

COUNTY OF LINCOLN
New Mexico
Regular Meeting
Board of County Commissioners

Jackie Powell, Chairwoman
Mark Doth, Member
Dallas Draper, Member
Glenna N. Robbins, Treasurer
Rhonda B. Burrows, Clerk

Preston Stone, Vice Chair
Kathryn L. Minter, Member
Robert Shepperd, Sheriff
Paul Baca, Assessor
Stirling Spencer, Probate Judge
Nita Taylor, County Manager

AGENDA

Commission Chambers, Tuesday, June 25, 2013 @8:30 A.M.

- 1) Call to Order
- 2) Roll Call
- 3) Invocation
- 4) Pledge of Allegiance
 - a) Pledge – U.S. A. Flag
 - b) Salute – N.M. Flag (“I salute the flag of the State of New Mexico, the Zia Symbol of perfect friendship among united cultures”)
- 5) Approval of Agenda
- 6) Approval of Minutes-
 - May 3, 2013 Special Commission Meeting
 - May 14, 2013 Regular Commission Meeting
 - May 20, 2013 Special Commission Meeting
 - June 7, 2013 Special Commission Meeting
- 7) Approval of Consent Agenda
 - a) Payroll/Accounts Payable/Budget/ Expenditures
 - b) Treasurer’s Financial Report for the Month ending May 31, 2013
 - c) Mill Levy Assessment-Chaves Soil Water Conservation District
 - d) DWI Activities Cost with Village of Ruidoso
- 8) Smokey Bear District Ranger Update
- 9) Greentree Solid Waste Authority (GSWA) Update
- 10) Building Project Updates
 - a) Ft. Stanton Fire Department
 - b) Carrizozo Sr. Center
 - c) Ruidoso Public Health Building
 - d) Lincoln County Medical Center – Physician’s Office Building (POB)

PLEASE NOTE: ALL SUBJECTS LISTED ON THIS AGENDA ARE TO BE CONSIDERED ACTION ITEMS BY THE BOARD OF COUNTY COMMISSIONERS UNLESS OTHERWISE INDICATED.

- e) Expansion of Court / Sheriff's Complex
 - i) Approval of Construction Contract (Lincoln County / CES / Basic IDIQ)
 - ii) Discussion / Approval of Energy Audit Contract (Vertterre)

- 11) **9:00 A.M.:** Lodger's Tax Applications with backup material:
- a. Application 1696: Carrizozo Chamber of Commerce July 4th Celebration \$500/Fran Altieri
 - b. Application 1697: Bicycle Ruidoso, Trail Building \$10,000/Cody Thurston
 - c. Application 1698: Carrizozo Music in the Parks; July 20, August 22, October 3 & Mid November; \$4,000/Elaine Brannen
 - d. Application 1699: Fort Stanton Live; July 13-14, 2013 \$5,000/Clinton Smith Fort Stanton Inc.
- 12) Discussion of Use of Lincoln County's Airspace as it Relates to Transmission Lines (City of Alamogordo, White Sands Missile Range, SunZia):
- a. City of Alamogordo: Susie Galea, Mayor; Jim Stahle, City Manager; Hanson Scott, Director, Office of Military Base Planning and Support State of New Mexico
 - b. Request for Letter of Support (via e.mail) – Daniel Hicks, Chief of Staff WSMR
 - c. SunZia's Perspective – Martin Bailey
- 12a) City of Alamogordo – Update of Bonito Lake
- 13) Mary Ann Burr - "Overview of SERPO Process"
- 14) Proclamation in Recognition of Bonito Volunteer Fire Department. – American Red Cross Humanitarian Award Recipient
- 15) **9:30 A.M.:** PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY OFFICIALS (Items are for discussion only – no action will be taken)
- 16) Consideration of Approval or Disapproval of Indigent Health Care Claims
- 17) Manager's Report
- 18) DFA Preliminary Budget Approval Acknowledgement
- 19) 2013-2014 Contract for Services Approval
- a) Renew Lease & Management Agreement Lincoln County Fairgrounds
- 20) Water issues/Forest/Wildlife Health Programs/Land and Natural Resources Advisory Committee (LANRAC)
- 21) Renew of Fire Restriction Resolution 2012-41
- 22) Resolution 2012-40 Lincoln County Public Records Policy Fee Schedule Amending Resolution 2010-36
- 23) Extension Agreement No. 2 – Lincoln County Abstract & Title Company – Charles F. Headen Estate

PLEASE NOTE: ALL SUBJECTS LISTED ON THIS AGENDA ARE TO BE CONSIDERED ACTION ITEMS BY THE BOARD OF COUNTY COMMISSIONERS UNLESS OTHERWISE INDICATED.

- 24) **1:00 P.M.** Public Hearing is to consider adoption of an Ordinance 2013-2 Amending Lincoln County Subdivision Rules and Regulations; providing for the severability of parts hereof; providing an effective date, and repeal of Ordinance 2008-01.
- 25) **2:00 P.M.** Amending Lincoln County Personnel Policies & Procedures
- 26) **2:30 P.M.** Public Hearing is to consider the request of a transfer of ownership of Liquor License No. 0010 with package sales: from Chapparral Investments, Inc., DBA Chisum #32 at 1010 Sun Valley Road, Alto, NM 88355. License No./Appl. No. License No.0010/Apl. No. 8532920
- 27) Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinance
- a) Final Budget FY 2013-2014
 - b) GreenTree Solid Waste Authority Rate Increase to County Residence
- 28) Bid/RFP(s) Award:
- a) 12-13-018 Heating & Air Conditioning Maintenance Services
 - b) 12-13-019 Electrical Maintenance Service
 - c) 12-13-020 Plumbing Maintenance Service
- 29) Consideration of Appointments and Removals from Boards/Commissioners/Committees:
- a) Road Review Advisory Committee
 - b) Lodger's Tax Committee
- 30) Deputy Sheriff's Bargaining Unit Agreement Renewal
- 31) Assignment of Lincoln County's Ballot for the National Association of Counties' (NACo) 2013 Election to the NMAC President
- 32) NM DHSEM Mitigation Project Grant Application (FEMA \$3.5 Million)
- a) Discussion and Consideration of Contractual Options for Management of the Grant
 - b) Discussion and Consideration of Consideration Requesting Match Funds (and/or project funds) from Governor prior to end of Fiscal Year
- 33) Consideration of Entering into NMAC's Risk Awareness Program (RAP)
- 34) Executive Session Pursuant to the Open Meetings Act: Discussion of all Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7); and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).
- 35) Signing of Official Documents
- 36) Next meetings:
- a) July 9, 2013 Special LCMC Workshop Meeting
 - b) July 16, 2013 Regular Commission Meeting
- 37) Adjournment

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Agenda Item No. 6
June 25, 2013

SUBJECT

Approval of Minutes:

1. May 3, 2013 Special Commission Meeting
2. May 14, 2013 Regular Commission Meeting
3. May 20, 2013 Special Commission Meeting
4. June 7, 2013 Special Commission Meeting

1 **COUNTY OF LINCOLN**

2 **New Mexico**
3 **Special Meeting**
4 **Board of County Commissioners**

5
6 **Jackie Powell**, Chairwoman
7 **Preston Stone**, Vice-Chair

Kathryn L. Minter, Member
Mark Doth, Member
Dallas Draper, Member

8
9
10 **Minutes**
11 **Friday, May 3, 2013**

12
13 Minutes of the Special Meeting of the Lincoln County Commission to order at 9:00 AM on May
14 3, 2013 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New
15 Mexico.

16
17 **1. Call to order**

18
19 Chair Powell called the Special Meeting of the Board of County Commissioners to order at 9:00
20 AM.

21
22 **2. Roll Call**

23
24 **Roll Call.**

25 **Present:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Draper.

26 **Absent:** Commissioner Doth.

27
28 Others present included: Nita Taylor, County Manager; and
29 Tammie Maddox, Chief Deputy County Clerk.

30
31 **3. Invocation**

32
33 The invocation was presented by Commissioner Stone.

34
35 **4. Pledge of Allegiance**

- 36
37 A. Pledge – U.S.A. Flag – Commissioner Draper
38 B. Salute – N.M. Flag – Commissioner Minter
39

40 **5. Approval of Agenda**

41
42 **Motion:** Acceptance of the Agenda and authorized the Chair to move items as necessary.

43 **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Minter.

44 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

45 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Draper.

46

47 Chair Powell recessed the Special Meeting and convened the Public Hearing at 9:04:31
48 AM.

49

50 Chair Powell explained the process and protocol for the budget public hearing.

51

52 **6. Public Hearing: Preliminary Budget hearing, Fiscal Year 2013-2014; Infrastructure**
53 **Capital Improvements Plan (ICIP) Development**

54

55 **A. County Manager's Overview**

56

57 **1. Overall balance and revenue sheets** for discussion by the Treasurer, Finance
58 Director and Manager. Significantly, it should be pointed out that the additional
59 expenses from external agencies were not included in these balances. Unfunded
60 requests by County departments were included in the preliminary budget, and would be
61 modified accordingly based on Commission action. The projected balance over the
62 required reserve at end of this fiscal year was \$871,949 and each additional approval
63 during this process would reduce that balance.

64

65 Of the \$11,849,347 in general funding the County was forecast to receive, \$6,747,572
66 budgeted to general fund departmental expense requirements, including but not limited
67 to the following: \$1,728,479 supplemented the road department; \$39,374 for predator
68 control; \$1,793,545 for the detention center operations; the senior citizen centers
69 required an increase of \$171,898 this year; \$150,000 was required for juvenile detention
70 related operations; and Indigent Fund required \$7,432 to offset the limitation on
71 administrative expenses. The Homeland Security Fund (462) also required a transfer of
72 \$875,000 to cover the matching fund requirement for a potential Homeland Security
73 Grant in the amount of \$3.5 million.

74

75 **2. Projected Expenses.** The items listed in the proposed budget were projected
76 expenses, which for the most part have been annualized. As such, the expenditures were
77 unconstrained and the revenues were conservative. The amounts included departmental
78 inputs by account during the budget mark-up process. The current ending preliminary
79 balance overall was \$869,094 over the required reserve. Again, this reserve above the
80 required 3/12th amount did not include un-funded external agency requests.

81

82 **3. Property Valuations** increased from \$1,058,628,937 for Tax Year 2011 to
83 \$1,105,798,545 for Tax Year 2012, and this valuation was mandated for use for the FY
84 2013-2014 budget by DFA; PILT was received in June, 2012 in the amount of \$1,527,496,
85 and based on estimated forecasts, this has been reduced by 5.1% for a total of
86 \$1,449,594. Increased revenue projections have been placed in the budget.

87

88 **FY County Valuation Increase Reappraisal Year**

89

90 01-02 \$ 530,137,383 Yes

91 02-03 \$ 545,555,677 \$ 15,418,294

92	03-04	\$ 587,662,166	\$ 42,106,489	Yes
93	04-05	\$ 615,303,222	\$ 27,641,056	
94	05-06	\$ 686,219,982	\$ 70,916,760	Yes
95	06-07	\$ 721,934,100	\$ 35,714,118	
96	07-08	\$ 818,733,862	\$ 96,799,762	Yes
97	08-09	\$ 887,828,843	\$ 69,094,981	
98	09-10	\$1,019,422,539	\$131,593,696	Yes
99	10-11	\$1,038,712,174	\$ 19,289,635	
100	11-12	\$1,058,628,937	\$ 19,916,763	
101	12-13	\$1,105,798,545	\$ 47,169,608	Yes
102	13-14	\$1,138,681,111	\$ 32,882,566	Yes

5. External Agency Presentations: External agencies made presentations in the order indicated on the agenda. Background information on the organizations was provided. It was at the Commission's discretion whether to hear and consider the non-solicited budget requests. Each request approved reduced the reserve and increased the deficit spending. The Manager recommended a close scrutiny of external agency funding requests, as some more broadly benefitted the county than others, and every external request granted limited the ability to address internal county requirements. **There was \$368,952 in unfunded external requests, \$33,000 of which were non-solicited.**

Administrative Note: *During the budget Public Hearing, a running calculation of desired changes were made to track the impact on desired reserves and to identify additional funding requirements.*

6. Departmental Review: Following the external agency presentations and discussion, a departmental review of expenses and revenues was conducted. The funding requests would then be reviewed and amended or added to. Finally, the Manager recommended considering an increase to all salaries for classified employees. Every 1% of wage increase, the overall salary impact was \$52,879. For example, a 4% salary increase resulted in a total cost of \$211,516. The last wage increase to classified employees was for 6% in 2010.

7. FY12-13 Emergency and Mitigation Expenses Incurred: It is important to note that, due to Little Bear Fire and subsequent flooding events, extraordinary expenses and partially offsetting reimbursing funds for mitigation efforts were reflected in both the actual data for FY12-13 and the budgeted data for FY13-14. In 2012, the County spent **\$1,386,365** on flood mitigation efforts, for which it was eligible to receive 75% reimbursement from FEMA and 12.5% reimbursement from the State of New Mexico. The total reimbursement amount due the County for those efforts of **\$1,213,069** has been approved by both FEMA and the State, and was in the process of being paid. In addition, the County identified twenty-five additional projects, all FEMA approved, to repair damages caused by flooding to County infrastructure; these projects totaled \$1,237,282, for which the County would be reimbursed 87.5%, or **\$1,082,622**. To date, the County has received **\$751,319** of those funds. Details of those transactions were in the Preliminary Budget. After all was said and done, the County would have incurred **\$327,956** (12.5%) out of pocket, unreimbursed expense for flood mitigation projects.

140 Because Lincoln County received FEMA approval of its Local Hazard Mitigation Plan
 141 earlier this year, the County was eligible to apply for a Homeland Security Mitigation
 142 Grant in the amount of \$3.5 million. Lincoln County was the only entity in the state with
 143 such an approved plan. The work targeted for the funding was the "planning,
 144 engineering, designing, constructing, building, clearing of ladder fuels, expanding
 145 defensible space, structures protection through debris removal, incineration, grinding
 146 and any other means necessary in the protection of Lincoln County residents through
 147 minimizing the disastrous effect of wildfire". The grant required a 25% match of
 148 \$875,000. While the match was included in this preliminary budget, it was feasible that
 149 offsetting matches could be obtained from other State Agencies partnering with the
 150 County on these projects. Review the use of the Homeland Security Special Revenue
 151 Fund, for details of this potential transaction.
 152
 153

154 **8. Medical Related Items:** The items requested by the hospital administrator were
 155 provided and incorporated into the budget. Commissioners should discuss the amount
 156 of the 3.0 mill authorization it wishes to impose. The Manager recommended the 2 mills
 157 for the hospital and .6 mill of the 1 mill authorized for the clinics remain in place. This
 158 would retain the tax level from the previous year (2012-2013). It was important to note
 159 the estimated carryover at the end of the year (2012-2013) with the imposition of 2.6 was
 160 estimated at \$434,093 for the clinics and \$8,106,094 for the hospital going forward. The
 161 history of mill levy imposition was as follows: Seven Year History of Imposition
 162 beginning with the 3 Mills Authorized by November 7, 2000 Election and reauthorized by
 163 the April 8, 2008 special election:
 164

	November 2000 Election		
	Hospital	Clinic	Total
FY 2001-2002	2.1	.9	3.0
FY 2002-2003	2.1	.9	3.0
FY 2003-2004	1.1	.9	2.0
FY 2004-2005	2.1	.5	2.6
FY 2005-2006	2.1	.5	2.6
FY 2006-2007	2.1	.5	2.6
FY 2007-2008	2.1	.5	2.6
	April 2008 Special Election		
	Hospital	Clinic	Total
FY 2008-2009	2.0	.6	2.6
FY 2009-2010	2.0	.6	2.6
FY 2010-2011	2.0	.6	2.6
FY 2011-2012	2.0	.6	2.6
FY 2012-2013	2.0	.6	2.6

183 **9. Infrastructure & Capital Improvement Plan:** It was premature to formally begin
 184 input to this year's ICIP submission. The Manager requested Commissioners review the
 185 ICIP and participate in a discussion of this year's submission. No action needed to be
 186 taken at this point. The Manager requested comments for incorporation of potentially
 187 updated projects. Last year, the final ICIP was adopted at the September Commission

188 meeting. For initial discussion going forward, items discussed previously, with rough
189 estimations, include:

190		
191	(a) Repair of Glencoe Bridge	\$ 60,000
192	(b) Magado Creek Crossings at Fairgrounds alternatives	
193	i. Culverts (not sufficient for 10-year flood)	\$ 318,000
194	ii. Box culverts (sufficient for 25-year flood)	\$ 429,000
195	iii. 30' wide bridge (100 year flood standard)	\$1,370,000
196		
197	(c) New Hondo Fire Station	\$ 300,000
198	(d) New Road Yard	\$ 560,000
199		

200 Manager's Recommendation/Analysis/Comments:

- 201
- 202 1. Provide guidance to the manager on the external and internal requested items to be
203 funded.
 - 204 2. Confirm the preliminary health care related budget – mills to be imposed.
 - 205 3. Discuss the ICIP and provide preliminary guidance.
 - 206 4. Direct the manager to make the desired adjustments for the May 14, 2013 meeting.

207

208 **B. External Agency Presentations and Requests**

209

210 County Manager's Introduction

211

212 Presentations were made by individuals representing the organizations requesting funds.

213		
214	NMSU Extension Office	\$ 64,399.31
215	Capitan Library	\$ 22,920.00
216	Corona Library	\$ 5,000.00
217	Ruidoso Library	\$ 35,000.00
218	Juvenile Justice Board (LCJJB)	\$ 10,000.00
219	SNMEDD	\$ 6,000.00
220	USDA Predator Control/Wildlife	\$ 88,500.00
221	Partial funding comes from the per head tax of \$0.55 = \$18,640; delinquent taxes	
222	= \$1,200; Taylor Grazing =\$29,287; Request from General Fund \$39,373.	
223	Noxious Weed Program	\$ 50,000.00
224		

225 Commissioner Stone was excused from the Public Hearing at 10:06:53 AM and returned at
226 10:17:03 AM.

227		
228	South Central RC & D	\$ 40,000.00
229	Lincoln County Humane Society	\$ 30,000/2,000*
230	(*Additional request for maintenance on shelter)	
231	EcoServants	\$ 25,000
232	NM Bookmobile	\$.1,260
233	Coalition of Arizona/NM Counties	\$.2,600 Annual Dues

234 Legal Fund Contribution (Optional) \$.5,000
235

236 **C. Non-Solicited Budget Requests**
237

- | | | |
|-----|---------------------------------------|-----------|
| 238 | 1. Lincoln County Transit | \$ 25,000 |
| 239 | 2. SANE of Otero & Lincoln Counties | \$ 2,000 |
| 240 | 3. Boys & Girls Club of Sierra Blanca | \$ 6,000 |
| 241 | 4. White Mountain Search & Rescue | \$ 2,200 |
- 242

243 Ms. Taylor presented a new request for membership in the New Mexico Acequia Association in
244 the amount of \$1,000.00. Ms. Taylor stated no action could be taken since it was not on the
245 agenda. Ms. Taylor stated action could be taken at the May 14, 2013 meeting.
246

247 Chair Powell recessed the Public Hearing at 11:04:09 AM and reconvened at 11:18:02 AM.
248

249 **D. Medical Related Budget/LCMC/Clinics/La Casa attached**
250

251 Seferino Montano presented the request for La Casa Buena Salud which provided services for
252 the Hondo Clinic. Mr. Montano discussed the staffing issues over the previous year. Mr.
253 Montano commented it was difficult to recruit providers in rural areas. Mr. Montano requested
254 the same funding as last year in the amount of \$85,000. Mr. Montano provided a breakdown of
255 the budget for fiscal years 2012-2013 and the request for 2013-2014. Mr. Montano provided the
256 overall revenues from Federal and State Funds, Patient Services totaling \$383,200.00 and the
257 expenditures for the Clinic totaling \$387,306.00.
258

259 Mr. Montano discussed the contract with the County which had many things in it that would
260 have not been approved if it had been read before signing. Mr. Montano stated he was not
261 aware of the provision in the contract that the County would reimburse for such items as roof
262 repair and electrical expenses on the Clinic. Mr. Montano presented a request for
263 reimbursement in the amount of \$6,089.41 for roofing.
264

265 There was extensive discussion regarding the patient load at the clinic and the estimated
266 budget request being the same as the year before. Mr. Montano explained issues that affected
267 the Clinic over the past year and believed the expenses would reflect the same as the previous
268 year and possibly come in under the estimated amount.
269

270 Al Santos, representing Presbyterian Healthcare and Administrator of the Lincoln County
271 Medical Center and the Capitan, Carrizozo, and Corona Clinics presented the request for 2013-
272 2014 fiscal year funding.
273

274 Mr. Santos stated the request was based on prevalent need of the community. Mr. Santos
275 stated the total amount of the 2013-2014 fiscal year request was \$11,680, a one
276 percent (1%) increase over the previous year. Mr. Santos stated the request could be funded
277 without increasing the Mill Levy Tax rate.
278

279 Mr. Santos pointed out there were some significant challenges in healthcare financing facing
280 Lincoln County and LCMC in 2013-2014 and requested a workshop session to address these
281 issues. Mr. Santos presented reports from the New Mexico Hospital Association showing the,

282 decrease in funding from Federal/Medicare and State/Medicaid. Mr. Santos requested no
283 action on the mill levy funding level until after more information was received and analyzed.
284

285 Mr. Santos provided a review of the past fiscal year's healthcare delivery system and
286 achievements in Lincoln County. Mr. Santos reported on the improved services including the
287 cost-free behavioral health triage program called Lincoln County Community Assistance
288 Program which averaged 25 client appointments per week. Mr. Santos reported on the intention
289 to expand services in the areas of behavioral health, orthopedics, pain management, primary
290 care and complete deployment of an inpatient hospitalist program. Mr. Santos stated that in
291 order to meet the new federal healthcare mandates, LCMC would begin work on deploying
292 electronic medical records for inpatient and emergency departments to compliment what
293 already existed in the clinics.
294

295 Mr. Santos presented the requests for the Corona; Carrizozo; and Capitan Medical Clinics as
296 follows:

	2011-2012 FY	2012-2013 FY	Increase
299 Corona Health Clinic	\$ 20,000	\$ 30,000	\$10,000
300 Carrizozo Health Clinic	\$374,610	\$374,610	-0-
301 Carrizozo Dental Cap Out		\$ 20,000	\$20,000
302 Capitan Medical Clinic	\$ 96,875	\$100,000	-0-
303 Capitan Cap Out		\$ 3,800	\$ 3,800

304
305 Mr. Santos presented the capital request for the Lincoln County Medical Center in the amount of
306 \$108,500. Mr. Santos discussed the new program Lincoln County Community Assistance
307 Program (LCCAP) operating funds request in the amount of \$150,000. Mr. Santos stated it was
308 a mental health triage program. Mr. Santos stated it was previously funded through operational
309 support by way of sole community provider funding. Mr. Santos stated that in order to keep the
310 program operational at the existing level they were seeking mill levy funding.
311

