

**MINUTES  
REGULAR MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Thursday, December 14, 2017**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in regular session at 10:00 a.m. on Thursday, December 14, 2017 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 Ira Pearson, Assistant to County Manager Glory Juarez, Executive Assistant Yossie Nieblas, Luna County Attorney Charles C. Kretek, Luna County Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Myrna Duarte, Treasurer Gloria Rodriguez, Chief Deputy Treasurer Dora Madrid, County Assessor Delilah Rojo, Chief Deputy Assessor Barbara Cobos, Sheriff Kelly Gannaway, Captain Michael Brown, Economic Development Community Projects Director Jessica Etcheverry, Facilities Director & Planning Director William Ruiz, Human Resources Director Danny Gonzales, Budget & Procurement Director / Indigent Claims Administrator Joanne Hethcox, DWI Coordinator Edith Vazquez, Detention Center Director Chris Brice, LCDC Sergeant Lionel Lozano, LCDC Pablo Montoya.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 10:04 a.m., and led the Pledge of Allegiance and the salute to the flag of New Mexico.

**ROLL CALL:** Deputy Clerk Myrna Duarte called roll. The following members of the Board constituting a quorum were present:

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

**APPROVAL OF AGENDA:** The Agenda for today's Regular Meeting was presented to the Board for approval. Commissioner Sweetser motioned to approve the agenda. The motion was seconded by Commissioner Reedy, which carried unanimously.

**ELECTED OFFICIALS REPORTS:** Luna County Clerk Andrea Rodriguez reported that her department is preparing for the School Bond Election for February of 2018.

Treasurer Gloria Rodriguez congratulated Commissioner Reedy for being appointed. Mrs. Rodriguez reported that her department has been busy collecting tax payments. Mrs. Rodriguez stated the Treasurer's office should have about 57 percent of taxes collected by the end of December for the 2017 taxes. The Treasurer's office is close to finishing the end of month report for November.

Chair Smrkovsky and Commissioner Sweetser, welcomed Mrs. Barbara L. Reedy to the Board of Luna County Commissioners. Commissioner Reedy stated that she was very excited to be appointed as a Commissioner. She hopes she can make a difference and listen to the public with their concerns.

Luna County Assessor Delilah Rojo, welcomed Commissioner Reedy, and announced the passing of her employee Becky Ramsey. Mrs. Rojo thanked Luna County Manager Ira Pearson and Luna County

Attorney Charles K. Kretek for all of their support. Mrs. Rojo announced that she has a position open in her department. The Assessor's Office is working on closing their books for the end of the year. On Monday December 18, 2017, triadic will be down while they transfer the records for 2018.

Sheriff Kelly Gannaway congratulated Commissioner Reedy on being appointed. Sheriff Gannaway reported that burglaries have decreased and larcenies have increased for the month of December. Also, vehicle thefts have increased, accidents have increased and DWI's have decreased. The department has had a total of 29 felony cases. The total value of stolen property is \$18,222. Mr. Joe Johnson is missing several head of cattle, and the estimated value of recovered property is \$27,800. The Sheriff's Department has hired a new Court Security Officer, Bobby Brookhouser Jr.

**ANNOUNCEMENTS:** Luna County Manager Ira Pearson received a phone call from the San Juan County Manager and gave him an update on the devastating school shooting that occurred in the City of Aztec New Mexico. Mr. Pearson sent condolences on behalf of Luna County.

**PUBLIC HEARING:** Chair Smrkovsky opened the floor for public comment pertaining to Amended Ordinance Number 23 – Personnel Ordinance. Mrs. Russ Howell requested the board explain which amendments are being made and to correct the “Nepotism” clause. Mr. Edward Khanbajian stated his personal opinion on whom has the authority on making a final decision. He believes the board should have the authority to make all final decisions. Chair Smrkovsky closed public comment.

**ORDINANCE: Amended Ordinance Number 23 – Personnel Ordinance;** Luna County Manager Ira Pearson discussed the changes made to Ordinance Number 23. Mr. Pearson guided the Board through the ordinance and explained the amendments. Commissioner Sweetser requested that an amendment be made to the ordinance to include the definition of “Nepotism”. Commissioner Sweetser motioned to amend section 6.03 to add the definition of “Nepotism” and to amend section 3.71 to change the wording from sick leave and vacation to personal time off (PTO). The motion was seconded by Commissioner Reedy and unanimously approved following a roll call vote.

**COUNTY MANAGER'S REPORT:** County Manager Ira Pearson reported on the following items:

- a. Taylor Harvey provided a Bee training to several county departments. Luna County Manager Ira Pearson gave a brief break down on the training. Commissioner Sweetser questioned what kind of protective equipment the Sheriff Deputies were issued to protect themselves. Sheriff Gannaway advised that they have ordered a protective suit for the deputies to carry, including protective gloves. Soap and water bottles were recommended in the training. Sheriff Gannaway advised the Board that Deputy Nordof has already been given recognition and he was also named Deputy of the year for the Sheriff's Department and recommended as Employee of the year for the county.
- b. **Dispatch:** Dispatchers attended Emergency Medical Dispatch (EMD) Training. The new Department of Public Safety CAD system is scheduled to go live once the contract is signed.
- c. **Detention Center:**
  - **LCDC Daily average population for November**

