

**MINUTES  
SPECIAL MEETING  
LUNA COUNTY BOARD OF COUNTY  
COMMISSIONERS  
Friday, March 8, 2019**

**BE IT REMEMBERED** that the Luna County Board of County Commissioners met in Special Session at 9:00 a.m. on Friday, March 8, 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: Interim County Manager Glory Juarez, Attorney Charles Kretek, Clerk Andrea Rodriguez, Chief Deputy Clerk Berenda McWright, Deputy Clerk Pilar Salcido, Deputy Clerk Rachel Bishop, Captain Mike Brown, Emergency Manager Sonia Arteche and Budget & Procurement Director/Indigent Claims Administrator Joanne Hethcox.

**CALL TO ORDER:** Chair Smrkovsky called the meeting to order at 9:00 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. No public comment was forthcoming.

**NEW BUSINESS:**

- a. **Resolution 19-14 Border Security:** Chair Smrkovsky read Resolution 19-14 in its entirety. Be it resolved that the Board of County Commissioners of Luna County, by the authority granted under the Constitution and Laws of the State of New Mexico and people of Luna County, New Mexico, declares its support for National Emergency Declaration along the southern borders of the United States of America. Commissioner Reedy motioned to approve Resolution 19-14 Border Security. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

- b. **Luna County Board of Registration Appointment:** Clerk Andrea Rodriguez explained to the Commission they must appoint 3 members and 2 alternates for the Board of Registration. Chair Smrkovsky motioned to approve Debbie French, Charles Bacon, Keith Harris as the members and Olivia Counce and Paul Hoylen as the alternates. The motion was seconded by Commissioner Reedy and carried unanimously following a roll call vote.

**EXECUTIVE SESSION: to discuss Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the County Manager's Candidates and the Interim County Manager position:** Chair Smrkovsky entertained a motion to go into Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the County Manager's Candidates and the Interim County Manager position. Commissioner Reedy so moved. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote. The Board went into Executive Session at 9:11 a.m. and returned from Executive Session 2:00 p.m.

Chair Smrkovsky motioned to recess from Executive Session where no other matters were discussed but Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the County Manager's Candidates and the Interim County Manager position at 10:55 a.m. and reconvene at 2:00 p.m. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

Commissioner Reedy motioned to reconvene and return from Executive Session to discuss Limited Personnel Matters pursuant to §10-15-1 (H)(2) NMSA 1978 pertaining to the County Manager's Candidates and the Interim County Manager position. The motion was seconded by Commissioner Sweetser and carried unanimously following a roll call vote.

Commissioner Sweetser motioned to appoint David McSherry as the Luna County Manager effective March 25, 2019. The motion was seconded by Chair Smrkovsky and passed with a two to one vote, with Commissioner Reedy voting in the negative. Commissioner Reedy read the following statement for the record "The interview process was developed to ensure balance and impartiality and it is my opinion that the principle of fairness was not used consistently throughout the interview process. It is also my opinion that Mr. McSherry did not meet the qualifications demanded of other candidates. Therefore, I am on record as a NO vote."

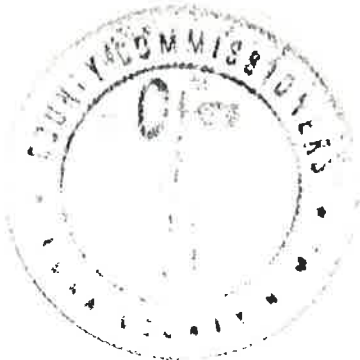
Chair Smrkovsky stated the next step is for the County Attorney Charles Kretek to prepare an employment agreement and to obtain Mr. McSherry's signature, to be presented for approval at the next regular meeting on Thursday, March 14, 2019.

**ADJOURN:** Commissioner Sweetser motioned to adjourn. The motion was seconded by Commissioner Reedy and carried unanimously. Chair Smrkovsky adjourned the meeting at 2:03 p.m.


ATTEST:

  
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ANDREA RODRIGUEZ, CLERK


APPROVED: April 11, 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