312 Mr. Santos stated the total request for fiscal year 2012-2013 funds was \$1,080,120.
313

314 Chair Powell pointed out many of the people in the detention center were there because of
315 mental health issues. Chair Powell stated the cost to provide mental healthcare to the
316 detainees at the detention center was very expensive and questioned if that service could be
317 included in the Lincoln County Community Assistance Program.
318

319 Commissioner Minter questioned how the new program was funded in the previous year. Mr.
320 Santos explained it was basically funded by way of sole community provider funding by freeing
321 up funds in other areas in order to pay for the LCCAP. Commissioner Minter pointed out the
322 sole community match was paid out of the mil levy funds and observed that funds were being
323 moved around.
324

325 Commissioner Minter requested a breakdown of patient load compared to the costs for the
326 clinics. Commissioner Minter stated the La Casa presentation of budget revenues and
327 expenses was understandable and requested a similar report on each of the Presbyterian
328 clinics.
329

330 Commissioner Draper supported a workshop to discuss how one thing affected another with the
331 mill levy and sole community funds. Commissioner Draper stated concern not just with the
332 budget request for 2013-2014, but for projected long term improvements.
333

334 Dr. Gary Jackson discussed concerns about healthcare funding in the future and the effects of
335 any loss of sole community provider funds. Dr. Jackson stated providing healthcare on a daily
336 basis was the priority. Dr. Jackson stated he had never seen healthcare provisions so obscure
337 especially with respect to funding for which there were so many variables.
338

339 Chair Powell reiterated the detention center mental health program should be discussed with
340 the new pilot program LCCAP. Chair Powell supported the funding the LCCAP if the discussion
341 included the detention center.
342

343 Mr. Santos introduced Jim Stover, Lincoln County EMS Director to present the funding requests
344 for the ambulance services. Mr. Stover discussed the replacement of ambulances and the
345 request for new equipment totaling \$293,210. Mr. Santos stated there was no request for
346 operating funds for ambulance services.
347

348 Ms. Taylor was supportive of the workshop as requested. Ms. Taylor suggested having
349 someone from the State Human Services department in attendance to discuss exactly the
350 changes in healthcare funding and how they would affect the County. Ms. Taylor stated the
351 workshop would be scheduled and recommended postponing setting the Mill Levy rate and
352 approval of the LCMC and clinics budget.
353

354 County Treasurer, Glenna Robbins stated the final budget was due at the State Department of
355 Finance Administration by July 31, 2013. Ms. Robbins stated the rates would be presented
356 back to the County by September 1, 2013.
357

358 Chair Powell recessed the Public Hearing at 12:03:38 PM and reconvened at 1:04:02 PM.
359

360 Chair Powell recessed the Public Hearing and reconvened the Special Meeting at 1:05:07 PM
361

362 **7. Approval of Operation of Lincoln County Detention Center Contract between**
363 **Lincoln County and Emerald Correctional Management, LLC**
364

365 Ms. Taylor recommended approval of the Operations and Management Agreement between
366 Emerald Correctional Management LLC, and Lincoln County.
367

368 **Motion:** Approved the Agreement as recommended. **Action:** Approve, **Moved by**
369 **Commissioner Stone, Seconded by** Chair Powell.
370

371 Motion passed unanimously.
372

372 **8. Approval of Two Agreements**
373

- 374 A. 2012 Lincoln County WUI - \$255K
 - 375 B. 2012 Sun Valley NFL -\$50K
- 376

377 Ms. Taylor recommended approval of both grant agreements with the State Forestry: 2012
378 Lincoln County WUI for \$255,000; and 2012 Sun Valley NFL for \$50,000.
379

380 **Motion:** Approve both agreements for inclusion in the 2012-2013 final budget. **Action:**
381 Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Minter.
382 Motion passed unanimously.
383

384 **9. Consideration of Substituting Alternative Road Projects for Valley Heights**
385

386 Ms. Taylor presented the request to substitute the road project for Valley Heights Subdivision
387 with a road project for Enchanted Forest. Ms. Taylor explained that in the 2012-2013 fiscal year
388 budget \$75,000 was approved for the Road Superintendent to improve roads in Valley Heights
389 Subdivision. Ms. Taylor stated due to the timing for various funding requests, the area was also
390 the subject of New Mexico Department of Transportation's School Bus Funds and the work was
391 contracted out under those funds. Ms. Taylor stated the Road Superintendent had identified
392 road work to be done in Enchanted Forest, and requested the \$75,000 be reassigned to the
393 Enchanted Forest project.
394

395 **Motion:** Approved the request as recommended. **Action:** Approve, **Moved by** Commissioner
396 Minter, **Seconded by** Chair Powell.
397 Motion passed unanimously.
398

399 **10. Extension Agreement – Lincoln County Abstract & Title Company –Charles F.**
400 **Headen Estate**
401

402 Ms. Taylor presented the extension agreement with Lincoln County Abstract and Title Company
403 Lots 4-11, Block 12 of the Town of Carrizozo. Ms. Taylor stated the agreement extended the
404 due diligence period to July 1, 2013 and the closing date for the purchase of the property to
405 August 1, 2013.
406

407 **Motion:** Approved the extension agreement as requested. **Action:** Approve, **Moved by**
408 Commissioner Minter, **Seconded by** Chair Powell.
409 Motion passed unanimously.
410

411 Chair Powell recessed the Special Meeting and reconvened the Public Hearing at 1:11:02 PM.
412

413 **E. Detailed Department Review**
414

415 County Treasurer, Glenna Robbins, presented the revenues for the General Fund that included:
416 property taxes 83%; PILT 12%; Gross Receipt Tax 2%; with the remaining 3% derived from fees
417 collected by various departments. Ms. Robbins commented the revenues were static. Ms.
418 Robbins reported the overall budgeted 2013-2014 revenues in the General Fund were
419 \$11,849,347.
420

421 Ms. Robbins reported the cash forwarding balances from 2012-2013 fiscal year that would
422 become the beginning cash balances for 2013-2014 were estimated and would change by the
423 final budget. Ms. Robbins stated the estimated beginning cash balance was \$8,419,603 in the
424 General Fund with all funds estimated at \$20,204,208.

425
426 Ms. Robbins reported the 3/12 required reserve was \$1,684,038. Ms. Robbins explained the
427 amount was based on the estimated adjusted fund expenditures in the General Fund of
428 \$6,736,152. Ms. Robbins reported the adjusted ending cash balance of \$2,555,987 less the
429 required reserve left \$871,949 for employee COLA's, departmental requests and the extra
430 external requests heard earlier in the meeting.

431
432 Chair Powell suggested budgeting for sanitation collection in the event the County had to take
433 on the Greentree operations. Ms. Taylor reported it had been discussed but not calculated in at
434 the time of this preliminary budget. Ms. Taylor suggested calculating an amount for the May 14
435 regular meeting based on information known. Commissioner Minter questioned if the issue was
436 like any other lawsuit and if the County's insurance would cover any expenditures. Chair Powell
437 stated it was more complicated and was not just another lawsuit it was different scenarios,
438 based on providing services. Commissioner Minter stated the Attorney may have
439 recommendations regarding any contingencies.

440
441 Ms. Robbins stated it would require a creation of a complete different fund if the County
442 provided services, that would include revenues, employees, expenditures, capital outlay and
443 other line items to consider. Ms. Robbins suggested amending the budget when the outcome
444 was determined.

445
446 Chair Powell compared the preliminary budget to previous years and pointed out it took thirteen
447 years to save enough to make the decision on the courthouse expansion. Chair Powell pointed
448 out the budget was tighter because the savings account was being expended in the fiscal year.

449
450 Charlene "Punkin" Schlarb, Finance Director, discussed the Homeland Security Special
451 Revenue Fund allocated as grants to thin the Little Bear Fire burn area. Ms. Schlarb stated the
452 grant was broken out over a three year period with the 2013-2014 fiscal year revenue of
453 \$1,166,667.00 and expenditures of \$1,555,556. Ms. Schlarb stated the total grant was \$3.5
454 million and the County match was 25% which was the \$1,166,667.00. Ms. Schlarb stated the
455 grant was reimbursable only and the funds must be expended first.

456
457 Ms. Schlarb reported on the cooperative effort between departments working on the budget
458 preparation. Ms. Schlarb informed the Assessor and Clerk was contributing 1/3 each for the
459 networking rehabilitation that would upgrade and tie all County locations to the Carrizozo
460 Administration offices. Ms. Schlarb stated the total cost for the project was \$158,000 and
461 requested approval of the \$52,700.00 for the project amount from the General Fund.

462
463 Ms. Schlarb presented the Capital Improvement Projects Special Revenue Fund and detailed
464 the expenditures from the fund.

465
466 **F. Unfunded Optional Requirements**

467
468 Ms. Taylor discussed the Optional Requests for the Preliminary Budget that included the
469 following:

470
471 Detention:

472

473	Two Vans	\$ 45,000	
474	Camera	\$ 10,300	
475	Two Surveillance Cameras	\$ 20,000	
476			\$ 75,300
477			
478	Sheriff:		
479			
480	One Patrol Car	\$ 30,000	
481	Two SUVs	\$ 65,000	
482			\$ 95,000
483			
484	Communications/IT:		
485			
486	All County Offices	\$ 52,700	
487	(1/3 of cost: Cost share with Assessor and Clerk)		\$ 52,700
488			
489	Manager:		
490			
491	Vehicle (replace totaled truck in Microburst)	\$ 25,000	
492			
493	Employee wage increase (each 1% = \$52,879)		
494			
495	2% =	\$105,758	
496	4% =	\$211,516	
497	6% =	\$317,274	
498			
499	Mitigation (already included in preliminary budget)		\$ 243,000
500			
501	FEMA/NMDHSEM \$3.5 million Grant	\$388,889	
502			
503	Ms. Taylor included the previously approved funding:		
504			
505	Justice/Sheriff's Complex Expansion		\$3,849,000
506			
507	Energy Audit Repairs/Replacements		\$ 458,000
508			

509 Ms. Taylor requested an employee wage increase and pointed out the last increase was in
510 2010. Chair Powell supported a 2% wage increase for Employees. Commissioner Draper
511 questioned the health insurance rate increase and how it related to an overall pay increase to
512 the employees. Commissioner Draper observed the take home pay of an employee would be
513 reduced with the increase in insurance premiums. Commissioner Draper suggested a 3%
514 increase for the employees and questioned if that would compensate the employees for the
515 amount of the health insurance increase. Commissioner Draper pointed out the expenditure for
516 payroll stayed within the County was an investment in the future.

517
518 Commissioner Stone requested scenarios of the 2% and 3% affect on the employee's check
519 comparing a 2% and 3% increase. Ms. Taylor stated the Finance Director could provide the
520 scenario for consideration at the May 14, 2013 Regular Meeting.

521
522 Chair Powell reminded that the amount over the required reserve would be reduced by at least
523 \$150,000 if a 3% increase was approved. Ms. Robbins stated there were some salaries and
524 other expenses that were paid by funds other than the General Fund. Commissioner Draper
525 stated the budget revenues were based on a conservative estimate.
526
527 Ms. Schlarb stated that all capital outlay items were included in the preliminary budget figures.
528
529 Chair Powell recessed the Public Hearing at 2:06:12 PM and reconvened the Special Meeting.
530
531 Chair Powell opened the floor for approval of the \$3.5 million for the FEMA application for flood
532 and fire mitigation.
533
534 **Motion:** Approval of the \$3.5 million for the FEMA application for flood and fire mitigation.
535 **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Chair Powell.
536 Motion passed unanimously.
537
538 Chair Powell opened the floor to discussion and possible action on the outside agencies
539 requests for funding.
540
541 **Motion:** Award \$64,399 for the NMSU Cooperative Extension Services. **Action:** Approve,
542 **Moved by** Chair Powell, **Seconded by** Commissioner Stone.
543 **Vote:** Motion passed (summary: Yes = 3, No = 1, Abstain = 0).
544 **Yes:** Chair Powell, Commissioner Stone, Commissioner Draper.
545 **No:** Commissioner Minter.
546
547 **Motion:** Award \$5,000 each for the Capitan and Corona Libraries. **Action:** Approve, **Moved by**
548 Commissioner Stone, **Seconded by** Commissioner Minter.
549 Motion passed unanimously.
550
551 **Motion:** Award \$20,000 for the Ruidoso Library. **Action:** Approve, **Moved by** Commissioner
552 Draper, **Seconded by** Chair Powell.
553 Motion passed unanimously.
554
555 **Motion:** Award \$8,000 to the Lincoln County Juvenile Justice Board. **Action:** Approve, **Moved**
556 **by** Chair Powell, **Seconded by** Commissioner Minter.
557 Motion passed unanimously.
558
559 **Motion:** Approve the membership fee of \$6,000 for the Southeastern New Mexico Economic
560 Development District. **Action:** Approve, **Moved by** Chair Powell, **Seconded by** Commissioner
561 Minter.
562 Motion passed unanimously.
563
564 **Motion:** Award the total of \$88,500 to the USDA Wildlife Services. **Action:** Approve, **Moved by**
565 Commissioner Minter, **Seconded by** Chair Powell.
566 Motion passed unanimously.
567
568 Commissioner Stone was excused from the meeting at 2:28:47 PM.

569
570 **Motion:** Award \$40,000 to Upper Hondo Soil and Water Conservation District Lincoln County
571 Cooperative Weed Management Area for the Noxious Weed program. **Action:** Approve, **Moved**
572 **by** Commissioner Stone, **Seconded by** Chair Powell.
573 **Vote:** Motion passed (**summary:** Yes = 3, No = 0, Abstain = 1).
574 **Yes:** Chair Powell, Commissioner Minter, Commissioner Draper.
575 **Abstain:** Commissioner Stone.
576
577 Commissioner Stone returned to meeting at 2:29:39 PM
578
579 **Motion:** Award \$30,000 to South Central Mountain Resource Conservation and Development.
580 **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Commissioner Draper.
581 Motion passed unanimously.
582
583 **Motion:** Award \$30,000 to the Humane Society of Lincoln County. **Action:** Approve, **Moved**
584 **by** Commissioner Minter, **Seconded by** Chair Powell.
585 Motion passed unanimously.
586
587 **Motion:** Award \$15,000 to EcoServants. **Action:** Approve, **Moved by** Chair Powell, **Seconded**
588 **by** Commissioner Minter.
589 Motion passed unanimously.
590
591 **Motion:** Award \$1,260 to the New Mexico State Library for the Rural Bookmobile. **Action:**
592 Approve, **Moved by** Commissioner Minter, **Seconded by** Chair Powell.
593 Motion passed unanimously.
594
595 **Motion:** Approve \$5,000 to the Coalition of Arizona/New Mexico Counties legal fund. **Action:**
596 Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Draper.
597 Motion passed unanimously.
598
599 **Motion:** Award zero funds to the City of Ruidoso Downs for the Lincoln County Transit. **Action:**
600 Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Minter.
601 Motion passed unanimously.
602
603 **Motion:** Award \$3,000 to the Boys and Girls Club of Sierra Blanca. **Action:** Approve, **Moved by**
604 Commissioner Draper, **Seconded by** Chair Powell.
605 Motion passed unanimously.
606
607 **Motion:** Award zero funds to SANE of Otero and Lincoln Counties. **Action:** Approve, **Moved by**
608 Commissioner Minter, **Seconded by** Chair Powell.
609 Motion passed unanimously.
610
611 **Motion:** Award zero funds to White Mountain Search and Rescue. **Action:** Approve, **Moved by**
612 Chair Powell, **Seconded by** Commissioner Minter.
613 **Vote:** Motion passed (**summary:** Yes = 3, No = 1, Abstain = 0).
614 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone.
615 **No:** Commissioner Draper.
616

617 Ms. Taylor discussed the reduction of \$10,000 from the South Central Mountain Resource
618 Conservation and Development funding. Ms. Taylor pointed out the organization showed the
619 only significant return to the County. Ms. Taylor stated in the past year the County paid them
620 \$40,000 and received back \$800,000. Chair Powell pointed out the funds allocation reduction of
621 the other organizations.

622
623 Ms. Robbins stated the total approved for outside organizations was \$326,159.

624
625 Chair Powell recessed the Special Meeting and reconvened the Public Hearing at 2:57:23 PM.

626
627 **G. ICIP Input Comments**

628
629 Ms. Taylor presented the Infrastructure Capital Improvement Plan FY 2014-2018 project
630 Summary. Ms. Taylor stated it was for discussion only and that no action was needed at that
631 time.

632
633 Ms. Taylor stated the water plan for the Rio Hondo Basin conducted by the USGS was on the
634 plan for one more year. Chair Powell questioned the use of the water study since "we already
635 know we have no water." Commissioner Minter suggested the study helped during flooding by
636 showing the wells and where the water goes. Ms. Taylor stated the County had been working
637 with the USGS a number of years and the County had a number of reports. Ms. Taylor
638 questioned if the reports were used for something. Ms. Taylor suggested having the USGS
639 come and give a report on why the County should continue with the study.

640
641 Commissioner Minter suggested taking one big item to the Legislature and maybe the County
642 would have a better chance of receiving funds. There was extensive discussion concerning the
643 courthouse/sheriff's office expansion and the schedule for completion. Chair Powell compared
644 the Professional Office Building (POB) schedule and stated the courthouse/sheriff's office
645 expansion seemed to be unorganized. Ms. Taylor stated there would be a timeline of
646 construction like to the POB.

647
648 Commissioner Minter stated the courthouse/sheriff's office expansion should be removed from
649 the ICIP since it was already funded and approved for construction.

650
651 Commissioner Minter questioned if the new road yard was still a priority. Ms. Taylor agreed the
652 water crossing to the road yard was a priority. Commissioner Draper stated the bridge should
653 handle heavy equipment. Commissioner Minter suggested going with the 100 year flood bridge
654 and recommended it be sufficient for heavy equipment.

655
656 There was other discussion concerning the ICIP and Ms. Taylor stated the ICIP should be a well
657 planned document. Ms. Taylor stated recommendations would be presented at a later date
658 based upon discussions at that meeting and previous meetings.

659
660 **H. Manager's Recommendations**

661
662 Ms. Taylor stated there were no further recommendations.

663
664 **I. Board of County Commissioner's Preliminary Budget Guidance**

665
666 Ms. Taylor discussed the budget request submitted by the LCMC and La Casa. Chair Powell
667 stated action on LCMC items should wait for the workshop to give guidance because of the
668 setting of the mill levy rates. Chair Powell stated the only one that should be approved at that
669 time was the request from La Casa. Ms. Taylor stated the roofing reimbursement request from
670 La Casa would have to be postponed until it could be placed on the Agenda for action by the
671 Commission.

672
673 Ms. Schlarb stated there were three items that needed approval to be included in the
674 preliminary budget: NMAC Membership Dues \$27,000; NACO Membership Dues \$400; and the
675 Lincoln County booth at the New Mexico State Fair \$500.00.

676
677 Chair Powell adjourned the Public Hearing and reconvened the Special Meeting at 3:32:54 PM.

678
679 **Motion:** Approve the \$27,500 membership dues for NMAC; \$400 NACO dues; and \$500 booth
680 at the New Mexico State Fair. **Action:** Approve. **Moved by** Commissioner Minter, **Seconded by**
681 Chair Powell.

682 Motion passed unanimously.

683
684 **Motion:** Approve the 2013-2014 budget for La Casa to manage the Hondo Clinic. **Action:**
685 Approve, **Moved by** Commissioner Minter, **Seconded by** Chair Powell.

686 Motion passed unanimously.

687
688 **11. Next Regular Meeting – Tuesday, May 14, 2013**

689
690 **12. Adjournment**

691
692 There being no further business to come before the Board of County Commissioners, Chair
693 Powell adjourned the meeting at 3:35:59 PM.

694
695 Respectfully submitted by:

696
697 Tammie J. Maddox, Chief Deputy
698 Lincoln County Clerk

1 **COUNTY OF LINCOLN**

2 **New Mexico**
3 **Regular Meeting**
4 **Board of County Commissioners**

5
6 **Jackie Powell**, Chair
7 **Mark Doth**, Vice Chair

Kathryn Minter, Member
Dallas Draper, Member
Preston Stone, Member

8
9 **Minutes**
10 **Tuesday, May 14, 2013**

11
12 Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on May 14,
13 2013 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New
14 Mexico.

15
16 **1. Call to Order**

17
18 Chair Powell called the Regular Meeting of the Board of County Commissioners to order at
19 8:31:28 AM.

20
21 **2. Roll Call**

22
23 **Roll Call.**

24 **Present:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
25 Commissioner Draper.

26
27 Others present included Nita Taylor, County Manager; Alan Morel, County Attorney; and
28 Rhonda Burrows, County Clerk.

29
30 **3. Invocation**

31
32 The invocation was presented by Pastor Hayden Smith

33
34 **4. Pledge of Allegiance**

- 35
36 A. Pledge – U.S. A. Flag- Commissioner Stone
37 B. Salute – N.M. Flag – Chair Powell

38
39 **5. Approval of Agenda**

40
41 **Motion:** Acceptance of the Agenda and authorized the Chair to move items as necessary.

42 **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Doth.

43 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

44 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
45 Commissioner Draper.

46
47 **6. Approval of Minutes**

- 48
49 A. April 16, 2013 Regular Commission Meeting
50 B. April 25, 2013 Special Commission Meeting
51

52 **Motion:** Approve the minutes of the April 16, 2013 Regular Commission Meeting and the April
53 25, 2013 Special Commission Meeting. **Action:** Approve, **Moved by** Commissioner Minter,
54 **Seconded by** Commissioner Doth.

55 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

56 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
57 Commissioner Draper.

58
59 **7. Approval of Consent Agenda**

- 60
61 A. Payroll/Accounts Payable/Budget/ Expenditures
62 B. Treasurer's Financial Report for the Month ending April 30, 2013
63

64 **Motion:** Approval of Consent items as presented. **Action:** Approve, **Moved by** Commissioner
65 Doth, **Seconded by** Commissioner Draper.

66 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

67 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
68 Commissioner Draper.

69
70 **SEE EXHIBIT A:** Copies of Consent Items are attached hereto in reference thereto made a part
71 hereof.

72
73 **8. Smokey Bear District Ranger Update**

74
75 Ranger Warnack discussed the Mescalero Apache Tribal proposition for acquisition of
76 approximately 860 acres of US Forest Service land at Ski Apache currently leased to the tribe
77 under a USFS Special Permit. Ranger Warnack stated meetings were held between tribal
78 representatives and the Southwest Regional Office of the USFS concerning this acquisition.
79 Ranger Warnack stated the USFS was researching and assessing the authority for acquiring
80 land through a land exchange and noted tribal representatives were also seeking options for
81 acquisition by Congressional legislation. Ranger Warnack voiced understanding of concerns by
82 residents of Lincoln County and stated ongoing discussions would involve public input. Ranger
83 Warnack stated he would be meeting with Mescalero Tribe representatives that week and
84 requested the input of the Board of County Commissioners regarding concerns or issues.