<b>Population Analysis</b>	<b>Male</b>	<b>Female</b>	<b>Juvenile</b>	<b>Total</b>
Number of Inmates Incarcerated	352	74	6	432

Number of Inmates Released	281	62	5	348
Inmate Daily Average Population	266	53	3	322
Inmate USMS Daily Average Population	181	17	2	200
Inmate Local Daily Average Population	68	22	1	91
Inmate Average Length of Stay	48	32	4	

- Average Daily - Last Month - 329
- USMS – Last Month - 200
- Local – Last Month - 122
- Inmate Average length of stay – Last Month - 45

- d. **Road Department:** The department is close to completing the chip sealing project on Lucca Road. Chair Smrkovsky questioned the oiling on Lucca RD. Mr. Pearson clarified the issues with the oil on Lucca Road.
- e. **Budget & Procurement:** Starmax took a loan in the amount of \$388,661.21 in November of 2012, of which \$10,908.25 is non recoupable. The current balance re-paid is \$326,321, leaving a remaining balance of \$51,431.91 as of November 30, 2017.
- f. **Human Resources:** The department is working on getting all forms online. Including getting the online signatures. Having all the forms online will make everything more efficient.
- g. **Starmax:** November sales were \$122,391.00. Sales were lower than November 2016. The arcade area has new activities for younger kids. New games and bouncy houses are now in.

**PUBLIC COMMENT:** Chair Smrkovsky opened the floor to Public Comment. There was no public comment.

**CONSIDER MINUTES:** Upon a motion made by Commissioner Sweetser, seconded by Chair Smrkovsky, the Minutes of the November 9, 2017 Work Session were unanimously approved. Upon a motion made by Commissioner Sweetser, seconded by Chair Smrkovsky, the Minutes of the November 9, 2017 Regular Meeting were unanimously approved. Upon a motion made by Commissioner Sweetser, seconded by Chair Smrkovsky, the Minutes of the November 16, 2017 Special Meeting were unanimously approved. Upon a motion made by Commissioner Sweetser, seconded by Chair Smrkovsky, the Minutes of the November 16, 2017 Work Session were unanimously approved.

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

- a. **Accounts Payable: \$1,755,689.49**
- b. **Payroll: \$1,021,114.08**
- c. **Resolution 17-59 Budget Increases**
- d. **Resolution 17-60 Budget Transfers**
- e. **Resolution 17-61 Authorizing Filing of an Application for Financial Assistance from the New Mexico Colonias Infrastructure Board.**
- f. **Approval of 2018 Holiday Schedule**
- g. **Appointment of Court Security Office – Bobby Brookhouser Jr.**

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

- a. Award of Contract for REP# FY 106-01-LCDC Medical and Behavioral Health Services:** Mr. Pearson stated that the contract was still under negotiation and no set amount has been stated. Commissioner Reedy motioned to award the contract to CorrValues, LLC. Commissioner Sweetser seconded the motion which carried unanimously.
- b. Amendment to General and NO Litigation Certificate for Outlay GRT Refunding Revenue Bonds Series 2015:** Chair Smrkovsky announced the amendment in which a 30 day time period to complete payment, is now being moved to 270 day time period. Commissioner Reedy motioned to approve the amendment to General and No Litigation Certificate for Outlay GRT Refunding Revenue Bonds Series 2015. Commissioner Sweetser seconded the motion which carried unanimously.

**INDIGENT CLAIMS REPORT:** Upon motion of Commissioner Reedy and a second by Commissioner Sweetser, 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 recommended approval of 10 claims dated November 2017 totaling \$2,746.48. She reported the total of Gross Tax Receipts collected was \$53,285.00 and the balance for Indigent claims fund totaled \$893,908.67, of that \$265,177.97 is encumbered. Commissioner Reedy motioned to approve the Indigent Claims Report as submitted. Commissioner Sweetser seconded the motion which carried unanimously. Commissioner Sweetser motioned to recess as a Claims Board and reconvene as a County Commission. The motion was seconded by Commissioner Reedy and unanimously approved.

**ANNOUNCE NEXT MEETING:** Chair Smrkovsky announced a Regular Meeting will be held on January 11, 2018 at 9:00 a.m.

**REQUESTS FOR FUTURE AGENDA ITEMS:**

**ADJOURN:** Commissioner Reedy motioned to adjourn meeting, Commissioner Sweetser seconded the motion which carried unanimously. Chair Smrkovsky adjourned the meeting at 10:50 a.m.

**ATTEST:**

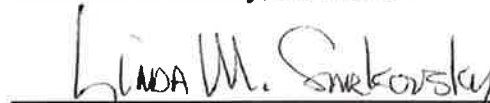
  
\_\_\_\_\_  
**ANDREA RODRIGUEZ, LUNA COUNTY CLERK**

**APPROVED:**

January 11, 2018

**LUNA COUNTY BOARD OF COUNTY COMMISSIONERS**

  
\_\_\_\_\_  
**Barbara L. Reedy, District 1**

  
\_\_\_\_\_  
**LINDA M. SMRKOVSKY, DISTRICT 2**

  
\_\_\_\_\_  
**JOHN S. SWEETSER, DISTRICT 3**