGENDA: Upon motion of Commissioner Smrkovsky, seconded by Commissioner Milo the following items on the Consent Agenda were unanimously approved following a roll-call vote.

- Accounts Payable:** Accounts Payable Registers totaling \$725,619.30
- Payroll Registers:** Payroll Registers totaling \$1,488,199.25
- Resolution 16-29 Budget Transfers**
- Resolution 16-30 Budget Increases**
- Release of Mortgage for Preferred Produce, Inc.**
- Debt Re-Payment Amended Agreement between Luna County Sherriff and Luna County**
- (This Item was tabled)****
- Proclamation on Recognizing Bueno Foods and Celebrating 65th Anniversary**
- Memorandum of Understanding between Luna County Detention Center and Bernalillo County Metropolitan Detention Center**

***CONSENT AGENDA ITEM G: Resolution 16-31 Intergovernmental Transfer of Property for Port of Entry Expansion Project:** *(Interim County Manager Glory Juarez requested the tabling of this Item.)* Ms. Juarez explained to the Board the withdrawal of the Resolution is per the State of Board of Finance's recommendation because the State recommends all properties (and the respective transfers) need to be contained in one Resolution.

NEW BUSINESS: There were no New Business items submitted, therefore no action was taken on this item.

APPROVAL OF TRAVEL REQUESTS: There were no Travel Requests submitted, and therefore no action was taken on this item.

INDIGENT CLAIMS REPORT: Upon motion of Commissioner 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 six claims dated May 12, 2016 in the amount of \$3,539.35 and zero denials. The monies received for April 2016 totaled \$49,206.44. The balance in the Indigent Funds Accounts as of April 30, 2016 is \$739,131.57 with an Encumbered Balance of \$153,317.37. Commissioner Smrkovsky moved to approve six claims dated May 12, 2016 in the

amount \$3,539.35 and zero denials. Commissioner Milo seconded the motion which carried unanimously.

Commissioner 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.

EXECUTIVE SESSION: Chairman Diaz entertained a motion to enter into Executive Session to discuss Limited Personnel Matters pursuant to 10-15-1 (H) 2 NMSA 1978 pertaining to the County Manager's position. Commissioner Smrkovsky so moved and announced no other matters would be discussed. Commissioner Milo seconded the motion which carried unanimously following a roll-call vote.


Commissioner Smrkovsky motioned to return from Executive Session where no other matters were discussed but Limited Personnel Matters pertaining to the County Manager's position. Commissioner Milo seconded the motion which carried unanimously. There was no action taken during the Executive Session.

ANNOUNCE NEXT MEETING: Chairman Diaz announced that a Work Session will be conducted on June 9, 2016 at 9:00 a.m. and the next regular meeting will be held on Thursday, June 9, 2016 at 10:00 a.m.

REQUESTS FOR FUTURE AGENDA ITEMS: There were no requests submitted.

ADJOURN: Chairman Diaz adjourned the meeting at 12:35 p.m.

ATTEST:


ANDREA RODRIGUEZ, LUNA COUNTY CLERK

APPROVED: 06-09-16



LUNA COUNTY BOARD OF COUNTY COMMISSIONERS


JOE L. MILO, JR., DISTRICT 1


LINDA M. SMRKOVSKY, DISTRICT 2


CHAIRMAN, R. JAVIER DIAZ, DISTRICT 3