85
86 Chair Powell stated opposition to the proposal due to the potential impact to water issues and
87 suggested the Board of Commissioners write a letter of opposition. Commissioner Stone stated
88 this was not a land issue but a water issue and to relinquish control of the water would be
89 disastrous for the surrounding communities. Commissioner Draper questioned if Congressional
90 legislation was pending at that time. Ranger Warnack stated he was unaware of any specific
91 legislation. Commissioner Doth reminded the original intent of National Forest lands was to
92 protect the headwaters for public use.

93
94 **Motion:** Direct the Manager to write a letter of opposition to the proposed transfer of USFS land
95 to the Mescalero Apache Tribe. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded**
96 **by** Chair Powell.

97 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

98 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
99 Commissioner Draper.

100
101 Chair Powell expressed disappointment in the County's congressional delegation for not
102 keeping the Commission informed as required by the language of Lincoln County's
103 Comprehensive Land Use Plan.

104
105 Ranger Warnack informed all districts within the Lincoln National Forest were now under Stage
106 II Fire Restrictions. Ranger Warnack stated the USFS would continue to monitor conditions and
107 would consider additional restrictions including closure if conditions warranted.

108
109 Ranger Warnack informed cooperating agencies including the Bureau of Indian Affairs (BIA),
110 the USFS, and the Sierra Blanca Airport had secured a SEAT plane to be staged at Sierra
111 Blanca Airport beginning May 19, 2013. Ranger Warnack explained the USFS was providing a
112 tanker base manager and the necessary retardant. Ranger Warnack stated additionally, the
113 Bureau of Land Management would station an additional SEAT plane and the USFS Regional
114 Office had assigned a Type II Helicopter to the Sierra Blanca Airport.

115
116 Commissioner Draper commented on the persistent rumor in the community that USFS
117 personnel were instructed "to let fires burn". Ranger Warnack stated this was untrue and
118 informed he had instructed his staff to utilize all resources available to aggressively perform
119 initial attack and to work to fully suppress any fire.

120
121 Commissioner Stone questioned if the Smokey Bear Ranger District planned to reduce the
122 number of grazing permittees or the numbers of grazing stock within the District. Ranger
123 Warnack stated any reductions would be conducted only with the participation of the permit
124 holders. Ranger Warnack discussed the impact of drought and the increasing grazing impact of
125 elk. Ranger Warnack stated he had discussed these topics recently with the Lincoln National
126 Forest Permittee Association.

127
128 **9. Greentree Solid Waste Authority (GSWA) Update**

129
130 Debra Ingle, Operational Supervisor for GSWA provided the minutes of past GSWA meeting as
131 requested. Ms. Ingle provided data on illegal dumping which tended to increase during the
132 spring and summer months. Ms. Ingle commented the current recycling report reflected
133 fluctuations in the market for recyclable materials. Ms. Ingle stated GSWA would "stockpile"
134 materials to take advantage of price increases. Ms. Ingle discussed various recycling programs
135 including a recent tire recycling and planned events recycling textbooks and large metal items.

136
137 Commissioner Minter questioned when the exemption from certain State environmental
138 requirements for clean-up of asbestos contaminated materials after the Little Bear Fire would
139 expire. Ms. Ingle stated the exemption would expire July 6, 2013. Ms. Ingle stated GSWA had
140 only been contacted by 4 homeowners of the potential 124. Commissioner Minter stated belief
141 there were approximately 60 sites left for clean up based on a report from Paul Baca, Assessor.

142
143 Commissioner Stone stated he had received an inquiry about dumpsters at Pine Lodge and the
144 time element for pickup. Commissioner Stone requested permission to forward the email to Ms.
145 Ingle. Ms. Ingle stated she would handle the inquiry and discussed the multiple locations of
146 dumpsters in the area.

147

148 Ms. Taylor questioned if there would be an opportunity for County residents to dispose of large
149 appliances in the County rather than at the recycling events held in the Village of Ruidoso. Ms.
150 Ingle discussed the capability of area residents to utilize the Hondo site on the first Saturday of
151 each month. Ms. Ingle informed GSWA now opened the Greentree site the second Saturday of
152 each month for disposal of appliances rather than providing multiple "clean ups" at different
153 locations in the County.
154

155 **10. Lincoln County Detention Center Update**
156

157 Warden Arthur Anderson reported on bookings and releases for the month with an average
158 daily population of 148. Warden Anderson reported there were no outstanding issues or needs
159 for the facility at this time.
160

161 Commissioner Draper noted the facility's capacity was 144 with the current average population
162 of 148 daily. Commissioner Draper questioned how the issue of being over capacity was
163 handled. Warden Anderson stated measures were in place to transfer prisoners and at times to
164 decline to house prisoners for other entities such as the BIA or the US Marshalls.
165

166 **11. 9:00 A.M.: Lodger's Tax Applications with backup material:**
167

168 **Commissioner Doth recused himself and left the meeting at 9:07:15 AM.**
169

- 170 A. Application 1694: Chamber Music Festival; \$2,000; Advertising;
171 Event Date: July 27, 2013
172

173 **Motion:** Approve Application 1694 for \$2000. **Action:** Approve, **Moved by** Commissioner
174 Minter, **Seconded by** Chair Powell.

175 **Vote:** Motion passed (**summary:** Yes = 4, No = 0, Abstain = 1).

176 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Draper.

177 **Abstain:** Commissioner Doth.
178

- 179 B. Application 1693: Billy the Kid Scenic Byway; \$10,000; Annual Brochure
180

181 Commissioner Stone expressed concerns about a potential conflict with the relationship of the
182 sponsor of the application, Laura Doth. Commissioner Minter stated understanding the request
183 for funding was for distribution only and not for printing for which Ms. Doth was responsible.
184 Chair Powell disagreed a conflict of interest existed as Commissioner Doth had recused himself
185 from the vote.
186

187 **Motion:** Approve Application 1693 for \$10,000. **Action:** Approve. **Moved by** Chair Powell,
188 **Seconded by** Commissioner Draper

189 **Vote:** Motion failed (**summary:** Yes = 2, No = 2, Abstain = 1).

190 **Yes:** Chair Powell, Commissioner Draper.

191 **No:** Commissioner Minter, Commissioner Stone.

192 **Abstain:** Commissioner Doth.
193

194 **Commissioner Doth returned to the meeting at 9:14:12 AM.**
195

- 196 C. Application 1695: Alto Artists Studio Tour; \$1,500; Advertising;
197 Event Date: August 1-4, 2013
198

199 **Motion:** Application 1695 for \$1,500. **Action:** Approve, **Moved by** Commissioner Minter,
200 **Seconded by** Chair Powell.

201 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

202 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
203 Commissioner Draper.

204

205 **12. Memorial Day Proclamation**

206

207 Ms. Taylor informed the purpose of the item was to acknowledge and recognize the significance
208 of Memorial Day. Ms. Taylor read the proposed Proclamation which referenced the date of May
209 5, 1866 as the beginning of the current tradition to memorialize and remember those who have
210 served in the defense of our country.

211

212 **Motion:** Approve the Memorial Day Proclamation. **Action:** Approve, **Moved by** Commissioner
213 Minter, **Seconded by** Commissioner Doth.

214 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

215 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
216 Commissioner Draper.

217

218 **13. Renewal of Fire Restriction Resolution 2012-38**

219

220 Ms. Taylor presented the proposed resolution and reminded restrictions were initially adopted
221 during the Special Meeting of April 25, 2013 and State Statute required the Resolution be
222 reviewed every 30 days. Ms. Taylor informed some language had been changed to adopt the
223 same restrictions as defined by the USFS for Stage I and II.

224

225 Commissioner Doth expressed concern about adopting the Stage II restrictions as overly
226 burdensome to residents on private property. Commissioner Doth stated the mechanical
227 prohibitions might be problematic for some business activities. Commissioner Doth discussed
228 the administrative issues of requiring permits.

229

230 Joe Kenmore, Emergency Services Director reported the last two fires were started by
231 mechanical operations such as use of grinding equipment and welders. Mr. Kenmore discussed
232 a fire started last year by discharging a gun at the gun range. Mr. Kenmore voiced support for
233 the restrictions as written.

234

235 Attorney Morel informed the Resolution could only be adopted to enforce restrictions previously
236 defined by Lincoln County Ordinance 2011-02. Mr. Morel explained addressing any other
237 restrictions would require amendment of the Ordinance.

238

239 Ranger Warnack stated the USFS had experience with the administrative work load generated
240 by the requirement to permit certain activities. Ranger Warnack stated the list of restrictions
241 provided to the County were only used as guidelines in the decision to impose restrictions but
242 noted the USFS had discretion as to what to include in a formal order of restriction or closure.

243

244 **Motion:** Adopt Resolution 2012-38 removing the third "Whereas" and removing language
245 referencing Stage I and Stage II restrictions. **Action:** Approve, **Moved by** Commissioner
246 Minter, **Seconded by** Commissioner Doth.

247 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

248 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
249 Commissioner Draper.

250
251 **SEE EXHIBIT B:** Copy of Resolution 2012-38 is attached hereto in reference thereto made a
252 part hereof.
253

254 **14. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY**
255 **OFFICIALS**
256

257 Ricki Pate presented information about the Fraternal Order of Eagles and discussed plans to
258 begin a chapter of the organization in Capitan.
259

260 Michelle Caskey, Assets and Information requested feedback concerning plans for the grand
261 opening of the new Professional Office Building. Ms. Caskey presented some specific
262 considerations developed in cooperation with Brad Treptow of Presbyterian. Commissioner
263 Minter expressed appreciation for the opening of the Capitan Clinic including making the
264 building available for public inspection. There was a general consensus to submit suggestions
265 or ideas to the County Manager for consideration at the next meeting.
266

267 **15. Consideration of Approval or Disapproval of Indigent Health Care Claims**
268

269 Scott Annala, IHC Administrator presented the Sole Community Provider claims for approval.
270 Mr. Annala processed 97 claims with 93 recommended for approval and 4 recommended for
271 disapproval for a total authorization of \$149,333 for a year to date total of \$1,245,806 and for an
272 approximate monthly average of \$113,255. Mr. Annala stated the program was on track to
273 authorize \$1.35 million of the Sole Community Provider match.
274

275 Mr. Annala presented the Indigent Health Care Payments request for the month. Mr. Annala
276 processed 91 claims with 87 recommended for approval and 4 recommended for disapproval.
277 Mr. Annala stated the total of claims recommended for payment this month was \$27,593. Mr.
278 Annala stated the total year to date Indigent Claims including this month's claims would be
279 \$260,155 for a monthly average of \$23,650 by comparison. Mr. Annala anticipated expenditure
280 of \$279,075 of the budgeted amount of \$386,461.
281

282 **Motion:** Approval and denial of the claims as indicated for Sole Community Provider and
283 Indigent Health Care Program payments as recommended. **Action:** Approve, **Moved by**
284 Commissioner Minter, **Seconded by** Commissioner Doth.

285 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

286 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
287 Commissioner Draper.
288

289 **SEE EXHIBIT C:** Copies of the Sole Community Provider and Indigent Health Care Payments
290 are attached hereto in reference thereto made a part hereof.
291

292 **16. Manager's Report**
293

294 **1. Business Retention Gross Receipt Tax (3/16th) Tracking (FY 13):**
295 **Business Activity Month** **FY13** **FY12**
296 **Difference**

297 July	\$ 78,841	\$ 79,726	(\$ 885)
298 August	\$ 80,921	\$ 86,567	(\$ 5,646)
299 September	\$ 90,730	\$ 81,314	\$ 9,416
300 October	\$ 75,315	\$ 72,669	\$ 2,646

301	November	\$ 71,927	\$ 61,132	\$10,795
302	December	\$ 72,885	\$ 63,984	\$ 8,901
303	January	\$ 85,855	\$ 83,853	\$ 2,002
304	February	\$ 67,615	\$ 65,132	\$ 2,483
305	March	\$ 58,516	\$ 60,206	(\$ 1,690)
306				
307	YTD	\$682,605	\$654,583	\$ 28,022
308	Annualized		\$981,875	
309				

- 310 **2. EOC/Fire News.** The Manager provided research on the process of obtaining
311 LED signs for notification of residents and visitors of the level of fire danger and
312 other potential hazardous conditions. The Manager reported the NM Department
313 of Transportation signs available for use were all currently in a state of disrepair.
314 The Village of Ruidoso purchased three signs and the County could partner with
315 them on joint messaging. Harlan Vincent, Assistant Fire Chief for the Village did
316 not recommend purchase of LED signage due to repair costs. The Manager
317 stated she would continue to research options.

318
319 Joe Kenmore, Director of Emergency Services discussed US Forest Service plans to authorize
320 PNM to bury approximately 2,100 feet of an existing overhead power line leading to the Buck
321 Mountain Communications Site. Mr. Kenmore expressed belief this action would benefit
322 communications during emergencies by reducing power outages. Mr. Kenmore informed recent
323 fires were primarily small and in grassland as predicted by the fire forecast model.

- 324
325 **3. Slash Update.** Commissioner Doth reported receiving a number of calls and
326 letters regarding the process developed by the Planning Department for slash
327 and debris disposal. The Manager provided copy of the letter sent to Sun Valley
328 and Alpine Village residents. Callers were inquiring as to their rights and
329 requested information regarding the County policy. Commissioner Doth
330 suggested all residents in the forested areas of the County other than Sun Valley
331 and Alpine Village be sent similar letters with a list of the contractors who perform
332 this work. Based on resident input, Commissioner Doth requested identification
333 of vacant lots with billing addresses to enable GSWA to bill for slash and debris
334 requiring pick-up and hauling.

335
336 *The Planning department reported the following on the status of progress*
337 *in Sun Valley Subdivision:* Upon inspection on May 7, 2013, the subdivision still
338 had numerous slash piles located along the road; eleven slash piles were
339 removed but new piles were identified since the original list dated April 11, 2013.
340 The Planning Department reported more than half of the notified property owners
341 had contacted the department to discuss the removal of slash. Property owners
342 experiencing the problem of illegal dumping of slash on property were informed
343 this was unlawful and instructed to contact the Sheriff's department. Many Alpine
344 Village subdivision property owners who resided out of the area had indicated a
345 need for additional time to comply.

- 346
347 **4. 2013 CDBG Grant Application Hearings.** The Manager reported on the CDBG
348 Grant hearing held on May 10, 2013. Attending on behalf of the County were
349 Commissioners Jackie Powell, Dallas Draper and Preston Stone; the Manager;
350 Senior Program Directors Ada Hendryx and Rene Montes; architect Howard

351 Kaplan; and Hubert Quintana. Lincoln County was one of 26 local and county
352 governments requesting funding.
353

354 Ada Hendryx, retiring Senior Program Director introduced Renee Montes as the new Director.
355 Ms. Montes informed she had worked for the program since 1995 most recently as the site
356 manager for the Hondo Senior Center and expressed optimism for her new position.
357

358 **5. Flood Mitigation Efforts.** The Manager reported the County along with various
359 partners was involved in a number of potential flood mitigation efforts to include:
360

- 361 A. Use of Board of Finance loan/grant for flood mitigation (\$255,000)
 - 362 i. Bonito Road Project
 - 363 ii. Sierra Vista Rehabilitation of Catchment Ponds;
 - 364 iii. Seeding Project in conjunction with the Upper Hondo SWCD.
- 365 B. NRCS- Emergency Watershed Protection Program – Recovery (\$474,000)
- 366 C. CFRP Award Granted to South Central Mountain RC&D
- 367 D. State Forestry
 - 368 i. 2012 Lincoln County WUI (\$255,000);
 - 369 ii. 2013 Sun Valley NFL (\$50,000)
- 370 E. FEMA projects - (\$1.0 million)
- 371 F. FEMA's Hazard Mitigation Grant Program - (\$3.5 million over three years)
372

373 **6. Ft. Stanton Fire Dept.** The Manager reported the Memorandum of
374 Understanding (MOU) was being finalized by the State Monuments Department.
375 The Manager anticipated Board of Regents approval of the MOU in July 2013.
376 The Manager reminded advanced planning commenced on the project in
377 September, 2011 for a three bay building with a recently updated cost of
378 construction estimated at approximately \$470,000. The County received a
379 \$397,000 legislative appropriation last year and the fire department accumulated
380 \$277,000 over several years for the project. The Manager stated there was
381 adequate funding for the construction including eventual furnishing and equipping
382 of the new facility. The Manager stated the County could move forward with initial
383 plans to use Basic IDIQ to construct or in the alternative, proceed with issuing a
384 formal RFP.
385

386 Commissioner Doth expressed a preference for the RFP process and noted the CES contract
387 was utilized primarily for smaller projects. Commissioner Minter questioned if Basic IDIQ issued
388 bids for these construction jobs. Ms. Taylor confirmed this was her understanding but was
389 unsure of who might be awarded the bid. Chair Powell noted Basic IDIQ would have a large
390 project pending with the Courthouse expansion and expressed a preference for the RFP. Ms.
391 Taylor suggested the question be placed on the agenda for the next meeting.
392

393 **7. SunZia Southwest Transmission Project.** The Manager reported on
394 discussions with John Ryan of SunZia who had requested a meeting to discuss
395 progress of the project with the Manager and Commissioners in the near future.
396 The Manager also contacted Adrian Garcia of the BLM, who has oversight
397 responsibilities for the project to gain an understanding of timelines, deadlines,
398 and opportunities to comment.
399

400 **8. Building Updates:**
401

402 **Ruidoso Public Health Building.** The gutters and downspouts were installed
403 on the Health Clinic and the north side of the building. Storm water piping and dirt
404 work around the building were to be completed in the near future with additional
405 work to begin on the existing parking area. The Manager stated project
406 completion including inside restoration was targeted for May 31, 2013.
407

408 **Courthouse/Sheriff's Complex Expansion.** The town of Carrizozo was in the
409 process of vacating the street, deeding the land to the County, and finalizing
410 work necessary to allow the County to commence moving the sewer line. Once
411 in possession of required legal documents, Attorney Morel and Manager will
412 complete review and revision of the CES/Basic IDIQ Agreement contract for
413 approval.
414

415 Attorney Morel informed the project was pending plat signatures and the deed to be provided by
416 the Town of Carrizozo's attorney. Attorney Morel stated Carrizozo had requested formal
417 documentation of the plans to relocate the sewer plan and the Town's attorney was to prepare
418 those documents.
419

- 420 **9. Construction Industries Division / Third Party Inspectors update:** In
421 response to concerns expressed by Commissioner Doth and Commissioner
422 Minter, the Manager provided a summary of discussions and actions on the
423 matter to date.
424

425 Commissioner Doth reported he and Commissioner Minter requested assistance with the issue
426 from Lieutenant Governor John Sanchez. Commissioner Minter discussed the confusion
427 created after the Little Bear Fire with the Village of Ruidoso permitting some areas and State
428 CID covering others. Commissioner Minter suggested a request be sent for the Governor's
429 office to identify the statutory authority to deny use of third party inspectors and a request for
430 action be made to the New Mexico Association of Counties to support the use of third party
431 inspectors. There was general consensus to send an additional letter to the Governor regarding
432 the issue.
433

- 434 **10. PILT and SRS Update:** The Manager stated Niall O'Connor of the Department
435 of the Interior confirmed PILT payments would be distributed this year. The
436 estimate of \$1,536,000 for PILT from the Department of the Interior was slightly
437 higher than the County's estimated amount of \$1,475,786. The Manager
438 provided copy of a letter from Ken Salazar, Secretary of the Interior predicting a
439 5.1% decrease due to sequestration. Mr. O'Connor also informed FY2014
440 payments might revert back to 2008 levels and referred the Manager to a NACO
441 Policy Brief which counties and states should utilize to talk to their congressional
442 delegation.
443

444 Mr. O'Conner stated the fate of the SRS funds, which the US Forest Service had
445 suggested be returned, was still undetermined. The Manager noted debate
446 continued in Congress as to the legality of any requirement to return disbursed
447 funds.
448

- 449 **14. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY**
450 **OFFICIALS (continued)**
451

452 Steven Rath, MD discussed problems encountered as a physician with privileges at Lincoln
453 County Medical Center. Dr. Rath expressed concerns about the recruitment and retention of
454 physicians under Presbyterian's management of LCMC.
455

456 **17. Liquor License Fees Resolution 2012-34**
457

458 Rhonda Burrows, Lincoln County Clerk informed as per New Mexico State Statute 1978 7-24-2:
459 "the boards of county commissioners, ...are empowered, by resolution duly adopted, on or
460 before the first day of June of each year to impose an annual, non-prohibitive license tax..."
461

462 Ms. Burrows stated the language and the fees referenced in the Resolution were unchanged
463 from previous years.
464

465 **Motion:** Adopt Resolution 2012-34. **Action:** Approve, **Moved by** Commissioner Doth,
466 **Seconded by** Commissioner Minter.

467 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

468 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
469 Commissioner Draper.
470

471 **SEE EXHIBIT D:** Copy of Resolution 2012-34 is attached hereto in reference thereto made a
472 part hereof.
473

474 **18. Amend Resolution 2012-19 Open Meetings Act by Resolution 2012-35**
475

476 Attorney Morel informed legislation passed during the 2013 State Legislative Session expanded
477 the notification time for posting of agendas from 24 to 72 hours in advance of a meeting.
478 Attorney Morel stated although the effective date for the new statute was June 14, 2013, upon
479 adoption of the new Resolution all agendas would be posted accordingly.
480

481 **Motion:** Adopt Resolution 2012-35. **Action:** Approve, **Moved by** Commissioner Minter,
482 **Seconded by** Chair Powell.

483 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

484 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
485 Commissioner Draper.
486

487 **SEE EXHIBIT E:** Copy of Resolution 2012-35 is attached hereto in reference thereto made a
488 part hereof.
489

490 **19. EMS Week Proclamation**
491

492 Ms. Taylor presented the proclamation in special recognition of Emergency Medical Services
493 Week designated as May 19th – 25th, 2013.
494

495 **Motion:** Approve the EMS Week Proclamation. **Action:** Approve, **Moved by** Commissioner
496 Doth, **Seconded by** Commissioner Minter.
497

498 Chair Powell thanked all of the EMS personnel in Lincoln County for their service and
499 dedication.
500

501 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

502 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
503 Commissioner Draper.

504

505 **20. Permission to Auction Surplus Inventory by Resolution 2012-36**

506

507 Ms. Taylor presented the Resolution which referenced six items valued over \$5,000 at the time
508 of purchase and informed one of the vehicles, a 1979 Ford Fire Engine, was expected to sell for
509 more than \$5000.

510

511 Chair Powell questioned where the items were located. Michelle Caskey, Assets and
512 Information reported the items would be sold in an "on line auction" from their current locations.

513

514 Chair Powell reminded three elected officials were required to review large items to be
515 auctioned and requested volunteers. Commissioner Minter, Commissioner Draper, and Paul
516 Baca, Assessor volunteered to conduct the review.

517

518 **Motion:** Adopt Resolution 2012-36. **Action:** Approve, **Moved by** Commissioner Minter,
519 **Seconded by** Commissioner Doth.

520

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

521 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
522 Commissioner Draper.

523

524 **SEE EXHIBIT F:** Copy of Resolution 2012-36 is attached hereto in reference thereto made a
525 part hereof.

