

**MINUTES  
SPECIAL MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Thursday, November 16, 2017**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in Special Session at 8:30 a.m. on Thursday, November 16, 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 County Manager Glory Juarez, Executive Assistant Yossie Nieblas, County Attorney Charles C. Kretek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Administrative Assistant Myrna Duarte, Assessor Delilah Rojo and Chief Deputy Treasurer Barbara Cobos, Economic Development Community Projects Director Jessica Etcheverry, Matt Robinson, Road Department Roads Superintendent Marty Miller, Road Department Equipment Operator Mike Hatch.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 8:32 a.m. and led the Pledge of Allegiance and the salute to the flag of the State of New Mexico.

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

- Linda M. Smrkovsky, Chair, District 2**
- John S. Sweetser, District 3**

**PUBLIC COMMENT:** Chair Smrkovsky opened the floor to Public Comment of which none was forthcoming.

**NEW BUSINESS:**

- a. **Appoint a Freeholders Committee pursuant to § 67-5-4, NMSA 1978:** Chair Smrkovsky and Commissioner Sweetser gave a few names to possibly appoint to the Freeholders Committee. Luna County Manager Ira Pearson explained the issue going on with Flying Y Road, also known as County Rd A024. Mr. Pearson has received several calls advising him the there's a locked gate at County RD A024, which is a county maintained road. A private landowner placed a lock on the gate located on a county owned cattle guard. Mr. Pearson has contacted the State Of New Mexico Land Office and the Bureau of Land Management, neither of which wanted anything to do with this issue. Mr. Pearson and Luna County Attorney Charles K Kretek, looked into the issue, and found State Statute **§ 67-5-4, NMSA 1978**. This statue allows the County to appoint a committee of three Freeholders, and Alternates to help with the decisions being made on this road. Chair Smrkovsky motioned to appoint Robert Frosch, Don Hartman and Raymond Viramontes to the Freeholders Committee with Cody McDougal, Ray Trejo, Russel Baker, Leedrue Hyatt, Kevin Penn and Mark Schultz as Alternates. The motion was seconded by Commissioner Sweetser and approved unanimously.

**ADJOURN:** Chair Smrkovsky adjourned the meeting at 9:03 a.m.

**ATTEST:**

**LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS**

*Andrea Rodriguez*  
**ANDREA RODRIGUEZ, CLERK**

*Barbara R. Beedy, appointed 12/8/17*  
(DISTRICT 1 vacant pending appointment by the Governor)

**APPROVED:** *December 14, 2017*

*Linda M. Smrkovsky*  
**LINDA M. SMRKOVSKY, DISTRICT 2**

*John S. Sweetser*  
**JOHN S. SWEETSER, DISTRICT 3**

