

**MINUTES  
SPECIAL MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Tuesday, November 12, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in Special Session at 9:00 a.m. on Tuesday, November 12, 2019 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 Chris Brice, Executive Assistant Yossie Niebles, Attorney Charles Krettek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Elections Administrator Leslie Nabours, Chief Deputy Assessor Isabelle Enciso, GIS Specialist Dennis West, Administration Assistant Debra Seats, Maintenance Director Paden Vendrely, Finance and Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 9:02 a.m. and led the Pledge of Allegiance and the salute to the flag of the State 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, Chair, District 2  
John S. Sweetser, District 3**

**PUBLIC INPUT:** Chair Smrkovsky opened the floor for Public Comment. Former County Manager David McSherry thanked the Board for the opportunity to address the Commission and made the following statement: "The tone at the top is the atmosphere that is created in the workplace by an organizations leadership, specifically to your agenda, as per your rules the scant information given in the advertised agenda bolsters my concern that the Commission has exhibited a questionable tone at the top in the past. I have submitted my concerns on this issue to the Office of the New Mexico State Auditor. I have also submitted my concerns over possible past Commission violation of the Open Meetings Act to the Office of the New Mexico Attorney General. I have also submitted an Inspection of Public Records Act request to Luna County. In the absence of a designated Luna County Records Clerk, I submitted them to Mr. Brice's Assistant in the County Manager's Office. I hope the Commission carefully deals with the stated content of the agenda session."

## **NEW BUSINESS:**

- a. The Canvas of the 2019 Regular Local Election Result:** County Clerk Andrea Rodriguez read the Official 2019 Local Election Results. Commissioner Reedy motioned to approve The Certification of Canvas Results for the Regular Local Election 2019. Commissioner Sweetser seconded the motion which carried unanimously following a roll call vote.
- b. Amended Resolution 19-40 Polling Places:** County Clerk Andrea Rodriguez stated Mimbres Valley Learning Center will continue to be a polling place for 2020 and 2021. Commissioner Sweetser motioned to approve Amended Resolution 19-40 Polling Places. Commissioner Reedy seconded the motion which carried unanimously.
- c. Ratification of GRT Contract:** Chair Smrkovsky asked County Attorney Charles Kretek to explain this law suit. Mr. Kretek stated that the Municipal League started this one with the allegation that the State was inappropriately distributing gross tax receipts. This agreement is to be added as a party to this law suit. Chair Smrkovsky added the majority of the municipalities have joined in this law suit and we are the 13<sup>th</sup> County to actually join. Commissioner Reedy moved to approve Ratification of GRT Contract. Commissioner Sweetser seconded the motion which carried unanimously.
- d. FEMA Disastrous Relief:** Chair Smrkovsky stated Eric Kiltz from Department of Homeland Security was not available to report. County Attorney Charles Kretek stated that rains during September 9<sup>th</sup> to September 16<sup>th</sup> caused significant damage to several roads located in Luna County. The State of New Mexico has declared a disaster to Hidalgo, Luna and Socorro Counties, where there was severe impact by multiple storm events and where \$1,000,000 was made available to those Counties. Mr. Kretek explained this is a 75% reimbursement and our match is 25% which must be budgeted. Commissioner Sweetser moved to approve the FEMA Disastrous Relief. Commissioner Reedy seconded the motion which carried unanimously.

**EXECUTIVE SESSION: to discuss limited personnel Matters pursuant to §10-15-1 (H) (2) NMSA 1978 to discuss limited personnel matters, specifically the hiring of a County Manager.** Commissioner Reedy moved to enter into Executive Session pursuant to §10-15-1 (H) (2) NMSA 1978 to discuss limited personnel matters, specifically the hiring of a County Manager. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote. The Commissioners went into Executive Session at 9:11 a.m. and returned at 11:06 a.m.

Chair Smrkovsky motioned to return from Executive Session where no other matters were discussed other than limited personnel matters. Commissioner Reedy seconded the motion which carried unanimously following a roll call vote.

Chair Smrkovsky motioned to appoint Chris Brice as the Luna County Manager effective immediately under the terms and conditions negotiated between Mr. Brice and the County Attorney Charles

Kretek. The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote.

Chair Smrkovsky stated that "The Luna County Board of County Commissioners is pleased to announce Chris Brice as the Luna County Manager. Mr. Brice is currently the Director of the Luna County Detention Center and also serves as a Deputy Manager. He has previously served as both Interim County Manager and Interim Assistant County Manager and brings his experience running the County's largest department along with a distinguished career in the US Navy and Manager in the private sector for many years."

**ADJOURN:** Commissioner Reedy motioned to adjourn. The motion was seconded by Commissioner Sweetser and carried unanimously. Chair Smrkovsky adjourned the meeting at 11:08 a.m.

**ATTEST:**

  
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ANDREA RODRIGUEZ, CLERK

APPROVED: November 21, 2019



**LUNA COUNTY BOARD OF COUNTY COMMISSIONERS**

  
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BARBARA L. REEDY, DISTRICT 1

  
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LINDA M. SMRKOVSKY, DISTRICT 2

  
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JOHN S. SWEETSER, DISTRICT 3