526

527 **21. New Medical Provider Agreement No. 51; Tall Pines Medical**

528

529 Ms. Taylor presented the request pursuant to the Health Care Ordinance 2008-3 requiring all
530 providers who wish to receive IHC funds for patient care to enter into an agreement with the
531 County. Scott Annala, Indigent Health Care Administrator explained the Tall Pines Medical
532 group consisted of Michael Spence, M.D. a prior IHC provider, and Jacqueline Youtsos, M.D.

533

534 **Motion:** Approve Medical Provider Agreement 51. **Action:** Approve, **Moved by** Commissioner
535 Minter, **Seconded by** Commissioner Doth.

536

Vote: Motion carried by unanimous vote (**summary:** Yes = 5).

537 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
538 Commissioner Draper.

539

540 **22. Amend Professional Services Contract – King Industries**

541

542 Ms. Taylor discussed the prior approval to hire a Temporary Project Manager for this fiscal year
543 under a professional services agreement to assist with FEMA related activities and the
544 subsequent approval to expand the scope of work to other county needs requiring Project
545 Management/Engineering skills.

546

547 Ms. Taylor explained the language of the agreement with King Industries defined payment as a
548 set hourly fee, plus gross receipts tax per hour per project with the total amount not to exceed
549 \$49,950. Ms Taylor explained State Statute allowed procurement of professional services "not
550 exceeding \$50,000, excluding applicable state and local gross receipts taxes". Ms. Taylor
551 requested permission to modify the Professional Services Agreement to restrict payment "to not
552 exceed the total sum of \$50,000". Ms. Taylor stated the expanded language would provide for

553 payment of \$2,843.75 of additional services to King Industries for completion of work prior to the
554 end of the fiscal year.
555

556 **Motion:** Amend the Agreement with King Industries authorizing a total compensation of
557 \$50,000. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Chair Powell.
558

559 Commissioner Stone questioned if the contract was for services alone or if additional benefits
560 were provided. Ms. Taylor confirmed no benefits were provided. Commissioner Draper
561 questioned if the contract amount was currently in the budget. Ms. Taylor confirmed the
562 contract amount was in the current budget but stated it would be due for negotiation in the next
563 year.
564

565 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).
566 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
567 Commissioner Draper.
568

569 **23. Water issues/Forest/Wildlife Health Programs/Land and Natural Resources**
570 **Advisory Committee (LANRAC)**
571

572 Ms. Taylor reported there were no new water right notices posted on the State Engineer's
573 website since the notice posted by Enchanted Forest Water Corporation of Alto on February 25,
574 2013.
575

576 Ms. Taylor reported there were no topics specific to Lincoln County on the NM Game and Fish
577 website.
578

579 Ms. Taylor stated the fire danger level as reported by the Fire Behavior Research Center in
580 Missoula, Montana and the Smokey Bear Ranger District was "High" for Lincoln County. Ms.
581 Taylor commented on the adoption by prior action of Resolution 2012-38 to renew fire
582 restrictions in the County.
583

584 **26. Authorization to Schedule Public Hearing to Consider Other Outdated or New**
585 **Lincoln County Ordinance**
586

587 Attorney Morel reminded after the public hearing scheduled on the current agenda considering
588 revisions to the County Subdivision Ordinance and following the review process by the State, a
589 second public hearing was required prior to final adoption. There was a general consensus to
590 schedule a public hearing for the final adoption of changes to the Subdivision Ordinance for the
591 next Regular Meeting.
592

593 Commissioner Minter questioned if Ordinance 2011-02 regarding fire restrictions should be
594 scheduled for Public Hearing. Commissioner Stone stated the fires started by mechanical
595 means were the responsibility of the property owners themselves. There was a general
596 consensus to not consider changes to Ordinance 2011-02 at that time.
597

598 Commissioner Minter questioned if the Ordinance related to waste disposal might need to be
599 revisited in view of the ongoing slash problem. There was a general consensus to place the
600 item on the agenda for discussion.
601

602 **27. Bid/RFP(s) Award:**
603

604 A. 12-13-14 Rehabilitation of the Sierra Vista Catchment Ponds
605

606 Ms. Taylor detailed the bids as follows: Guardiola Construction \$43,534; Eight 14 Solutions
607 \$48,222; Sierra Valley Contractors \$44,888; and Johnson Environment \$50,093.
608

609 **Motion:** Award Bid 12-13-14 to the low bidder Guardiola Construction. **Action:** Approve,
610 **Moved by** Commissioner Draper, **Seconded by** Commissioner Minter.

611 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

612 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
613 Commissioner Draper.
614

615 B. Consideration of June, 3, 2013 Special Commission Meeting to award Bids
616

617 Ms. Taylor requested a Special Meeting to award three additional bids on June 3, 2013.
618

619 **Motion:** Schedule a Special Meeting for June 3, 2013. **Action:** Approve, **Moved by** Chair
620 Powell, **Seconded by** Commissioner Minter.

621 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

622 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
623 Commissioner Draper.
624

625 **28. Consideration of Appointments and Removals from Boards/ Commissioners/
626 Committees:**
627

628 A. Tabled – Road Review Advisory Committee
629

630 No action was taken.
631

632 B. Tabled - Lodger's Tax Committee
633

634 **Motion:** Remove the item from the table. **Action:** Approve, **Moved by** Commissioner Draper,
635 **Seconded by** Commissioner Doth.

636 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

637 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
638 Commissioner Draper.
639

640 **Motion:** Appoint Ray Dean to the at large general public position. **Action:** Approve, **Moved by**
641 Commissioner Stone, **Seconded by** Commissioner Minter.

642 **Vote:** Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).

643 **Yes:** Commissioner Minter, Commissioner Stone, Commissioner Draper.

644 **No:** Chair Powell, Commissioner Doth.
645

646 **Chair Powell recessed the Regular Meeting at 11:50:10 AM.**
647

648 **Chair Powell convened the Public Hearing at 1:01:53 PM.**
649

650 **24. 1:00 P.M. Public Hearing is to Consider Adoption of an Ordinance 2013-2**
651 **Amending Lincoln County Subdivision Rules and Regulations; providing**
652 **for the severability of parts hereof; providing an effective date, and repeal**
653 **of Ordinance 2008-01,**
654

655 Attorney Morel detailed the main revisions and stated the principal revision incorporated in the
656 draft was a requirement for all new subdivisions to possess water rights. Attorney Morel also
657 discussed a number of revised definitions based on recent changes in State Statute.
658

659 Attorney Morel directed attention to Article 17 of the Ordinance titled "Water Availability Plan"
660 and detailed the changes incorporated requiring water rights by all subdivisions. Attorney Morel
661 discussed the deletion of references to "shared wells"; deletion of references to "individual or
662 domestic wells"; and the insertion of language requiring that all subdivisions of lots less than five
663 acres, containing six or more parcels, "shall provide proof that the person providing the water
664 has valid water rights recognized by the State".
665

666 Chair Powell requested public comment.
667

668 Eric Collins, President of D.T. Collins and Assoc. Land Surveying in Ruidoso, acknowledged the
669 current drought and fire dangers existing in the County and suggested the proposed changes
670 were an unnecessary "emotional response" to those conditions. Mr. Collins noted no
671 subdivisions had been proposed since the last revision of the Subdivision Ordinance and
672 expressed concern those changes were "untested". Mr. Collins commented on the ongoing
673 protests in Lincoln County to any request to transfer water rights. Mr. Collins questioned the
674 viability of any one person obtaining water rights for a summary development of five lots.
675

676 Buck Buchanan, resident of Eagle Creek mentioned efforts by himself and his neighbors to
677 oppose a large development proposed for their area. Mr. Buchanan informed he had
678 subsequently purchased the property and requested an exception made for developments of
679 less than five parcels of more than ten acres.
680

681 Tony Sheehey, President of the Home Builders Association stated opposition to the proposed
682 changes as a detriment to new development particularly for affordable housing. Mr. Sheehey
683 suggested conservation measures be utilized rather than restrictions.
684

685 James Russ, President Elect for the Ruidoso Association of Realtors informed the Board of
686 Realtors had voted unanimously to oppose adoption of the revisions.
687

688 Mary Weaver, Realtor and Chair of the Little Bear Fire Reform Committee questioned if there
689 were scientific evidence of the water problems and whether the requirement for water rights was
690 an infringement on current private property rights.
691

692 **Chair Powell recessed the Public Hearing to consider revisions to the Subdivision**
693 **Ordinance; convened the Public Hearing to adopt the Preliminary Budget; recessed the**
694 **Public Hearing to adopt the Preliminary Budget, and reconvened the Public Hearing to**
695 **consider the Subdivision Ordinance at 1:34:48 PM.**
696

697 James Sanchez, retired educator and rancher from Lincoln, expressed belief as an owner of
698 water rights that water rights should also be protected as a private property right. Mr. Sanchez
699 commented on declining water levels in domestic wells and the consequences to the current
700 residents, particularly agricultural users. Mr. Sanchez expressed belief the added restrictions
701 would not stop development.
702

703 Doug Thompson, member of Lincoln County Homebuilders Association commented on
704 residential versus agricultural water use and suggested without metering of water usage there
705 could be no control.

706
707 **Chair Powell recessed the Public Hearing and reconvened the Regular Meeting at 1:46:30**
708 **PM.**

709
710 Chair Powell discussed Lincoln County's critical water basin status. Chair Powell discussed the
711 implications of long term drought and noted the Village of Ruidoso currently planned to pump
712 water from Carrizo Creek due to Emergency Conditions. Chair Powell noted domestic well
713 pumping in one subdivision had begun to affect neighboring subdivisions and discussed the
714 potential long term effects on deep aquifers. Chair Powell stated restrictions could be revisited
715 in the future should conditions improve.

716
717 Commissioner Minter reminded the County was conducting a multi-year water study with USGS.
718 Commissioner Minter noted recent legislative actions by the State of New Mexico were of a
719 similar nature to the revisions presented.

720
721 Commissioner Draper expressed opposition to the proposed changes and suggested a
722 moratorium as a better solution. Commissioner Draper questioned Attorney Morel if other
723 counties had adopted an Ordinance as restrictive as the one presented. Attorney Morel
724 informed Santa Fe County had a more restrictive Ordinance but noted other counties probably
725 had less restrictive ordinances. Commissioner Draper expressed belief the market would
726 provide for "corrections" based on the 10,000 lots currently available in the County.
727 Commissioner Draper further stated adoption of the revisions would not actually save any water
728 and expressed a desire to establish conservation measures.

729
730 Commissioner Stone expressed belief in private property rights. Commissioner Stone stated
731 while he did not normally advocate adoption of restrictive actions he was convinced of the
732 current lack of water available within the County.

733
734 **Motion:** Approve the proposed revisions to the Subdivision Ordinance to be presented to the
735 State of New Mexico for review. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded**
736 **by** Commissioner Minter.

737 **Vote:** Motion passed (summary: Yes = 4, No = 1, Abstain = 0).

738 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth.

739 **No:** Commissioner Draper.

740

741 **Chair Powell recessed the Regular Meeting at 2:03:05 PM.**

742

743 **25. 1:30 P.M.: Public Hearing to consider the following: Adoption of the Preliminary**
744 **Budget, FY 2013-2014 by Resolution 2012-37 and Consideration of Adoption of the**
745 **Preliminary Infrastructure Capital Improvements Plan (ICIP)**

746

747 **Chair Powell reconvened the Public Hearing to consider adoption of the Preliminary**
748 **Budget for FY 2013-2014 at 2:17:30 PM.**

749

750 Ms. Taylor presented the proposed Preliminary Budget after incorporation of actions and
751 proposed changes from the Special Meeting of May 3, 2013. Ms. Taylor presented a timeline
752 for budget development and ultimate submittal to DFA for approval.

753

754 Ms. Taylor discussed the approvals from the last meeting and presented a list of remaining
755 items for consideration to include a potential employee wage increase. Ms. Taylor noted the

756 ICIP plan had been revised based on suggestions from the May 3, 2013 meeting and detailed
757 the timeline for submission of the ICIP.

758
759 Ms. Taylor recommended considering action on the request for NM Acequias Association dues
760 and the ICIP prior to discussion of additional budget considerations.

761
762 **Chair Powell recessed the Public Hearing and reconvened the Regular Meeting at 2:24:00**
763 **PM.**

764
765 **Motion:** Approve New Mexico Acequias Association dues of \$1,000.00. **Action:** Approve,
766 **Moved by** Commissioner Draper, **Seconded by** Chair Powell

767 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5)

768 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
769 Commissioner Draper.

770
771 Chair Powell questioned if it was appropriate to approve funding for roof repairs of the La Casa
772 Clinic in Hondo as the building was owned by the Hondo Schools. Attorney Morel stated he
773 would need to review the lease agreement to determine if the County was responsible for facility
774 repairs. Ms. Taylor informed the request was presented recently by La Casa but the damages
775 had occurred in 2010.

776
777 **Motion:** Decline funding request for reimbursement of roof repairs to La Casa Health Clinic.
778 **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Doth.

779
780 Commissioner Minter requested the Attorney review the lease to determine if the County had a
781 responsibility to cover repairs. Attorney Morel stated he would review the lease for any legal
782 obligation.

783
784 **Vote:** Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

785 **Yes:** Chair Powell, Commissioner Stone, Commissioner Doth, Commissioner Draper.

786 **No:** Commissioner Minter.

787
788 Ms. Taylor provided an analysis of a potential wage increase by percentage. Ms. Taylor also
789 provided information regarding the impact of increased insurance and other wage deductions to
790 county employee salaries.

791
792 Commissioner Doth questioned the County/Employee share of insurance costs. Ms. Taylor
793 informed the premium cost share was County 80% and Employee 20%. Punksin Schlarb,
794 Finance Director informed increased insurance costs effective July 1, 2013 were incorporated
795 into the Preliminary Budget. Commissioner Doth questioned if there were changes to costs for
796 the Public Employee Retirement Association. Ms. Schlarb stated there were no changes to
797 PERA costs at this time.

798
799 Commissioner Doth questioned if it would be prudent to consider reducing cost share coverage
800 with employees to medical care only and shifting costs for vision and dental to the employees.
801 Commissioner Stone recommended revisions to the benefits package be considered only after
802 careful consideration.

803
804 **Motion:** Approve a 3% wage increase for employees. **Action:** Approve, **Moved by**
805 **Commissioner Draper, Seconded by** Commissioner Stone.

806

807 Chair Powell requested any wage increase be contingent upon the PILT payment.
808

809 Commissioner Minter voiced support for a 2% raise versus a 3% to protect the taxpayer.
810 Commissioner Draper spoke in support of the 3% raise as a virtual break-even point for
811 employees to accommodate increased insurance costs.
812

813 Paul Baca, Assessor commented on the increase of valuation since the Little Bear Fire and
814 noted valuation was now \$30 million higher than the previous year. Glenna Robbins, Treasurer
815 informed the proposed budget was based on last year's property values and last year's tax
816 rates. Ms. Robbins informed once the values and rates were established for the new fiscal year
817 the increase in revenues would be adjusted in the budget. Ms. Robbins reminded beginning
818 cash values would also typically be adjusted upward and expressed belief there was more than
819 sufficient funding to cover a potential 3% wage increase.
820

821 **Vote:** Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0)

822 **Yes:** Chair Powell, Commissioner Stone, Commissioner Draper.

823 **No:** Commissioner Minter, Commissioner Doth
824

825 **Chair Powell recessed the Regular Meeting and reconvened the Public Hearing at 3:40:08**
826 **PM.**
827

828 Ms. Taylor presented proposed changes to the ICIP. Ms. Taylor suggested the list continue to
829 be revised prior to finalization.
830

831 Commissioner Minter suggested proposed funding requests be revised to reflect the anticipated
832 actual cost of each project.
833

834 There was a general discussion about the funding of the ongoing USGS water study.
835 Commissioner Doth commented on the nature of the USGS serving as a data collection agency
836 only and suggested the funding would be better spent on hiring a consultant to interpret the
837 data. Commissioner Minter requested the State Engineer be questioned as to the potential use
838 of the data. Chair Powell opined it would be best to move the item further down the ICIP list at
839 this time.
840

841 Chair Powell suggested the improvements to the courthouse complex be moved up to first
842 priority and the Hondo Fire Station be listed as second priority.
843

844 Ms. Taylor reminded of the need to move the site for the Road Department Yard. Carl Palmer,
845 Road Superintendent commented on potential sites to move the Road Department Yard and the
846 complications identified at each of the two potential sites.
847

848 Commissioner Stone commented on the value of the additional property purchased adjacent to
849 the fairgrounds and suggested there was an opportunity to generate revenue from those
850 facilities. Chair Powell reminded a Master Plan had been commissioned for development of the
851 property and noted the principal decision for the property development was whether to install a
852 bridge which would accommodate a Road Yard.
853

854 There was a general consensus to place the items in the following order: 1) Court complex
855 improvements; 2) Fairgrounds bridge; 3) Hondo Fire Station; 4) Glencoe bridge; and 5) White
856 Oaks Fire Station
857

858 **Chair Powell adjourned the Public Hearing and reconvened the Regular Meeting at**
859 **4:03:53 PM.**

860
861 **Motion:** Adopt Resolution 2012-37 removing the second and third paragraphs referring to the
862 mill levy. **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner
863 Draper.

864 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).
865 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
866 Commissioner Draper.

867
868 Ms. Taylor stated the Resolution required language defining the mill levy rates, but informed the
869 Resolution could be adopted with the current language and then be revised after the workshop
870 to discuss the mill levy budget.

871
872 **Motion:** Rescind the Adoption of Resolution 2012-37 with language removed. **Action:** Approve,
873 **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.

874 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).
875 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
876 Commissioner Draper.

877
878 **Motion:** Adopt Resolution 2012-37 as presented. **Action:** Approve, **Moved by** Commissioner
879 Doth, **Seconded by** Chair Powell.

880 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).
881 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
882 Commissioner Draper.

883
884 **SEE EXHIBIT G:** Copy of Resolution 2012-37 is attached hereto in reference thereto made a
885 part hereof.

886
887 **29. Executive Session Pursuant to the Open Meetings Act: Discussion of all**
888 **Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7); and**
889 **Discussion of the purchase, acquisition or disposal of real property or water**
890 **rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).**

891
892 **Motion:** To close the meeting for the purposes of an Executive Session to discuss Pending
893 and/or Threatened Litigation pursuant to the Open Meetings Act, Section 10-15-1, Sub
894 Paragraph H.(7) and the purchase, acquisition or disposal of real property or water rights by the
895 public body, Section 10-15-1, Sub-Paragraph H.(8) and as follows:

896
897 New or Updated Matters since last report = *

- 898
899 1. *Cooper, Gale and DeBaca County News v. County of Lincoln, Sheriff of Lincoln County,*
900 *et al.* D-1329-CV-200701364. Suit filed: October 15, 2007. Verified Complaint for
901 Declaratory Judgment Ordering Production of Certain Records and Information.
902 2. *Green Tree Servicing, LLC v. William T. Joiner, Lincoln County, et. al.* D-1226-CV-2010-
903 394. Suit filed November 17, 2010. Complaint for Enforcement of Contract and
904 Foreclosure of Security Interest and Mortgage.
905 3. *Luis Grife as Personal Representative of The Estate of Arturo Grife, Jr., and Lizeth Grife*
906 *v. County of Lincoln.* D-1226-CV-201100148. Complaint for Wrongful Death and
907 Negligence, Jury Demand.

- 908 4. *New Mexico Ranch Sales v Mary T. Greene, LC Treasurer, et. al. D-1226-CV-2011-*
909 *00226.* Suit filed August 1, 2011. Complaint In Rem to Foreclosure Mortgage Upon
910 Real Property.
- 911 5. *Michael Wheaton v Paul F. Baca, Lincoln County Assessor, et. al. D-1226-CV- 2011-*
912 *00341.* Suit filed October 18, 2011. Notice of Appeal of Final Order of the Lincoln
913 County Valuation Protests Board.
- 914 6. *New Mexico Ranch Sales v Marianne Clark, LC Treasurer, et. al. D-1226-CV-2011-*
915 *00409.* Suit filed November 17, 2011. Complaint to Enforce and Collect Upon
916 Promissory Note and to Foreclose Mortgage Upon Real Property.
- 917 7. *Bank of Clovis v Mona Bryant as Personal Representative of Marjorie Bryant*
918 *(deceased), Village of Ruidoso, Lincoln County, et al. D-1226-CV-2011-00429.* Suit
919 Filed February 10, 2012. Complaint for Foreclosure
- 920 8. *New Mexico Ranch Sales v Tammy Palombi-Cade LC Treasurer, et. al. D-1226-CV-*
921 *2012-00042.* Suit filed February 13, 2012. Complaint to Enforce and Collect Upon
922 Promissory Note and to Foreclose Mortgage Upon Real Property.
- 923 9. *Coble Constructors, LLC, et al v Carl Kelley Construction Ltd. Co, et al. D-1226-CV-*
924 *2012-00003.* Suit filed January 15, 2012. Complaint to Foreclose Mechanic's Lien.
- 925 10. *Alto Lakes Golf & Country Club, Inc. v. Barbara Fleming, and Jesus and Maria*
926 *Guardiola, et al. D-1226-CV-2011-00044.* Suit filed February 18, 2011. Complaint to
927 Foreclose Lien. Counterclaim and Crossclaim suit filed by Washington Federal Savings
928 on September 21, 2012 naming Board of Commissioners of Lincoln County and Lincoln
929 County Solid Waste Authority
- 930 11. *Johnathan Warren v. Lincoln County Detention Center, Emerald Healthcare Systems, et*
931 *al. 2:12-CV-01086-CG-LAM.* Suit filed October 19, 2012. Complaint for the Recovery
932 of Damages Caused by the Deprivation of Civil Rights.
- 933 12. *Greentree Solid Waste Authority v. Lincoln County, et. al. D-0101-CV-2013-00104.* Suit
934 filed January 9, 2013. Petition for Declaratory Judgment; Preliminary and Permanent
935 Injunction.
- 936 13. *Rio Grande-Alameda, Ltd., v Paul Baca, Lincoln County Assessor D-1226-CV-2013-*
937 *00005.* Suit filed January 9, 2013. Complaint for Refund of Taxes Paid.
- 938 14. *New Mexico Ranch Sales v. Villalba LC Treasurer, et al. D-1226-CV-2013-00046.* Suit
939 Filed February 15, 2013. Complaint to Enforce and Collect Upon Promissory Note and
940 to Foreclose Mortgage Upon Real Property.

941
942 **Tort Claims Notices Received or Threatened**

943
944 **2013**

945 **Montoya, Emilia L.** - Tort Claim Notice received by attorney Freda Howard McSwane
946 on April 23, 2013, alleging injuries sustained by Ms. Montoya when a physical altercation took
947 place at the LCDC.

948 **Ramos, Aaron** - Tort Claim Notice received by attorney Robert J. Beauvais on April 18,
949 2013, (correspondence dated September 13, 2011) alleging concerns about Mr. Ramos' safety
950 and welfare and violation of his U.S. Constitution Fifth and Sixth Amendment rights.

951
952 **2012**

953
954 **Cathy and Steve Altstatt** – Telephone conference with Cathy Altstatt on April 19, 2012
955 concerning their unbuildable and unsellable Deer Park Valley lot due to lot size, septic tank set
956 back requirements, and an easement granted to Alto Lakes Water & Sanitation District for a
957 water well.

