

**MINUTES**  
**LUNA COUNTY COMMISSION OF FREEHOLDERS**  
**Tuesday, August 31, 2023**

**BE IT REMEMBERED** that the Luna County Commission of Freeholders convened at 2:00 p.m. on Thursday, August 31, 2023, for a site visit of Red Onion Road. The meeting recessed at 2:30 p.m. and reconvened at 3:00 p.m. in the County Commission Chambers of the Luna County Courthouse, Deming, New Mexico, for the purpose of making a recommendation to the Luna County Board of County Commissioners regarding the abandonment or vacation of Red Onion Road.

**The following staff and elected officials were present for the site visit:** County Manager Chris Brice, Emergency Services Director Pablo Montoya, Executive Assistant Mayra Hernandez, Commissioner Ray Trejo, Road Department Director David Bailey, Administrative Assistant Senior Toni Esparza, and IT Tech Nathan Ortberg.

**CALL TO ORDER:** Road Department Director David Bailey initially called the meeting to order at 2:00 p.m. at Red Onion Road for the site visit.

**ROLL CALL:** The following members of the Commission of Freeholders constituting a quorum were present:

**Raymond Viramontes**  
**Don Hartman**  
**David McSherry**

**RECESS AND RECONVENE:** Upon completion of the site visit, Road Department Director David Bailey recessed the meeting at 2:30 p.m. The meeting was reconvened at 3:00 p.m. and reconvened in the Commission Chambers of the Luna County Courthouse.

**The following staff and elected officials were present for the site visit:** County Manager Chris Brice, Emergency Services Director Pablo Montoya, Executive Assistant Mayra Hernandez, Road Department Director David Bailey, Administrative Assistant Senior Toni Esparza, and IT Tech Nathan Ortberg.

**STATEMENT OF FACTS:** Road Department Director David Bailey presented the written request by Mr. Ethan Wilkins to abandon a portion of Red Onion Road that runs through his property. Mr. Wilkins then addressed the committee. The Board of Commissioners of Luna County appointed this Commission of Freeholders to review and investigate the issue and then make a recommendation to the Luna County Board of Commissioners on whether or

not the Luna County Road Department should continue or discontinue maintaining Red Onion Road.

**OPEN DISCUSSION – RED ONION ROAD:** The Commission of Freeholders discussed their findings from the site visit, asked questions of both Mr. Wilkins and Mr. Bailey, and offered their opinions on the request. Mr. Ethan Wilkins as Landowner of the property being discussed stated that he and his family would like to see the portion of Red Onion Road that runs through his property closed off to through traffic. Mr. Wilkins stated that the reason would be that he would have to assume any liability. Mr. Don Hartman asked if when coming in from the West there could be a bigger turnaround. Mr. Wilkins stated that as soon as his property is passed there is a Berm that he is willing to knock down in order to create a bigger turnaround for this area. Mr. Bailey stated that Mr. Wilkins was to take care of the cattle guards that had been altered by Mr. Wilkins himself. Mr. Wilkins stated that he would like to post and gate this portion off, and the gate would remain open most of the time and closed for family functions. Mr. McSherry asked Mr. Wilkins to post that the road deadends.

**PUBLIC COMMENT:** Mr. Bailey then opened the floor to Public Comment.

The following persons came forward: Rex Gardener a member of the community came forward and stated that he was fine with the closure as long as Mr. Wilkins would allow access when need be.

**NEW BUSINESS:**

**a. Freeholders Committee Recommendation:** A motion was made by Don Hartman and seconded by Raymond Viramontes to recommend to the Board of County Commissioners of Luna County to continue/discontinue the maintenance of Red Onion Road and to vacate and abandon/retain as a public road that portion of Red Onion Road located on Mr. Wilkins property as indicated on the attached map. The motion was approved unanimously following a roll call vote.

**ADJOURN:** Road Department Director David Bailey adjourned the meeting at 3:30 p.m.