958 **Riordan, J.T.** – Correspondence received from Theresa Riordan on March 28, 2012
959 concerning her son's treatment and detention conditions while being held in LCDC.

960 **Sheridan, Michael** – Tort Claim Notice received from Attorney, Jennifer Burrill on
961 February 21, 2012, claiming the Lincoln County Sheriff's Department forced him to register as a
962 sex offender when he did not meet the requirements.

963 **Biggs, M. Jolene** – Tort Claim Notice received from Attorney, Adam Rafkin on February
964 6, 2012, claiming liability by the County of Lincoln by failing to maintain the surface of the
965 parking lot across from the Lincoln County Courthouse in Carrizozo, NM.

966
967 **2011**

968 **Latham, Diana** –Tort Claim Notice received from Attorney, Gary C. Mitchell on October
969 27, 2011, claiming violation of the late James Latham's constitutional rights resulting from his
970 shooting death by the Lincoln County Sheriff's Department.

971 **Miller, Peggy and Steven** - Tort Claim Notice received from Attorney, Gary C. Mitchell
972 on September 26, 2011, claiming negligence by State Forestry and Lincoln County during
973 Donaldson Complex Fire.

974 **Justice, Charles** – Tort Claim Notice received from Builders Trust Insurance Company
975 on July 13, 2011 alleging liability by Lincoln County as a result of an auto accident on State
976 Road #368.

977 **Verschueren, Ronald and Constance M.** – Tort Claim Notice received by attorney
978 Robert J. Beauvais on June 13, 2011 alleging wrongful arrest by the LCSO.

979 **Meadows Group, LLC** - Tort claim notice received May 23, 2011 from attorney George
980 P. Marquez alleging refusal and non-timely production of public records by the County of Lincoln
981 and damages allowed under the Inspection of Public Records Act 14-2-11 NMSA 1978.

982 **Salas, Johnny** – Tort claim notice received from Johnny Salas on May 20, 2011
983 alleging damage to residence caused by a LCSWA (GSWA) garbage truck.

984
985 **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.

986 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

987 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
988 Commissioner Draper.

989
990 Chair Powell recessed the Regular Meeting and convened the Closed Session at 4:10:26 PM.

991
992 Chair Powell adjourned the Closed Session and reconvened the Regular Meeting at 5:10:43
993 PM.

994
995 Commissioner Doth attested that no action was taken during the closed session and items
996 discussed were limited to those as stated in the motion for closure.

997
998 **30. Signing of Official Documents**

999
1000 **31. Next meetings:**

- 1001
1002 A. Special Meeting - June 3, 2013.
1003 B. Regular Meeting -June 25, 2013.

1004
1005 Attorney Morel informed he had reviewed the contract with the Hondo Schools for the La Casa
1006 Clinic and found funding for roof repairs could be made from mill levy funds but there was a
1007 requirement for prior approval. Commissioner Minter requested the item be placed on a future
1008 agenda for consideration.

1009
1010 **32. Adjournment**
1011
1012 There being no further business to come before the Board of County Commissioners, Chair
1013 Powell adjourned the meeting at 5:12:22 PM.
1014
1015 Respectfully submitted by,
1016
1017 Rhonda B. Burrows
1018 Lincoln County Clerk

DRAFT

1 **COUNTY OF LINCOLN**

2 **New Mexico**
3 **Special Meeting**
4 **Board of County Commissioners**

5
6 **Jackie Powell, Chair**
7 **Preston Stone, Vice Chair**

Kathryn Minter, Member
Mark Doth, Member
Dallas Draper, Member

8
9 **Minutes**
10 **Monday, May 20, 2013**

11
12 Minutes of the Special Meeting of the Lincoln County Commission held at 1:30 PM on May 20,
13 2013 in the Lincoln County Substation at 115 Kansas City Road in Ruidoso, New Mexico.

14
15 **1. Call to Order**

16
17 Chair Powell called the Special Meeting of the Board of County Commissioners to order at
18 1:36:50 PM.

19
20 **2. Roll Call**

21
22 **Roll Call.**

23 **Present:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
24 Commissioner Draper.

25
26 Others present included Nita Taylor, County Manager; Alan Morel, County Attorney; and
27 Rhonda Burrows, County Clerk.

28
29 **3. Invocation**

30
31 The invocation was presented by Commissioner Stone.

32
33 **4. Pledge of Allegiance**

- 34
35 A. Pledge – U.S.A. Flag – Commissioner Draper
36 B. Salute – N.M. Flag – Commissioner Doth

37
38 **5. Approval of Agenda**

39
40 **Motion:** Acceptance of the Agenda and authorized the Chair to move items as necessary.

41 **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.
42 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).
43 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
44 Commissioner Draper.

45
46 **6. Vacation and Deeding of Un-built Road in the Nogal Townsite**

47
48 Attorney Morel requested authorization to issue a quit claim deed for a portion of roadway within
49 Nogal which the County vacated in the 1990's. Attorney Morel explained although the County
50 vacated the land, the adjacent property owner was required to pay "fair consideration" for the
51 land prior to a deed being executed.

52
53 Paul Baca, Assessor informed based on information obtained from the surveyor, Eric Collins,
54 there was approximately 20,344 sq ft of vacated road and alleyway. Mr. Baca stated based on
55 comparative sales in the area the estimated value of the land was \$.25 per square foot for a
56 total value of \$5086. Mr. Baca stated research indicated the adjacent property owner paid
57 taxes on the vacated land since at least 1999 in the amount of approximately \$200.00. Mr.
58 Baca explained although the vacation had been filed in 1994 the property records were not clear
59 as to when the property owner was assessed and began to pay the taxes.

60
61 **Motion:** Authorization to issue a quit claim deed to Paula Greer for the vacated land upon
62 receipt of \$5,086.00.

63 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

64 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone, Commissioner Doth,
65 Commissioner Draper.

66
67 **7. Authorization to Schedule Public Hearing to Consider Other Outdated or New**
68 **Lincoln County Ordinance**

69
70 **Motion:** Schedule a Public Hearing at the earliest date to consider a moratorium on new
71 subdivision developments. **Action:** Approve. **Moved by** Commissioner Stone, **Seconded by**
72 Chair Powell.

73 **Vote:** Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

74 **Yes:** Chair Powell, Commissioner Stone, Commissioner Doth, Commissioner Draper.

75 **No:** Commissioner Minter.

76
77 After discussion there was a general consensus to schedule a public hearing on June 7, 2013
78 and to consider combining the agenda items set for a Special Meeting on June 3, 2013.

79
80 Attorney Morel informed the draft revision of the subdivision ordinance was delivered to
81 appropriate the State agencies. Attorney Morel discussed the review process and noted July
82 27, 2013 was the earliest possible effective date for the revisions.

83
84 Commissioner Stone discussed a potential subdivision proposal submission prior to the
85 effective date of revisions and expressed concern about the current water situation.

86
87 **8. Signing of Official Documents**

88
89 **9. Next Meeting**

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- A. June 3, 2013 – Special Meeting
- B. June 7, 2013 – Special Meeting

10. Adjournment

There being no further business to come before the Board of County Commissioners, Chair Powell adjourned the meeting at 1:55:15 PM.

Respectfully submitted by,

Rhonda B. Burrows
Lincoln County Clerk

DRAFT

1 **COUNTY OF LINCOLN**

2 **New Mexico**
3 **Special Meeting**
4 **Board of County Commissioners**

5
6 **Jackie Powell, Chair**
7 **Preston Stone, Vice Chair**

Kathryn Minter, Member
Mark Doth, Member
Dallas Draper, Member

8
9 **Minutes**
10 **Friday, June 7, 2013**

11
12 Minutes of the Special Meeting of the Lincoln County Commission held at 9:00 AM on June 7,
13 2013 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New
14 Mexico.

15
16 **1. Call to Order**

17
18 Chair Powell called the Special Meeting of the Board of County Commissioners to order at
19 9:00:39 AM.

20
21 **2. Roll Call**

22
23 **Roll Call.**

24 **Present:** Chair Powell, Commissioner Minter, Commissioner Stone.

25 **Absent:** Commissioner Doth, Commissioner Draper.

26
27 Others present included Alan Morel, County Attorney, and Rhonda Burrows, County Clerk.

28
29 **3. Invocation**

30
31 The invocation was presented by Commissioner Stone.

32
33 **4. Pledge of Allegiance**

- 34
35 a. Pledge – U.S.A. Flag – Chair Powell
36 b. Salute – N.M. Flag – Commissioner Minter

37
38 **5. Approval of Agenda**

39
40 **Motion:** Acceptance of the Agenda and authorized the Chair to move items as necessary.
41 Approve, **Moved by** Commissioner Stone, **Seconded by** Commissioner Minter.

42 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 3).

43 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone.

44
45 **6. Consideration of Appointments and Removals from Boards/Commissioners/**
46 **Committees:**
47

48 a. Appointment for Lodger's Tax Committee Member

49
50 Alan Morel, County Attorney informed the Lodger's Tax Ordinance included a requirement for
51 any individual appointed to the Lodger's Tax Committee to be a resident of the unincorporated
52 area of the County. Attorney Morel informed at the last Regular Meeting an individual was
53 appointed who did not meet this requirement.

54
55 **Motion:** Rescind appointment of Ray Dean to the Lodger's Tax Committee. **Action:** Approve,
56 **Moved by** Commissioner Stone, **Seconded by** Commissioner Minter.

57
58 Commissioner Stone stated he would continue to search for a suitable appointee.

59
60 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 3).
61 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone.

62
63 **7. Bid/RFP(s) Award:**

64
65 c. 12-13-017 Emergency On-Call Contractors

66
67 Attorney Morel stated due to damage from the Little Bear Fire, subsequent flooding events and
68 in preparation for the ensuing monsoon an Invitation for Bid (IFB) was issued for Emergency On
69 Call Contractors.

70
71 Attorney Morel informed Shawn Wilson Excavation, Jeff Harvey Construction, Renegade
72 Construction, Jack Johnson Excavating, Guardiola Construction, Apple Mountain Constructors,
73 Mesa Verde Enterprises and Everguard Roofing each responded to the IFB. Attorney Morel
74 recommended awarding contracts to each of the respondents in the amount of up to \$50,000
75 plus gross receipts tax for the term of one year. Attorney Morel explained that should an
76 emergency occur, rather than contract for services on an emergency basis, the County could
77 request a particular service based on the detailed rates as quoted in bid responses as detailed
78 in Exhibit A.

79
80 **Motion:** Award IFB 12-13-017 to Shawn Wilson Excavation, Jeff Harvey Construction,
81 Renegade Construction; Jack Johnson Excavating, Guardiola Construction, Apple Mountain
82 Constructors, Mesa Verde Enterprises and Everguard Roofing in the amount of up to \$50,000
83 plus gross receipts tax. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by**
84 Commissioner Stone.

85 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 3).
86 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone.

87
88 a. 12-13-015 Resurface Roads at Sun Valley Subdivision

89
90 Attorney Morel detailed the bids proposals received as follows: Mesa Verde Enterprises
91 \$167,170.10; Star Paving Company \$197,492.58; and Blue Collar Construction \$227,691.91.

92
93 **Motion:** Award RFP 12-13-015 to Mesa Verde Enterprises for \$167,170.10. **Action:** Approve,
94 **Moved by** Chair Powell, **Seconded by** Commissioner Stone.

95 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 3).
96 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone.

97
98 b. 12-13-016 Resurface Roads at Enchanted Forest Subdivision

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Attorney Morel detailed the bids proposals received as follows: Mesa Verde Enterprises \$73,456.58; Star Paving Company \$87,935.67; and Blue Collar Construction \$91,606.20.

Motion: Award RFP 12-13-016 to Mesa Verde Enterprises for \$73,456.58. **Action:** Approve, **Moved by** Commissioner Stone, **Seconded by** Commissioner Minter.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone.

SEE EXHIBIT A: Copy of the Awarded On Call Emergency Contractors Equipment Rate Breakdown is attached hereto in reference thereto made a part hereof.

8. Waiver of fees for a claim of exemption plat with the Village of Ruidoso on a land swap plat with the school district located in the County

Attorney Morel informed the Village of Ruidoso and the Ruidoso School District had entered into an agreement to swap parcels of land. Attorney Morel stated a portion of the land was within the unincorporated area of the County and thus subject to the County's \$100.00 fee for a Claim of Exemption. Attorney Morel noted the proposed land agreement was between two governmental entities and requested waiver of the \$100.00 Claim of Exemption fee.

Motion: Approve the waiver of the Claim of Exemption fee for the Village of Ruidoso. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Chair Powell.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone.

10. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinance

- a. Ordinance No. 2013-1 An Ordinance Amending Lincoln County Personnel Policies and Procedures

Attorney Morel explained a request was received from staff to amend the Personnel Ordinance to reflect an effective date for insurance benefits for newly hired employees.

Attorney Morel also reminded pending revisions to the current Subdivision Ordinance would require a final public hearing for adoption.

Motion: Schedule Public Hearings to consider changes to the Personnel Policies and Procedures Ordinance and the Subdivision Ordinance for the next Regular Meeting. **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Commissioner Stone.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone.

11. Renewal of Fire Restrictions Resolution 2012-39

Attorney Morel reminded Resolution 2012-32 adopted at the Regular Meeting of April 25, 2013 imposed restrictions based upon current fire conditions and the related state statute required a review of conditions every 30 days. Attorney Morel recommended the Resolution be adopted to extend fire restrictions based upon the current "extreme" fire danger.

150 **Motion:** Adopt Resolution 2012-39. **Action:** Approve, **Moved by** Commissioner Stone,
151 **Seconded by** Commissioner Minter.

152 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 3).

153 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone.

154
155 **SEE EXHIBIT B:** Copy of Resolution 2012-39 is attached hereto in reference thereto made a
156 part hereof.

157
158 Chair Powell recessed the Special Meeting at 9:23:40 AM.

159
160 Chair Powell convened the Public Hearing at 9:32:20 AM.

161
162 **9. 9:30 a.m.: Public Hearing to consider adoption of an Ordinance Imposing a**
163 **Temporary Moratorium on Subdivision Development within Lincoln County.**

164
165 Attorney Morel explained the timeline for approval of proposed revisions to the current
166 Subdivision Ordinance included a 30 day review by State agencies, a final public hearing, and
167 then a 30 day delay prior to being effective. Attorney Morel stated the proposed Moratorium
168 Ordinance would restrict any subdivision development until such time as it was rescinded.

169
170 Commissioner Minter questioned if the Moratorium would expire once the revised Subdivision
171 Ordinance went into effect or if it would require an action to rescind. Attorney Morel confirmed it
172 would require a vote to rescind the Moratorium and suggested this could be placed on the
173 agenda once the new Subdivision Ordinance was in effect.

174
175 Chair Powell commented on the current drought conditions. Commissioner Stone noted the
176 municipality of Magdalena was completely out of water necessitating hauling of water for the
177 residents. Commissioner Stone stated recent data indicated New Mexico was now considered
178 the worst state for drought conditions in the country.

179
180 There being no public comment, Chair Powell adjourned the Public Hearing and reconvened the
181 Special Meeting at 9:40:47 AM.

182
183 **Motion:** Adopt Ordinance 2013-03. **Action:** Approve, **Moved by** Commissioner Stone,
184 **Seconded by** Chair Powell.

185 **Vote:** Motion passed (**summary:** Yes = 2, No = 1, Abstain = 0).

186 **Yes:** Chair Powell, Commissioner Stone.

187 **No:** Commissioner Minter.

188
189 **SEE EXHIBIT C:** Copy of Ordinance 2013-03 is attached hereto in reference thereto made a
190 part hereof.

191
192 **2. Executive Session Pursuant to the Open Meetings Act: Discussion of all**
193 **Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7); and**
194 **Discussion of the purchase, acquisition or disposal of real property or water**
195 **rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).**

196
197 **Motion:** To close the meeting for the purposes of an Executive Session to discuss all Pending
198 Threatened and/or Pending Litigation pursuant to the Open Meetings Act, Section 10-15-1, Sub
199 Paragraph H.(7); and discussion of the purchase, acquisition or disposal of real property or
200 water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8); and as follows:

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New or Updated Matters since last report = *

- *1. Alarm Ordinance Violation – William Rodney Huband
- *2. Alarm Ordinance Violation – Robert J. Cordova and Brenda R. Cordova
- *3. Alarm Ordinance Violation – Jack F. Paul and Mary J. Paul
- *4. Alarm Ordinance Violation – Charles W. Welch
- *5. Solid Waste Ordinance Violation – Steve and Cecilia Gore
- 6. *Cooper, Gale and DeBaca County News v. County of Lincoln, Sheriff of Lincoln County, et al.* D-1329-CV-200701364. Suit filed: October 15, 2007. Verified Complaint for Declaratory Judgment Ordering Production of Certain Records and Information.
- 7. *Green Tree Servicing, LLC v. William T. Joiner, Lincoln County, et. al.* D-1226-CV-2010-394. Suit filed November 17, 2010. Complaint for Enforcement of Contract and Foreclosure of Security Interest and Mortgage.
- 8. *Luis Grife as Personal Representative of The Estate of Arturo Grife, Jr., and Lizeth Grife v. County of Lincoln.* D-1226-CV-201100148. Complaint for Wrongful Death and Negligence, Jury Demand.
- 9. *New Mexico Ranch Sales v Mary T. Greene, LC Treasurer, et. al.* D-1226-CV-2011-00226. Suit filed August 1, 2011. Complaint In Rem to Foreclosure Mortgage Upon Real Property.
- 10. *Michael Wheaton v Paul F. Baca, Lincoln County Assessor, et. al.* D-1226-CV- 2011-00341. Suit filed October 18, 2011. Notice of Appeal of Final Order of the Lincoln County Valuation Protests Board.
- 11. *New Mexico Ranch Sales v Marianne Clark, LC Treasurer, et. al.* D-1226-CV-2011-00409. Suit filed November 17, 2011. Complaint to Enforce and Collect Upon Promissory Note and to Foreclose Mortgage Upon Real Property.
- 12. *Bank of Clovis v Mona Bryant as Personal Representative of Marjorie Bryant (deceased), Village of Ruidoso, Lincoln County, et al.* D-1226-CV-2011-00429. Suit Filed February 10, 2012. Complaint for Foreclosure.
- 13. *New Mexico Ranch Sales v Tammy Palombi-Cade, LC Treasurer, et. al.* D-1226-CV-2012-00042. Suit filed February 13, 2012. Complaint to Enforce and Collect Upon Promissory Note and to Foreclose Mortgage Upon Real Property.
- 14. *Coble Constructors, LLC, et al v Carl Kelley Construction Ltd. Co, et al.* D-1226-CV-2012-00003. Suit filed January 15, 2012. Complaint to Foreclose Mechanic's Lien.
- 15. *Alto Lakes Golf & Country Club, Inc. v. Barbara Fleming, and Jesus and Maria Guardiola, et al.* D-1226-CV-2011-00044. Suit filed February 18, 2011. Complaint to Foreclose Lien. Counterclaim and Crossclaim suit filed by Washington Federal Savings on September 21, 2012 naming Board of Commissioners of Lincoln County and Lincoln County Solid Waste Authority.
- 16. *Johnathan Warren v Lincoln County Detention Center, Emerald Healthcare Systems, et al.* 2:12-CV-01086-CG-LAM. Suit filed October 19, 2012. Complaint for the Recovery of Damages Caused by the Deprivation of Civil Rights.
- 17. *Greentree Solid Waste Authority v. Lincoln County, et. al.* D-0101-CV-2013-00104. Suit filed January 9, 2013. Petition for Declaratory Judgment; Preliminary and Permanent Injunction.
- 18. *Rio Grande-Alameda, Ltd., v Paul Baca, Lincoln County Assessor* D-1226-CV-2013-00005. Suit filed January 9, 2013. Complaint for Refund of Taxes Paid.
- 19. *New Mexico Ranch Sales v. Villalba, LC Treasurer, et al.* D-1226-CV-2013-00046. Suit Filed February 15, 2013. Complaint to Enforce and Collect Upon Promissory Note and to Foreclose Mortgage Upon Real Property.
- *20. *Washington Federal Savings v. Timothy Rose; Chanda Rose; and Lincoln County D-*

Tort Claims Notices Received or Threatened

2013

Montoya, Emilia L. - Tort Claim Notice received by attorney Freda Howard McSwane on April 23, 2013, alleging injuries sustained by Ms. Montoya when a physical altercation took place at the LCDC.

Ramos, Aaron - Tort Claim Notice received by attorney Robert J. Beauvais on April 18, 2013, (correspondence dated September 13, 2011) alleging concerns about Mr. Ramos' safety and welfare and violation of his U.S. Constitution Fifth and Sixth Amendment rights.

2012

Cathy and Steve Altstatt – Telephone conference with Cathy Altstatt on April 19, 2012 concerning their unbuildable and unsellable Deer Park Valley lot due to lot size, septic tank set back requirements, and an easement granted to Alto Lakes Water & Sanitation District for a water well.

Riordan, J.T. – Correspondence received from Theresa Riordan on March 28, 2012 concerning her son's treatment and detention conditions while being held in LCDC.

Sheridan, Michael – Tort Claim Notice received from Attorney, Jennifer Burrill on February 21, 2012, claiming the Lincoln County Sheriff's Department forced him to register as a sex offender when he did not meet the requirements.

Biggs, M. Jolene – Tort Claim Notice received from Attorney, Adam Rafkin on February 6, 2012, claiming liability by the County of Lincoln by failing to maintain the surface of the parking lot across from the Lincoln County Courthouse in Carrizozo, NM.

2011

Latham, Diana – Tort Claim Notice received from Attorney, Gary C. Mitchell on October 27, 2011, claiming violation of the late James Latham's constitutional rights resulting from his shooting death by the Lincoln County Sheriff's Department.

Miller, Peggy and Steven - Tort Claim Notice received from Attorney, Gary C. Mitchell on September 26, 2011, claiming negligence by State Forestry and Lincoln County during Donaldson Complex Fire

Justice, Charles – Tort Claim Notice received from Builders Trust Insurance Company on July 13, 2011 alleging liability by Lincoln County as a result of an auto accident on State Road #368.

Verschueren, Ronald and Constance M. – Tort Claim Notice received by attorney Robert J. Beauvais on June 13, 2011 alleging wrongful arrest by the LCSO.

Meadows Group, LLC - Tort claim notice received May 23, 2011 from attorney George P. Marquez alleging refusal and non-timely production of public records by the County of Lincoln and damages allowed under the Inspection of Public Records Act 14-2-11 NMSA 1978.

Salas, Johnny – Tort claim notice received from Johnny Salas on May 20, 2011 alleging damage to residence caused by a LCSWA (GSWA) garbage

Action: Approve, **Moved by** Commissioner Minter, **Seconded by** Chair Powell.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Powell, Commissioner Minter, Commissioner Stone.

Chair Powell recessed the Regular Meeting and convened the Closed Session at 9:42:0 AM.

303 Chair Powell adjourned the Closed Session and reconvened the Special Meeting at 10:29:37
304 AM.

305
306 Chair Powell attested that no action was taken during the closed session and items discussed
307 were limited to those as stated in the motion for closure.
308

309 **Motion:** Approve the filing of liens for Alarm Ordinance violations for William Rodney Huband;
310 Robert J. and Brenda R. Cordova; Jack F. and Mary J. Paul; and Charles W. Welch and
311 approve issuance of a citation for violation of the LC Solid Waste Ordinance to Steve and Cecilia
312 Gore. **Action:** Approve. **Moved by** Chair Powell, **Seconded by** Commissioner Stone.

313 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 3)

314 **Yes:** Chair Powell, Commissioner Minter, Commissioner Stone.

315

316 **13. Signing of Official Documents**

317

318 **14. Next Regular Meeting**

319

Tuesday, June 25, 2013

320

321

322 **15. Adjournment**

323

324 There being no further business to come before the Board of County Commissioners, Chair
325 Powell adjourned the meeting at 10:31:04 PM.

326

327 Respectfully submitted by,

328

329 Rhonda B. Burrows

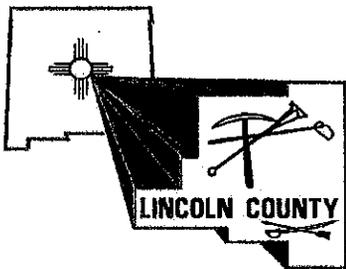
330 Lincoln County Clerk

Agenda Item No. 7
June 25, 2013

SUBJECT

Approval of Consent Agenda:

- A. Payroll/Accounts Payable/Budget Expenditures
- B. Treasurer's Financial Report for the Month ending May 31, 2013
- C. Mill Levy Assessment-Chaves Soil Water Conservation District
- D. DWI Activities Cost with Village of Ruidoso



www.lincolncountynm.net

County of Lincoln

P.O. Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

ACCOUNTS PAYABLE and PAYROLL

The following claims or bills on file with the office of the Lincoln County Manager were examined and approved as paid with checks hereof drawn upon the various County funds according to the check register covering the period from May 1 through May 31, 2013 in the amount of \$ 3,225,112.56.

NOW, THEREFORE, the above bills are hereby approved.

ADOPTED, PASSED AND SIGNED the 25th day of June, 2013.

BOARD OF COMMISSIONERS LINCOLN COUNTY, NEW MEXICO

Jackie M Powell, Chairwoman

Preston Stone , Vice-Chair

Kathryn Minter, Member

Dallas Draper, Member

Mark Doth, Member

ATTEST:

Rhonda B Burrows, County Clerk



Chaves Soil and Water Conservation District

1011 South Atkinson

Roswell, NM 88203

575-622-8746 Ext. 100

Lincoln County Commissioners
Lincoln County
P.O. Box 711
Carrizozo, New Mexico 88301

RECEIVED

MAY 17 2013

ADMINISTRATION
LINCOLN COUNTY NM

April 8, 2013

Dear Sirs:

During the regular meeting of the Chaves Soil & Water Conservation District, the Board of Supervisors passed the enclosed resolution to continue District funding for FY-2014. We are requesting that the levy assessment be set at 1 full mill.

On this 8th day of April 2013 the Board of Supervisors of the Chaves Soil & Water Conservation District, being in regular session and in accordance with the Open Meetings Act and a quorum being present, do hereby resolve that an assessment of 1 full mill per dollar of total taxable valuation of all real property within said district (except such property within the incorporated cities and towns) shall be levied by the county assessor of the counties of Chaves and Lincoln for FY-2014.

Thank you for your assistance.

Sincerely,

John Sisk, Chairman
Chaves Soil & Water Conservation District

cc: Dept. of Finance & Administration
Local Government Division
Ramona Segura

JS/jw

Chaves Soil & Water Conservation District
1011 S. Atkinson, Roswell, NM 88203

Mill Levy Rate Resolution # 1- 2014

WHEREAS the Board of Supervisors was authorized by a referendum held October 3, 1984 to establish a mill levy, not to exceed the rate of 1 dollar per thousand dollars of the net taxable value of real property within the District; and

WHEREAS, said referendum was conducted in accordance with provisions of the Soil and Water Conservation District Act [73-20-25 to 73-20-48 NMSA 1978]; and

WHEREAS, the Soil and Water Conservation District Act in Section 73-20-46 provides that if the district is indebted to the United States or the state or any of their respective agencies or instrumentalities, including the New Mexico finance authority, at the time of the expiration of the original authorization, the supervisors may renew the assessment by resolution for a period not to exceed the maturity date of the indebtedness, and no referendum for that renewal is necessary; and

WHEREAS, the Chaves SWCD is currently in debt to New Mexico Interstate Streams Commission for \$869,703.59 with a maturity date of June 30, 2024; and

WHEREAS, this resolution shall not become effective until approved in writing by the New Mexico Soil & Water Conservation Commission;

NOW THEREFORE, on this 8th day of April, 2013 the Board of Supervisors of the Chaves Soil & Water Conservation District being in session in accordance with the Open Meetings Act, a quorum being present, and following public discussion does hereby resolve to establish a mill levy at the rate of 1 dollar per thousand dollars of the net taxable value of real property within the District for the 2014/2015 tax year.

John Sisk

Chairman, Board of Supervisors

This resolution passed on a motion by LeRoy Lang

and second by Joe Barraza

Vote as follows (enter yea or nay):

Doug Whitney	<u>Yea</u>
Joe Barraza	<u>Yea</u>
LeRoy Lang	<u>Yea</u>
W.E. Bonham	<u>Yea</u>
Aubrey Dunn, Jr.	<u>Yea</u>
John Sisk	<u>Absent</u>
Jerry Vaz	<u>Absent</u>

Attest: Joy Wagner, Administrative Assistant April 8, 2013
[Name and title of district employee or other witness] [date]

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
VILLAGE OF RUIDOSO AND THE COUNTY OF LINCOLN
AS THE ADMINISTRATIVE AUTHORITY FOR LINCOLN
COUNTY SHERIFFS OFFICE FOR DWI ENFORCEMENT
ACTIVITIES AND REIMBURSEMENT OF COSTS**

WHEREAS, the Village of Ruidoso, (“the Village”) is the fiscal agent for the Lincoln County DWI grant funds; and,

WHEREAS, the County of Lincoln (“LC”) is the administrative authority for the Lincoln County Sheriffs Office (“LCSO”).

WHEREAS, the Village has received funding from the State of New Mexico Local DWI Grant Program, which the Village wishes to utilize in part to reimburse LC for DWI enforcement activities including overtime worked by the LCSO and,

WHEREAS, the accomplishment of the work and services described in this Memorandum of Understanding (“MOU”) is beneficial to the Local DWI Program of Lincoln County (“ the program”), and will serve to protect the health, safety, and welfare of all of the citizens of Lincoln County: and,

WHEREAS, the increased police presence over peak traffic hours in Lincoln County is in the public interest.

THEREFORE, the parties enter into this MOU for the term of July 1, 2013 through May 31, 2014 to facilitate the detection and prevention of DWI related violations and hereby agree as follows;

1. LCSO acknowledges and agrees that the reimbursement provided for in this agreement is limited to salary costs only and that DWI Grant Funds may not be used to reimburse participating agencies for employer contributions required under FICA, Medicare, Medicaid, and or any other benefits the agency may afford it officers.
2. The LCSO shall perform saturation patrols, shoulder taps, and underage drinking activities during peak traffic hours as determined by its Departmental Supervisor(s) after consultation with the DWI Program Coordinator.
3. This overtime cost reimbursement will be paid in an amount not to exceed eighteen hundred dollars (\$1,800.00) for the period of time between July 1, 2013 and May 31, 2014.

4. The LCSO shall submit monthly claims for payment to the Village DWI Coordinator in the form of a letter containing the following information.
 - a. The enforcement activity completed.
 - b. The names of the officers involved and their hourly wage.
 - c. The number of hours worked.
 - d. The total amount requested.
 - e. A breakdown of the total enforcement actions taken.
5. The LCSO shall provide all equipment required by its officers to perform these activities.
6. This MOU may be terminated with or without cause upon two weeks advance written notice by either party. Termination shall be effective upon receipt of the notice. Notice shall be delivered by certified mail to the address indicated below. The Village shall reimburse LC SO for work accruing before the effective date of termination.
7. All notices under this Agreement shall be sufficient if sent by United States First Class Mail, or by certified mail if required, postage prepaid to:

Lincoln County Sheriff's Department:
Robert Shepperd
PO BOX 278
Carrizozo, NM 88301

Village:
Debi Lee, Village Manager
Village of Ruidoso
313 Cree Meadows Drive
Ruidoso, New Mexico 88345
8. LC shall save and hold harmless, indemnify and defend the Village, its elected officials, employees, and agent in their official and individual capacities, of and from any and all liabilities, claims, losses, or damages arising out of or alleged to arise out of or indirectly connected with the performance of the LCSO under this MOU.
9. By entering into this Agreement, the Parties and their "public employees" as defined in the New Mexico Tort Claims Act, supra, do not waive sovereign immunity, do not waive any defenses and do not waive any limitations of liability provided by the New Mexico Tort

Claims Act. No provision in this Agreement shall be construed or interpreted to modify or waive any provision of the New Mexico Tort Claims Act, supra.

10. This Agreement incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such agreements, covenants, and understandings have been merged into this written Agreement. No prior agreement, covenant of understandings, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

11. This Agreement shall not be altered, changed or amended except by an instrument in writing executed by the parties hereto.

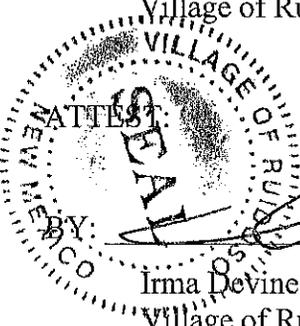
12. If any term or condition of this Agreement shall be held invalid or non-enforceable, the remainder of this Agreement shall not be affected and shall be valid and enforceable to the fullest extent of the law.

13. The parties agree that this agreement shall be construed and interpreted in accordance with the laws of the State of New Mexico and that the proper court having jurisdiction and venue to resolve any dispute under or surrounding this agreement shall be the District Court of the Twelfth Judicial District in and for the County of Lincoln.

IN WITNESS WHEREOF, the parties have executed this MOU as of the latest date shown by the signature of the parties below.

BY: Gus Raymond Alborn
Gus Raymond Alborn, Mayor
Village of Ruidoso

Date: 5/28/13

 ATTEST:
BY: Irma Devine
Irma Devine, Clerk
Village of Ruidoso

Date: 5/28/13

BY: William Hanson
William Hanson
Lincoln County DWI Coordinator

Date: 5/28/13

BY: _____

County Commission Chairperson
Lincoln County, New Mexico

Date: _____

ATTEST:

BY: _____

Rhonda Burrows
Lincoln County Clerk

Date: _____

BY: _____

Robert Shepperd
Lincoln County Sheriff

Date: _____

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
VILLAGE OF RUIDOSO AND THE COUNTY OF LINCOLN
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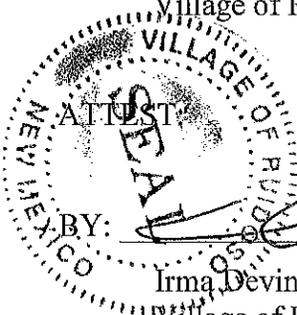
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Gus Raymond Alborn, Mayor
Village of Ruidoso

Date: 5/28/13



BY: Irma Devine
Irma Devine, Clerk
Village of Ruidoso

Date: 5/28/13

BY: William Hanson

William Hanson
Lincoln County DWI Coordinator

Date: 5/28/13

BY: _____

Date: _____

County Commission Chairperson
Lincoln County, New Mexico

ATTEST:

BY: _____

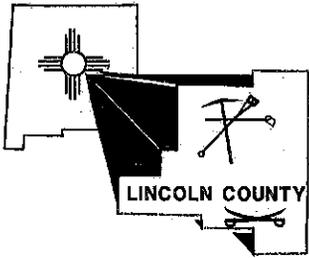
Date: _____

Rhonda Burrows
Lincoln County Clerk

BY: _____

Date: _____

Robert Shepperd
Lincoln County Sheriff



County of Lincoln

P.O.Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (505) 648-2385

AGENDA ITEM NO.8

June 3, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Monthly Smokey Bear District Ranger Report

Purpose: To provide an opportunity for the Smokey Bear District Ranger, David Warnack, to present a monthly report.

Discussion:

David Warnack may appear to provide a monthly report to update commissioners and the public on activities in the district. At enclosure 1 may be a list of critical updates along with some additional information.

Recommendation: None – information only at this time.

**Smokey Bear RD, Lincoln National Forest, Briefing Paper for
Lincoln County Commissioners Meeting
June, 2013**

Critical Updates

Cooperation/Coordination

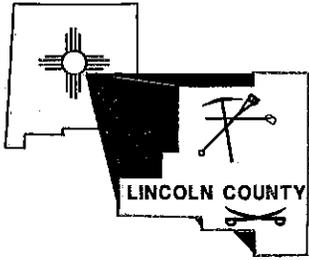
- The Greater Ruidoso Area Wildland Urban Interface working group, which is comprised of representatives from the Forest Service, Lincoln County Government, Village of Ruidoso, NM State Forestry, BLM, Mescalero Tribe, Mescalero Agency, South Central Mountains RC&D, along with citizen groups such as the Little Bear Forest Reform Coalition, and EcoServants worked together to implement a Firewise WUI treatment of a residence and 1 acre of private land. Several local contractors also donated time and materials for this project. There will be a YouTube movie of the project produced in order to promote Firewise treatments across the community.
- Our Ranger District recently worked with Lincoln County EMS, Village of Ruidoso Fire Department, and Billy the Kid Scenic Byway, to put together a visitor safety brochure for delivery by chambers of commerce, hotels, vendors, and local agencies.
- Myself and members of my staff met with the weed coordinator and representatives from the Upper Hondo Soil and Water Conservation District on 6/6/13 to discuss UHSWCD concerns about increased sightings of *Corydalis aurea*, also known as “golden smoke.” The meeting resulted in the following:
 - UHSWCD will develop a long term monitoring plan to track the spread of this native flora.
 - FS will provide information concerning the seeding and mulching operations post-Little Bear fire.
 - FS will compile and assess vegetation monitoring reports from the Whitewater/Baldy Fire on the Gila NF, the White Fire, and the Little Bear Fire to look for occurrences of *Corydalis aurea* in other fire-disturbed areas.
- FS has been working closely with the Village of Ruidoso Parks and Recreation Department, EcoServants, and the Ruidoso Bike Club, to complete up to 12 miles of new mountain bike trails in the area between Grindstone Lake and Grindstone Mesa.
- Our Ranger District is working with the National Community Conservation Corps out of Denver, and a group of volunteers organized by the Disabled Skiers Program of Ski Apache to do large amounts of trail maintenance in both the White Mountain and Capitan Wilderness areas.
- Our Ranger District has been working with APHIS on feral hog control on north side of the Capitans. This project is expected to continue through the end of September with the goal of eradication.

Firefighting Resources

- The district has 7-day staffing, for 12 hours a day.
- We currently have one T3 engine; two T6 engines; 20 person hand-crew; and the SEAT is still at Sierra Blanca airport.

ENCL 1

End of Report



County of Lincoln

P.O.Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (505) 648-2385

AGENDA ITEM NO. 9

June 3, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Greentree Solid Waste Update – Debra Ingle

Purpose: To provide an opportunity for the Greentree Solid Waste Director, Debra Ingle, to provide a monthly report.

Discussion:

Debra Ingle may appear to provide a monthly report to update commissioners and the public on activities in the district. At enclosure 1 are the GTSWA April minutes, county illegal dumping report and the recycling report for the commission.

Recommendation: None – information only at this time.

Greentree Solid Waste Authority
REGULAR MEETING
April 23, 2013

Chairman Hammons called the Regular Meeting of the Greentree Solid Waste Authority (GSWA) to order at 10:04 a.m. at the office of Greentree Solid Waste Authority in Ruidoso Downs, NM.

ROLL CALL; Members recorded as present Sam Hammons (Capitan), Sherrill Bradford (Corona), Ray Dean (Carrizozo), Gary Williams (Ruidoso Downs), Rifle Salas (Ruidoso) by Proxy Jeff Kaplan, Mark Doth (County of Lincoln). Members recorded as absent: None

Staff in attendance: Debra L. Ingle, Operational Supervisor, (OS); Beverly Foote, (P/FC) Ginny Mansfield (AA) Angie K. Schneider, GSWA Attorney.

Public present: J Robert Beauvais, Joe Lewandowski, Operational Consultants Inc.; Jackie Powell, County of Lincoln; Alan Morel, County Attorney here as public only; Dianne Stallings, Ruidoso News; Sue Hutchinson, Ruidoso Free Press; Roger Allen, Bio-Grind.

APPROVAL OF AGENDA; Motion by Member Bradford to approve the agenda as changed moving items 14 and 15 to follow Item 3, tableing item 11, seconded by Member Dean, motion carried with all ayes.

DISCUSSION/ POSSIBLE ACTION VOTING MEMBERS; GSWA Attorney informed the Board that she believed in her opinion that the JPA amendment for VOR is flawed. The wording did not make sense in section 6A therefore, I believe that the Board needs to wait for her to complete her investigation. Member Doth stated that the minutes were not a binding document and that the JPA is the binding document. OC Lewandowski presented that for at the same time as the JPA was changed the County began only sending one member. Commissioner Powell suggested that maybe when Rick Simpson became Manager of GSWA is when the number of members. GSWA Attorney requested more time to study all of the entities minutes. Motion by Member Dean to table until next regular meeting, seconded by Member Bradford, motion carried with all ayes. **Commissioner Powell requested that she be able to remain at the table for discussion. **

EXECUTIVE SESSION- THREATENED AND/ OR PENDING LITIGATION D-0101-CV-2013-00104; Motion by Member Williams at 10:15am to go to Executive Session inviting Commissioner Powell and J. Robert Beauvais, seconded by Member Bradford, motion carried with all ayes upon a roll call vote. Motion by Member Dean to return from Executive Session at 11:10am, seconded by Member Williams, motion carried with all ayes upon roll call vote. Member Doth had left the building before roll call. Member Bradford attested the only discussion was on Threatened and/or Pending Litigation D-0101-CV-2013-00104.

DISCUSSION/POSSIBLE ACTION - EXECUTIVE SESSION- THREATENED AND/ OR PENDING LITIGATION D-0101-CV-2013-00104; No Action

APPROVAL OF MINUTES REGULAR MEETING March 26, 2013; Motion by Member Williams to approve the Regular Meeting March 26, 2013 minutes, a copy of which is attached and made a part hereof, seconded by Member Bradford, motion carried with all ayes.

APPROVAL OF FINANCIAL; OS Ingle introduced Beverly Foote P/FC to present and answer any questions of the March 2013 Financial including Accounts Payable for March 2013 and the Month-End Financial Report for March 2013, copies of which is attached and made apart here of, Commissioner Powell questioned why they were not provided with a copy of the check register. It was explained that it was made apart of the Agenda Packet that the Board received. Member Doth questioned why there was no utilities listed in the collections. P/FC Foote explained that she pays some of the utilities every 6 months instead of writing a small check every month. Member Doth requested that he receive a monthly snap shot with the line items for each utility in each department. Member Doth gave some examples such as recycling department the utilities for each month, a month to month snapshot of everything. Member Doth stated that GSWA should run like the Racetrack and hire seasonal employees. OC Lewandowski explained that it was discussed in the past when he was manager here and that is not possible to make sure that GSWA gets qualified drivers, and explained that would be difficult for the new drivers to learn the routes in a timely manner. OS Ingle stated that because of the death, OSHA mandated all new employees had to have 8 weeks of safety training before they could drive or operate heavy equipment i.e. (trucks, balers). The Month End report reflects that the general operating bank accounts had a balance of \$27,594.53, Loan funds, EGRT, closure funds, \$391,985.08. Overall the Authority's budget shows that they should be at 75%, with actual numbers reflecting Revenues at 64%, Expenditures at 61%, Payroll should be at 77%, and the budget reflects 65% and the Transfer of funds at 81%. Current year-to-date figures reflect that Expenditures exceed Revenue by \$19,978. Motion by Member Bradford to approve March 2013 Financials, seconded by Member Dean, motion carried with all ayes upon a roll call vote.

DISCUSSION/POSSIBLE ACTION ACCOUNTS RECEIVABLE MARCH 2013; OS Ingle stated that there were no Accounts Receivable for the month of March. Commissioner Powell stated that she had received complaints from customer in regards to them not receiving a bill ever and that when they called they received no customer service and if they did the GSWA employee was rude. OS Ingle questioned Commissioner Powell regarding the name of the customer so that she could rectify the situation. Member Doth questioned when GSWA adds late fees. OS Ingle explained that GSWA could implement the late fee after 30 days. OS Ingle thanked Member Doth for bringing the issue of the customers not receiving their bill, OS Ingle informed Member Doth that those customers that did not receive their bill for the December billing cycle did not get any late fees added. OS Ingle again requested the customers' name from Commissioner Powell. Commissioner Powell questioned as to how GSWA knew when to set up accounts for new residence. OS Ingle responded that the County Assessors office sends GSWA a report of any mobile homes or new homes built. OS Ingle again questioned who the customer was that Commissioner Powell was referring to and received no response.

APPROVAL OF OPERATIONAL SUPERVISOR REPORT; OS Ingle provided to the Board the Recycling and Illegal Dumping report for March 2013, a copy of which is attached and made apart hereof; 37.20 tons of recycling shipped and 34.33 tons of metal. Illegal Dumping sites 57, Illegal Dumping yards year-to-date 581.25, Yard Waste Collected 565 yards- year to date 8,580 yds. OS Ingle provided the board with an update on the LBF 1 bill payment, 6customers left outstanding. OS Ingle reminded the Board that the Otero Greentree Joint Landfill Special Meeting is to be held on May 2, 2013 in Alamogordo at the Commission Chambers. OC Lewandowski stated that it had been moved to the Senior Center. OC Lewandowski presented the Board with a couple of options up for approval concerning the Landfill. OS Ingle reminded the Board that if they vote for the Rate Increase at the Joint Meeting, each member entity would need to put it on their Agenda for a public hearing to approve the increase.

NOTICE OF APPROVAL NMED-CPB – 3YARD DUMPSTERS & 40 YARD ROLLOFFS; OS Ingle provided a letter from the New Mexico Environmental Department Construction Programs Bureau, a copy of which is attached and made a part hereof, with approval to proceed to purchase 72 3 yard dumpsters and 3 40 yard roll off Containers.

DISCUSSION/POSSIBLE ACTION- YARD/ FOREST WASTE DISPOSAL; Member Doth stated that forest waste in Lincoln County was a growing problem and there is a lot of confusion with what to do with it. Member Doth provided information that the County of Lincoln had sent out letters to the landowners that they have 10 days to bring their land into compliance. Member Doth stated that included in the letter was a list of haulers, stating that the County did not recommend any particular business. Member Doth wants a more clearer line of communication between Greentree and the County when this becomes a problem , and that he sees this as a problem with anything over 12 yards. Member Doth questioned where the cost for the allotted yardage came from. Member Doth requested GSWA to put reminders about yard waste on the customers' bills. OS Ingle mentioned that the Bio-Mass is back in the works. Tabled till next Months Meeting

DISCUSSION/POSSIBLE ACTION- VEHICLE POLICY; Member Doth questioned where the policy was concerning the OS use of her personal vehicle for company use. OS Ingle provided information regarding the Vehicle Usage Policy. FC Foote provided information on how the payments to OS came about and the fact that she receives copies of OS insurance coverage. OS Ingle provided her Driver Logs which she fills out daily for when she uses her vehicle. Member Doth stated that the method of accounting made no sense. Member Williams questioned if the Auditor was aware of the situation. FC Foote stated that yes the Auditor did know. Member Dean questioned if there were ever any Audit Findings since this method had been used. OS Ingle stated that there had never been any Findings on this. Member Doth stated that GSWA could buy a used truck for pretty cheap. Commissioner Powell stated that she knew of a community that used rental vehicle that they just had to pay by the day. Member Doth made the suggestion that GSWA research other options and provide the information to the Board at the next regular meeting. Motion by Member Williams to direct staff to research other options for the Operational Supervisor for vehicle usage and report back at the May meeting, seconded by Member Doth, motion carried with all ayes upon a roll call vote.

DISCUSSION/POSSIBLE ACTION- RECYCLING ANALYSIS; this item was tabled until next regular meeting.

DISCUSSION/POSSIBLE ACTION-EMPLOYEE / MANAGER FLOW CHART / POSITIONS; OS Ingle provided organizational charts that were created and approved in 2010, and a draft 2013 version reflecting the recent changes in employees. Member Doth made the suggestion that the Board hire a Manager. There was discussion that the OS was doing a wonderful job and that they did not need to hire anyone to micro-manage the operation. Motion by Member Dean to approve Employee/Manager Flow Chart/Position 5/2013 as presented removing the dotted line, seconded by Member Williams, motion carried with all ayes upon a roll call vote.

DISCUSSION/POSSIBLE ACTION BUDGET WORKSHOP; OS Ingle provided the interim budget, a copy of which is attached and made apart here of, Commissioner Powell questioned the overtime in the budget and OS Ingle explained that all overtime had to be approved by the OS before any overtime is paid, OS Ingle stated that in the busy season the drivers did get some overtime, and that like right now with the cleanups in County that the employees that were working on the Saturdays still had to cover their regular routes. Both Commissioner Powell and member Doth stated that this was a scheduling problem, OS acknowledged that with the layoffs GSWA does not have the staff to short schedule.

COMMENTS FROM THE PUBLIC: Roger Allen requested a copy of the list of contractors that the County provided to the citizens.

NEW/OLD BUSINESS: Member Doth mentioned the Corona site and thought that all of the operations should do the same.

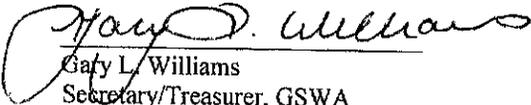
NEXT MEETING: the next regular meeting is scheduled for May 28th at 10:00 am.

ADJOURN: Motion by Member Bradford to adjourn the meeting at 1:22 pm, seconded by Member Dean, motion carried with all ayes.

Passed and approved this 30th day of May 2013.

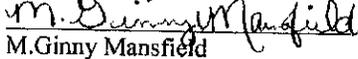


Sam Hammons
Chairman, GSWA



Gafy L. Williams
Secretary/Treasurer, GSWA

Transcribed by:


M. Ginny Mansfield
GSWA Administrative Assistant

Dirty Dozen Miscellaneous Waste for April 2013

Monthly

April		
Location	Sum of Yards	
1 Ski Run Rd	10.25	
2 Dean Rd	7.25	
3 Glenco	5.5	
4 Sun Valley	5	
5 Sandia Rd	4.5	
6 Dawson Rd	4	
7 Cedar Creek	3.25	
8 Ranches of Sonterra	2.75	
9 crC006/ Ft Lone Tree	2.5	
10 Alto Pines	2	
11 Barney Luck	2	
12 Loma Grande	1.75	

Year to Date

Dirty dozen Misc. Waste 2012 / 2013

as of April 2013

year to date total of all sites 638.75

location	yards
1 Sun Valley	55.5
2 Enchanted Forest Area	45.75
3 Ski Run Rd	42.5
4 Loma Grande	42.25
5 Cedar Creek	35.75
6 Glencoe	31
7 Sandia Rd	24.25
8 Ranches of Sonterra	24.25
9 Laughing Horse Ln	24
10 Dawson Rd	21.5
11 Alpine Village	20.25
12 Deboard	19.75
12 Dean Rd	19.75

GSWA Board of Directors Monthly Recycling Report –

May

Material	Paying	Prev Mk Month		Curr Mk Month*		High Price	Low Price
Aluminum (cans)-W	0.28	0.67		0.67		0.84	0.38
Aluminum (extrusion)-CM	0.25	0.65		0.65		0.72	0.35
Brass - W	0.90	2.06		1.94		2.00	0.90
Copper #1 - W	1.50	3.01		2.77		3.85	1.70
Copper #2 - W	1.50	2.83		2.57		3.60	1.55
Clean Mixed Plastic-T	0.00		T		T	45.00	10.00
Plastic #1 - T	0.00	190.00	T	210.00	T	210.00	0.00
Plastic #2 - T	0.00	180.00	T	200.00	T	170.00	0.00
Corrugated Cardboard-T	0.00	110.00	T	105.00	T	185.00	40.00
Mixed Paper-T	0.00	55.00	T	50.00	T	90.00	5.00
Old Newsprint - T	0.00	65.00	T	65.00	T	105.00	10.00
Other Paper-T	0.00	110.00	T	110.00	T	260.00	100.00
Scrap Steel/Iron - CM	90.00	210.00	T DEL	190.00	T DEL	240.00	60.00
Scrap Steel/Iron -CM	0.00	137.14	T PU*	117.14	T PU*		

Notes: Prices quoted are per pound unless otherwise noted.

***Price is based on average of 7T. Price is Delivery price with FRT deducted at \$510.00.**

Greentree Solid Waste Authority
PO Box 2405
Ruidoso Downs, NM 88346
(575) 378-4697 * 1-877-548-8772 Fax (575) 378-4896

May 13, 2013,

TS/RC Recycling Report 04/01/13 to 04/30/13

Recycling shipped for April 2013

Cardboard –	20.89T
Newspaper -	00.00T
Mixed Paper –	00.00T
Plastics #1 -	00.00T
Plastics #2 -	00.00T
Total	20.89T

Aluminum/Brass/Copper

01.69T / 143lbs. / 450 lbs.

Metal

17.90T

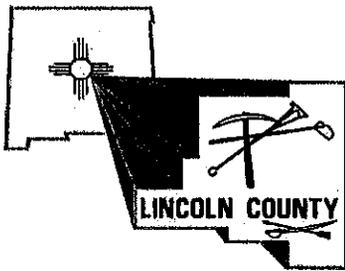
Field Report – 04/01/13 to 04/30/13

Lincoln County

650 Yds. Collected Yard Waste 04/13
9,230 Yds. Collected Yard Waste FY 2012-13

Miscellaneous Waste Illegal Dumping

57 Illegal Dumping Sites 04/13
570 Illegal Dumping Sites FY 2012-13
57.50 Yds. Of Illegal Dumping 04/13
638.75 Illegal Dumping Yards FY 2012-13



www.lincolncountynm.net

County of Lincoln

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

AGENDA ITEM NO. 10

June 16, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Lincoln County Building Projects Update

Purpose: To bring the Commission up-to-date on the status of all building projects.

Discussion:

1. **Ft. Stanton Fire Dept.** The MOU (long-term lease agreement) has been prepared and approved by the State Monuments Department, has recently been forwarded to the County for concurrence, and is being reviewed by Alan Morel and Manager Taylor. The NM Department of Cultural Affairs & Tourism is targeting a Board of Finance approval at its July 16th meeting, of which the submission for agenda items is June 25th. Its approval is contingent on both a Lincoln County Board of Commissioners approval, as well the State Monuments Board of Regents approval. Due to the timing of all entities' meetings, the earliest the lease can be in place is July 18th. **See Enclosure 1** for fire station tract to be leased.

As discussed at the BOCC's May meeting, advanced planning commenced on this project in September, 2011, when Basic IDIQ was contracted to design the prefabricated metal building measuring 50' deep x 80' wide and 16' tall. When Basic IDIQ was contracted to design the building, it was also in the Manager's plan to have them construct the building, both under the County contract with CES (Cooperative Educational Services). If the County moves forward with initial plans to use Basic IDIQ to construct, a three-party contract will be entered into among the County, CES and Basic IDIQ. The recently updated cost of construction is approximately \$470,000. The County received a \$397,000 legislative appropriation last year, and the fire department has carried over funds in the amount of \$277,000 for several years for this project. We are adequately funded for the construction, and eventual furnishing and equipping.

A key topic of discussion in the May BOCC meeting was whether to move forward with the initial intent to have Basic IDIQ continue to bid the project, hire the contractor and have overall oversight of the project, (as was the case in 2010, when Basic IDIQ constructed the extension

of the Nogal Fire Department). The alternative to proceeding with this CES process is for the County to opt to issue the formal RFP for construction. Of Commission concern was whether Basic IDIQ could adequately handle this project, as it is soon to begin construction of the major project to expand the County Court and Sheriff's Offices complex. Mr. Kyle Cooper and Lynden Brinegar will be present at the Commission meeting to address Commission concerns.

2. **Carrizozo Sr. Center.** The county was well represented at the CDBG Hearings on May 10th, and has been notified that the awarding of funds is scheduled for June 17th. Our request for a \$500,000 grant, when coupled with the legislative appropriation pledged of \$245,000 and County budgeted funds of \$400.00 is adequate to construct the center of approximately 5,000 sq. ft., in a single phase. Should the County not be awarded its full request, it can move forward in a phased approach with the remaining funding available. Mr. Howard Kaplan, Architect with Wilson & Co., will be at the June meeting to up-date the Commission on status.
3. **Ruidoso Public Health Building.** The gutters and downspouts are installed on the Health Clinic, including the north side of the building. Storm water piping has been laid, dirt work around the building completed and necessary parking lot modifications made. All work was for the purpose of redirecting water flow, the cause of building deterioration, away from the building. Exterior repair to the foundation is complete, and final interior work will be complete in approximately one month, allowing time to gauge whether the change in water-flow direction prevents additional foundation and interior deterioration.
4. **LCMC's Physician's Office Building (POB).** Progress on the POB continues to meet and exceed timelines, with Jaynes Corporation predicting the building to be ready for a mid-October grand opening. In addition to the construction itself, Al Santos and LCMC are working with Jaynes Corp. and Dekker/Perich/Sabatini on identifying, ordering and placement of the furniture and fixtures for the complex. Manager will provide an update of expenditures at the June meeting. **See Enclosure 2** for the June 6th Coordination Meeting Minutes, Gantt chart and photographs.
5. **Courthouse/Sheriff's Complex Expansion.** The town of Carrizozo has provided necessary permissions, including the vacation of the street, to the County. Now that the County is in possession of required legal documents, Attorney Morel and Manager will complete review and revision of Lincoln County/CES/Basic IDIQ Agreement / contract for Commission approval, as well as the Vertterre Contract for the work tied to the energy audit, that will be done in concert with the building construction.

Recommendation: Most of the information provided here is for informational purposes only. The Commission must determine whether to contract with CES / Basic IDIQ, for the construction of the Ft. Stanton Fire Station, or to direct Manager and Purchasing Agent to issue a formal RFP. Manager recommends proceeding with Basic IDIQ due to the amount of effort, including the identification of potential contractors, already spent by them on this project.

BOUNDARY SURVEY REPLAT

LOCATED WITHIN THE FORT STANTON STATE MONUMENT TRACT AS SHOWN BY THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK AND EX-OFFICIO RECORDER OF LINCOLN COUNTY, NEW MEXICO ON AUGUST 28, 2008 IN CABINET J, SLIDE NO. 193

DEDICATION
STATE OF NEW MEXICO) SS
COUNTY OF LINCOLN) SS

KNOW ALL MEN BY THESE PRESENTS THAT THE STATE OF NEW MEXICO, DEPARTMENT OF THE NEW MEXICO STATE MONUMENTS IS THE RECORD OWNER AND PROPRIETOR OF THE FORT STANTON MONUMENT TRACT AS SHOWN BY THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK AND EX-OFFICIO RECORDER OF LINCOLN COUNTY, NEW MEXICO ON AUGUST 28, 2008 IN CABINET J, SLIDE NO. 193. BY THE FILING OF THIS PLAT SAID OWNER AND PROPRIETOR DOES HEREBY CAUSE SAID TRACT TO BE REPLATTED AS SHOWN HEREON. THIS PLAT WAS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER THEREOF.

CLAIM OF EXEMPTION
THE STATE OF NEW MEXICO, DEPARTMENT OF THE NEW MEXICO STATE MONUMENTS, CLAIMS AN EXEMPTION FROM THE REQUIREMENTS OF THE NEW MEXICO SUBDIVISION ACT, LINCOLN COUNTY, NEW MEXICO, SUBDIVISION REGULATIONS FOR THE FOLLOWING THE SAID SERVICES THAT THIS TRANSACTION INVOLVES:
THE PURCHASE OF DONATION OF LAND BY A GOVERNMENTAL ENTITY FOR THE PURPOSE OF CONSTRUCTION OR USE OF A PUBLIC PROJECT.

STATE OF NEW MEXICO) SS
COUNTY OF LINCOLN) SS

RICHARD SIMS, DIRECTOR) SS
ACKNOWLEDGEMENT) SS
STATE OF NEW MEXICO) SS
COUNTY OF LINCOLN) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2013, BY RICHARD SIMS, DIRECTOR OF THE NEW MEXICO STATE MONUMENTS OF THE STATE OF NEW MEXICO.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC _____

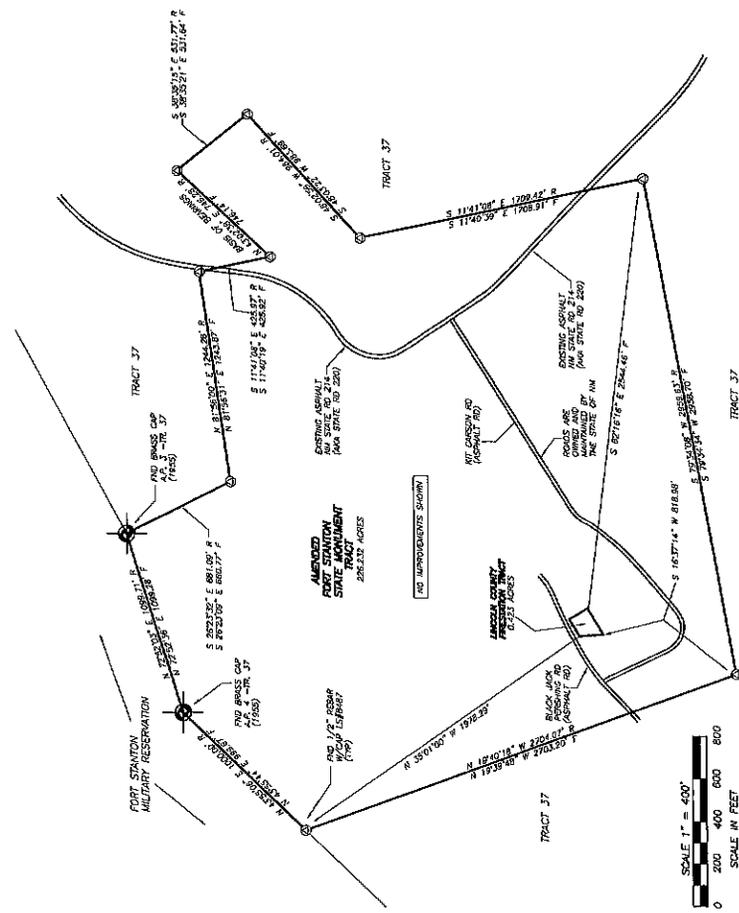
APPROVAL BY LINCOLN COUNTY)
APPROVED BY SUMMARY PROCEDURE BY LINCOLN COUNTY THIS _____ DAY OF _____, 2013.

RTA TAYLOR, COUNTY MANAGER)
CURT TEMPLE, PLANNING DIRECTOR)

WINDSTREAM COMMUNICATIONS)
OTERO COUNTY ELECTRIC COOPERATIVE)
ZANUTALBA GAS COMPANY)

TITLE _____ DATE _____
TITLE _____ DATE _____
TITLE _____ DATE _____

APPROVAL BY UTILITY COMPANIES: NOTE AN EASEMENT IS RESERVED FOR ALL OVERHEAD UNDERGROUND PUBLIC UTILITIES ON THE LANDS PLATED HEREON. THIS EASEMENT INCLUDES THE RIGHT OF INGRESS AND EGRESS ACROSS THE OWNERS PROPERTY CONTAINING THE EASEMENT FOR REPAIR OR REPLACEMENT OF UTILITIES OR APPURTENANCES, THEREOF.

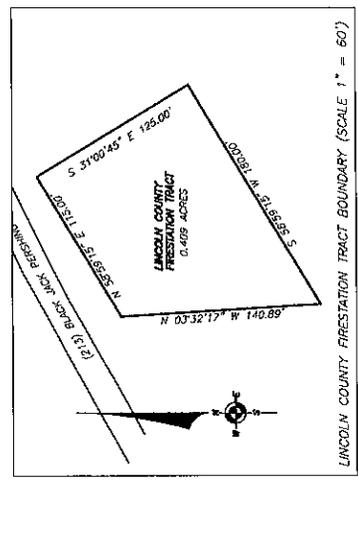


SURVEYOR'S NOTES

- THE INTERIOR ACCESS ROADS WITHIN THE STATE MONUMENT TRACT ARE NOT DESIGNATED WITH A SPECIFIC WIDTH FOR THEIR RIGHT-OF-WAY. THE NORTH BOUNDARIES OF THE FIVE (5) TRACTS ARE NOT DESIGNATED WITH A SPECIFIC WIDTH. (25) FEET FROM THE EXISTING CENTERLINE OF BLACK JACK PERSHING ROAD.
- THE FORT STANTON MONUMENT TRACT CONTAINS WATER LINES AND SANITARY LINES THAT ARE SHOWN AND MAINTAINED BY THE STATE OF NEW MEXICO.

SURVEYORS CERTIFICATE
ERIC D. COLLINS, NEW MEXICO PROFESSIONAL SURVEYOR NUMBER 4007, DO HEREBY CERTIFY THAT I HAVE PERSONALLY CONDUCTED THE SURVEY AND THE ORIGINAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT THIS IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE OF SURVEY: _____ ERIC D. COLLINS, N.M.P.S. NO. 18177



LINCOLN COUNTY FREESTRATION TRACT BOUNDARY (SCALE 1" = 60')

SCALE: 1"=60'
DATE: 04-18-13
DRAWN BY: EDC
CHECKED BY: EDC
JOB NO.: 13-584
SHEET 1 OF 1

D.T. COLLINS & ASSOCIATES P.C.
SURVEYING, MAPPING
1042 MECHEM DR. 575-258-5272
RUDDOSO, LINCOLN COUNTY, NEW MEXICO



STATE OF NM	N/A - SEE PLAT
OWNER OF PROPERTY	SUBDIVISION
28 (TR 37)	R 14 E
SECTION	TOWNSHIP
	RANGE
	N.M.P.M.

INDEXING INFORMATION FOR COUNTY CLERK

COUNTY CLERK PLAT INFO

COUNTY CLERK SEAL

ENCL 1

Meeting Minutes

Detailed, Grouped by Each Meeting and by 'Old Business' and 'New Business' (Sorted by Item Number)

Lincoln County Medical Center POB
 211 Sudderth Dr.
 Ruidoso, NM 88345

Project # AG13-011
 Tel: Fax:

Jaynes Corporation

Owner/Architect/Contractor Meeting 11

Date	Start	End	Next Meeting	Next Time	Prepared By	Company
6/6/2013	10:00 AM	11:00 AM	6/20/2013	10:00 AM	Aaron Autin	Jaynes Corporation

Purpose	Location	Next Location	General Notes
Construction coordination and updates	LCMC PT Conf. Room	LCMC PT Conf. Room	

Attended By	Non-Attendees
Dekker Perich Sabatini - Ted Kostranchuk	Jaynes Corporation - Chris Butler
Jaynes Corporation - Aaron Autin	Jaynes Corporation - Darrel Massegee
Jaynes Corporation - Jason Parsons	Dekker Perich Sabatini - Monica Riewe
Lincoln County - Orlando Samora	Dekker Perich Sabatini - Daren Pocus
Presbyterian Healthcare Serv - Jim Stover	Lincoln County - Nita Taylor
Lincoln County - Michele Caskey	Jaynes Corporation - Mark Harwell
Presbyterian Healthcare Serv - Asa Hammond	Jaynes Corporation - Steve Mora
Presbyterian Healthcare Serv - Jeff Claypool	Jaynes Corporation - Gordon Berch
Presbyterian Healthcare Serv - Al Santos	Presbyterian Healthcare Serv - Brad Treptow
Presbyterian Healthcare Serv - Barb Valdez	Dekker Perich Sabatini - Daren Pocus
Presbyterian Healthcare Serv - Yolanda Delgado	Dekker Perich Sabatini - Bobby George
	Murrill Electric LLC - Jimmy Morris
	Presbyterian Healthcare Serv - Jerome Padilla
	Presbyterian Healthcare Serv - Jim Blum
	Presbyterian Healthcare Serv - Asa Hammond
	Dekker Perich Sabatini - Trevor Self
	Jaynes Structures, Inc. - Greg Krause

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd	Cls'd
Old Business						
Construction Schedule						
001-001	6/6/13 - Roofing 98% complete (TPO) - Exterior waterproofing approx. 75% complete - Glass to install next week - first floor 1-sided - Wall insulation ongoing on 1st floor - 1st floor walls to close next week - Sheet rock 2nd floor in 3 weeks - EIFS system ongoing - Low voltage subcontractors to begin on 6/17	Jason Parsons (JAYCOR)	Ongoing			No
Hospital Coordination						
001-003	6/6/13 - LCMC noted to make sure that delivery are sent to the jobsite address and not the main hospital	Jason Parsons (JAYCOR); Aaron Autin (JAYCOR);	Ongoing			No

ENCL 2

Meeting Minutes

Detailed, Grouped by Each Meeting and by 'Old Business' and 'New Business' (Sorted by Item Number)

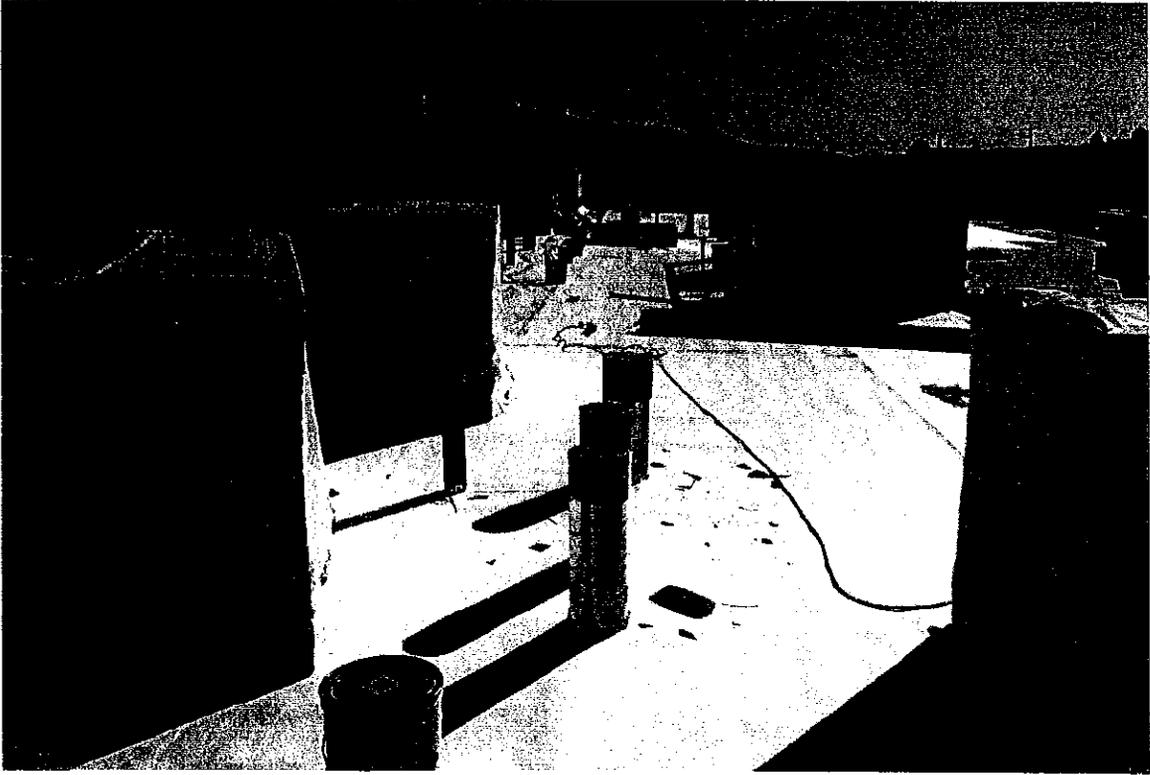
Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
Old Business							
			Chris Butler (JAYCOR); Jim Stover (PREHEA0); Darrel Massegee (JAYCOR); Ted Kostranchuk (DEKPER0)				
Submittal Log							
001-006	6/6/13	- No critical submittals outstanding at this time	aaron Autin; Aaron Autin (JAYCOR)	Ongoing			No
Site Safety							
001-008	6/6/13	- Safety inspections are ongoing as the number of workers remains high on site	Aaron Autin (JAYCOR); Jason Parsons (JAYCOR); Chris Butler (JAYCOR); Darrel Massegee (JAYCOR)	Ongoing			No
Traffic Control							
001-010	6/6/13	- No current issues - Jaynes to keep road closed through the remainder of the project	Jason Parsons (JAYCOR)	Ongoing			No
Preinstallation Meetings							
001-011	6/6/13	- DPS noted that Arcadia will be on site for the next meeting to review the glass and glazing installation	Aaron Autin (JAYCOR); Chris Butler (JAYCOR); Jason Parsons (JAYCOR); Darrel Massegee (JAYCOR)	Ongoing			No
Mock-ups							
001-013	6/6/13	- Wall texture mockup to be made on site - ceramic tile first work in place to be inspected prior to moving to other restrooms	Jason Parsons (JAYCOR); Aaron Autin (JAYCOR); Chris Butler (JAYCOR); Darrel Massegee (JAYCOR)	Ongoing			No
ASI / PCO Log							
001-014	6/6/13	- CO#3 was given to DPS for review and approval	Aaron Autin (JAYCOR); Chris Butler (JAYCOR)	Ongoing			No
Pay Application							
001-016	6/6/13	- Jaynes noted that this months pay app should be ready for approval this week.	Aaron Autin (JAYCOR); Chris Butler (JAYCOR); Ted Kostranchuk (DEKPER0); Orlando Samora (LINCOU); Nita Taylor (LINCOU)	Ongoing			No
Potential Hot Items							

Meeting Minutes

Detailed, Grouped by Each Meeting and by 'Old Business' and 'New Business' (Sorted by Item Number)

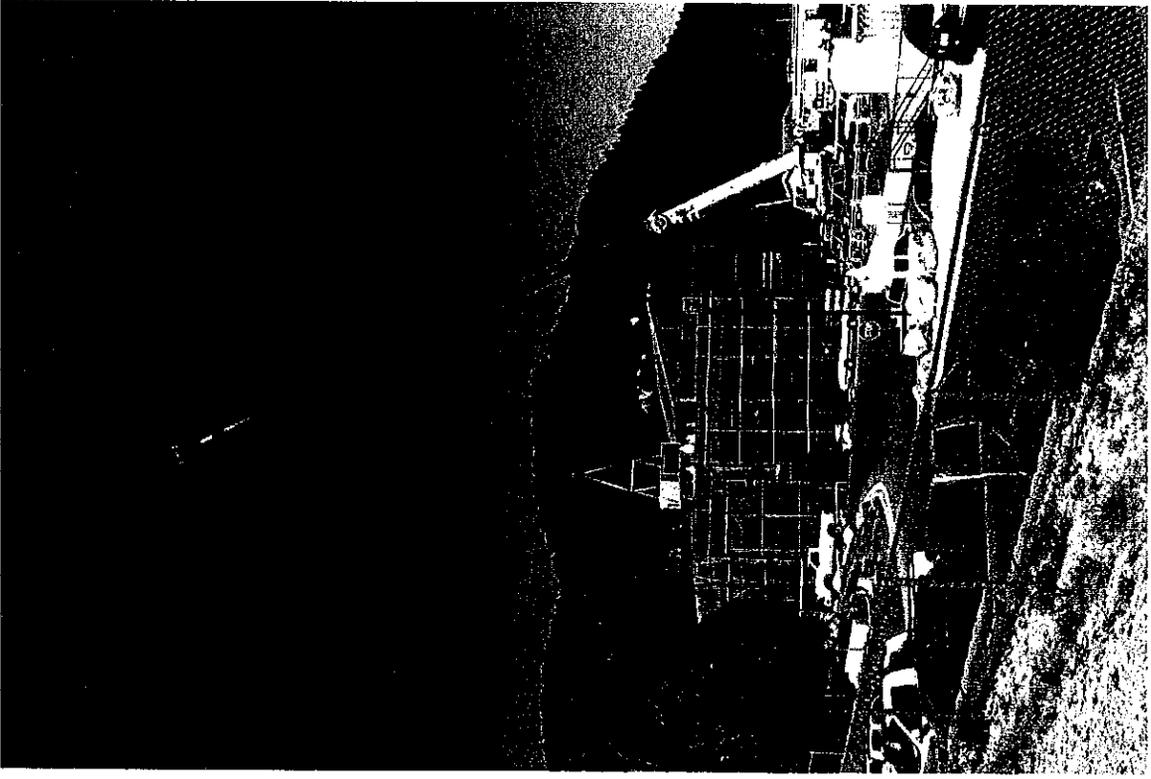
Item	Meeting	Item Description	Resp	Status	Due Date	Compl'd	Cls'd
Old Business							
001-017			Aaron Autin (JAYCOR); Chris Butler (JAYCOR); Jason Parsons (JAYCOR)	Ongoing			No
Hot Items Log							
001-018	6/6/13	- Jaynes requested a site walk with DPS to determine final location of floor boxes					No
RFI's							
001-019	6/6/13	- Jaynes noted that only the floor box locations are outstanding	Aaron Autin (JAYCOR)	Ongoing			No
Dust Control							
001-020	6/6/13	- No current issues	Jason Parsons (JAYCOR)	Ongoing			No
Testing Lab							
002-001	6/6/13	- DPS noted they have received the invoices and will send to the County - DPS requested that the enclosure footings do not need to be tested	Ted Kostranchuk (DEKPER0); Aaron Autin (JAYCOR); Chris Butler (JAYCOR); Darrel Massegee (JAYCOR); Jason Parsons (JAYCOR)	Ongoing			No
General							
003-001	6/6/13	- It was verified that the jobsite address is 121 El Paso Rd - LCMC would like to set up a walk-through on June 26th					No
Special Systems Coordination							
007-001	6/6/13	- IES to begin pulling cable on the 17th - Contact: David Potts 505-345-0965 - Jaynes to send ASI 8 & 9 to Yolanda - Damon to do a site visit after next meeting					No
Furniture Coordination							
007-002	6/6/13	- DPS noted that the furniture has been ordered and will meet the required dates of the construction schedule					No
Owner Equipment Coordination							
007-003	6/6/13	- Jaynes needs a list of the OFCI items that they are to install. Backing requirements are also needed					No
Grand Opening							
010-001	6/6/13	- Jaynes noted per the current schedule the building should be ready for a grand opening in mid October					No

May 29th

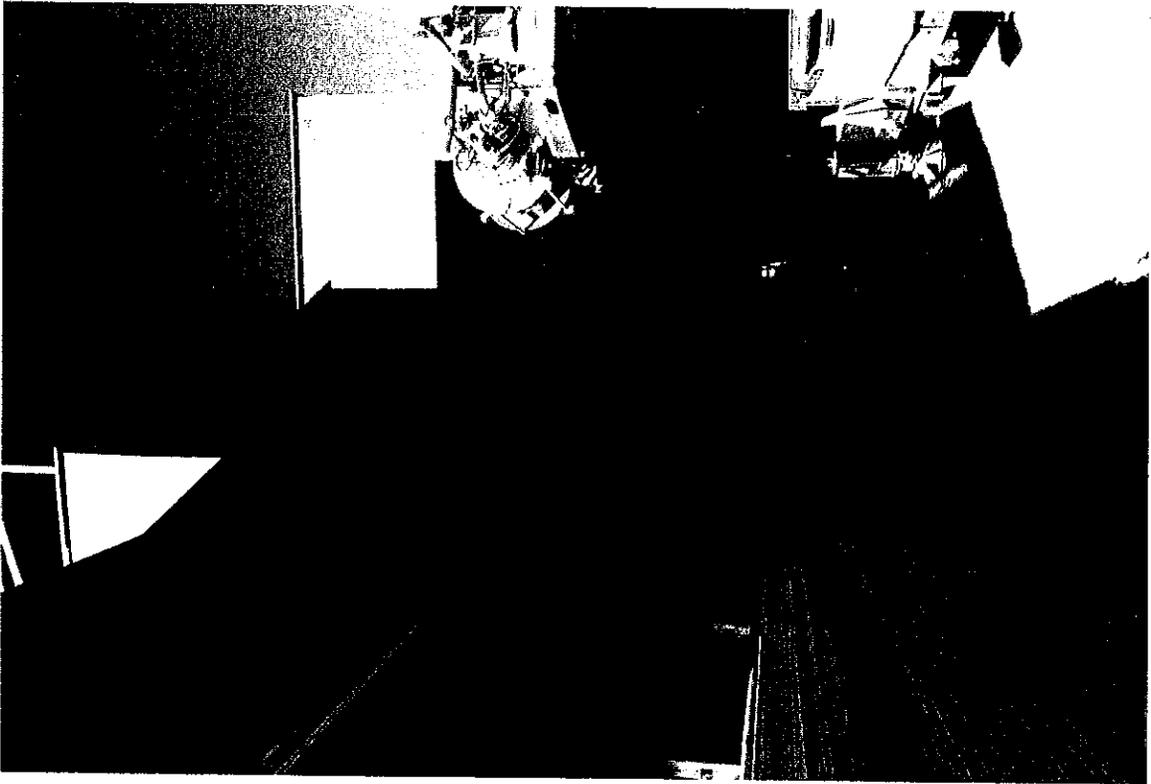


May 30th

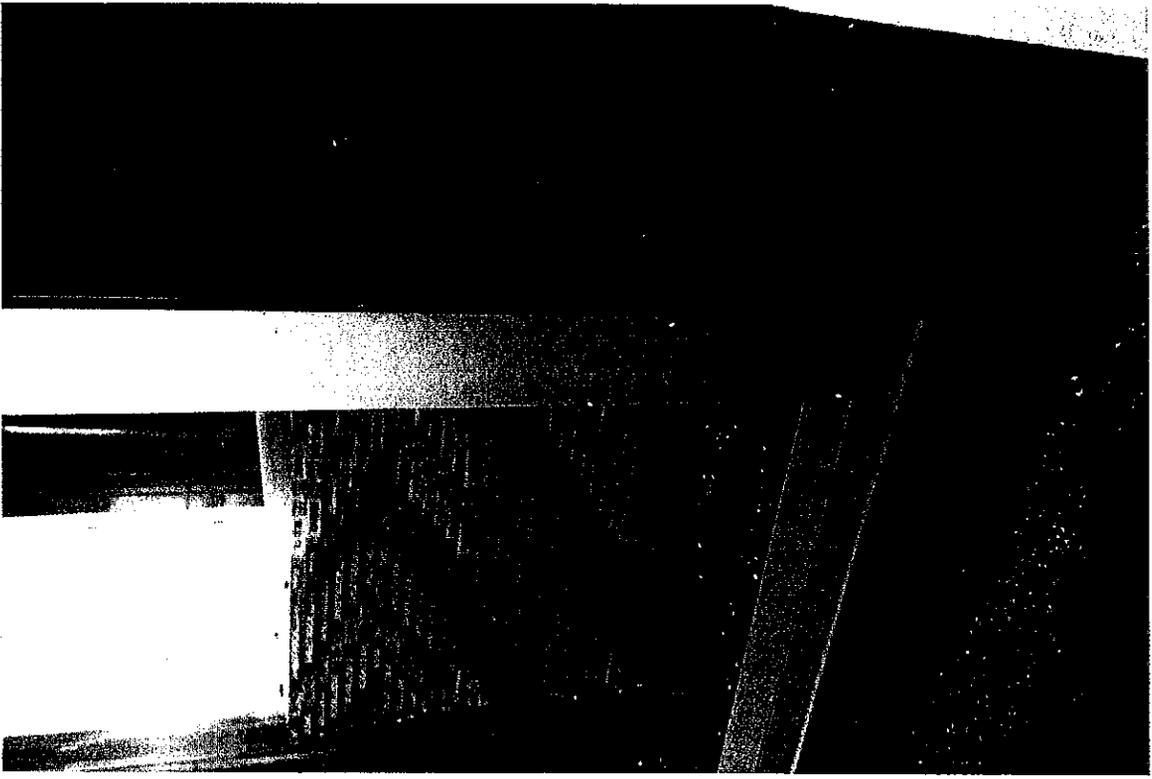




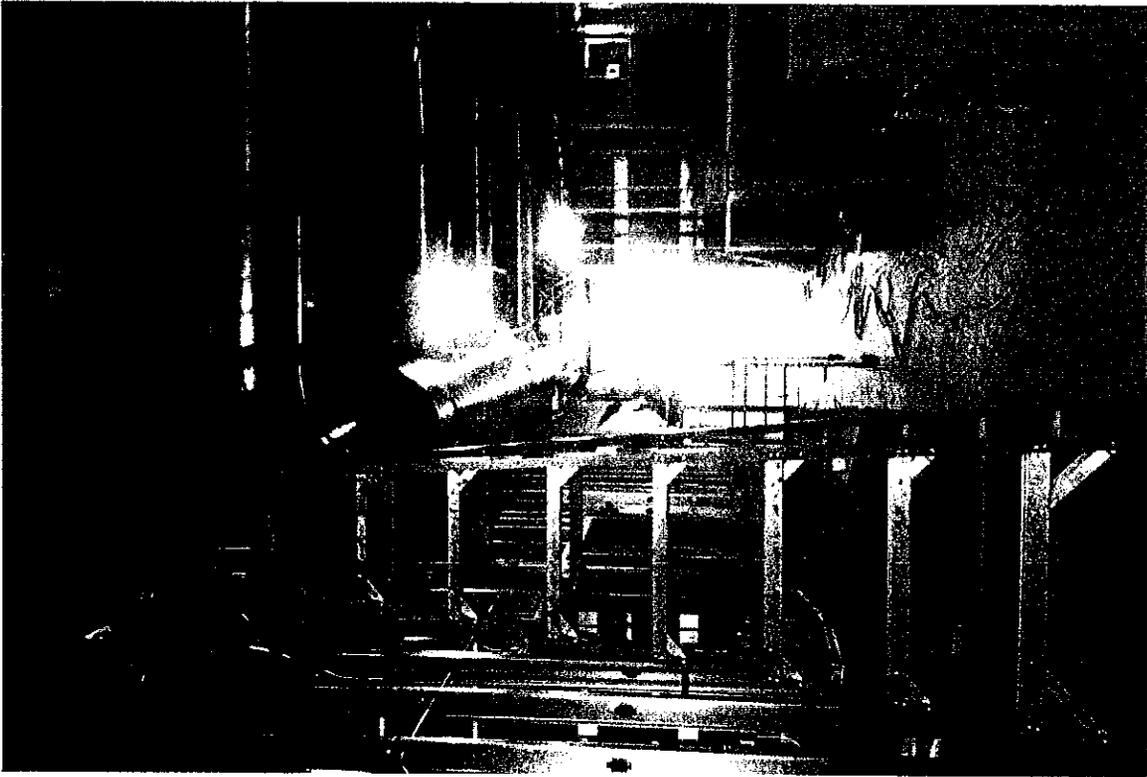
June 4th



June 4th

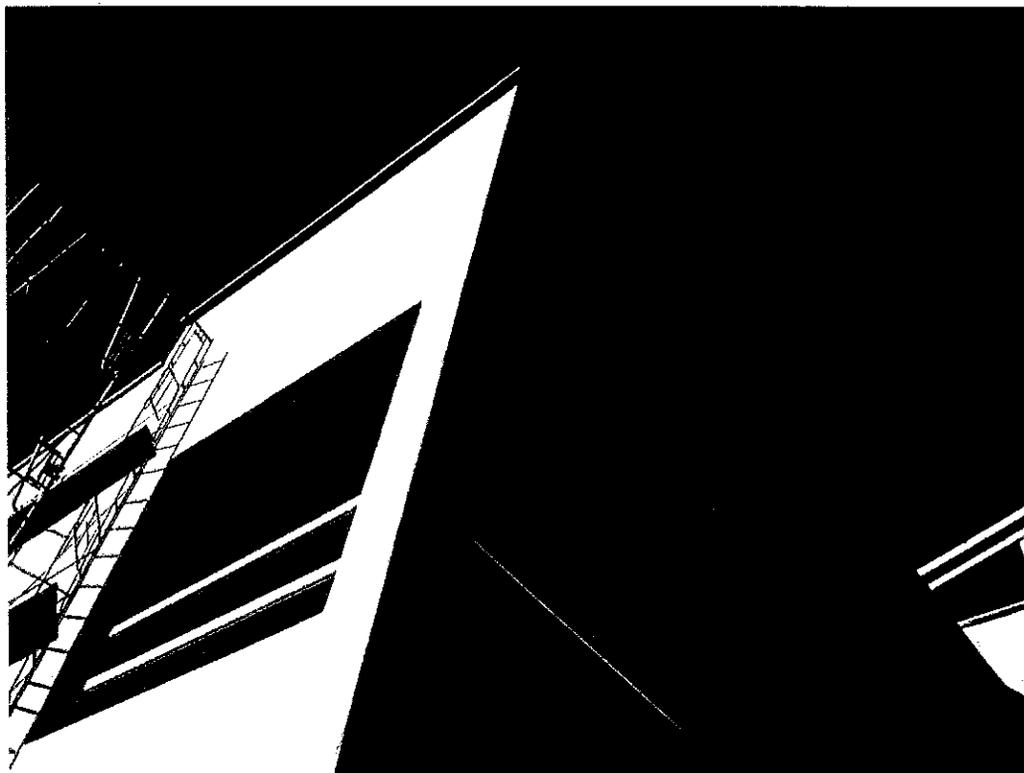


June 4th



June 5th

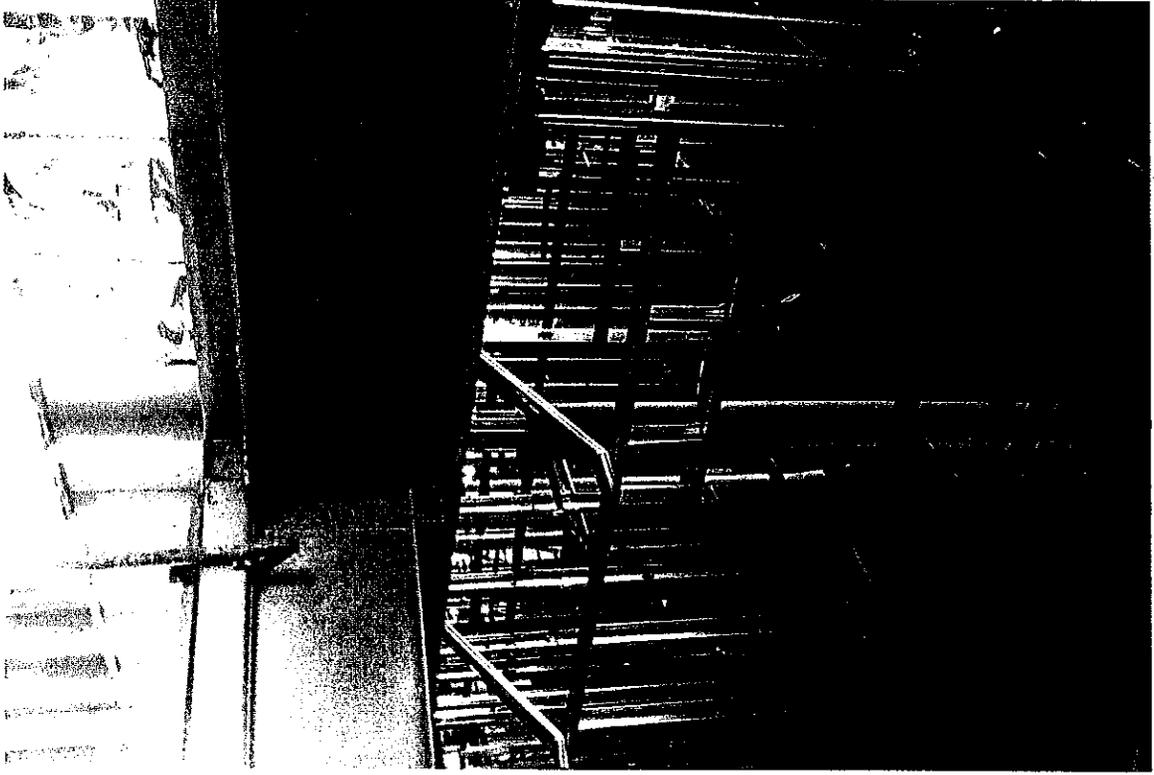
June 4th



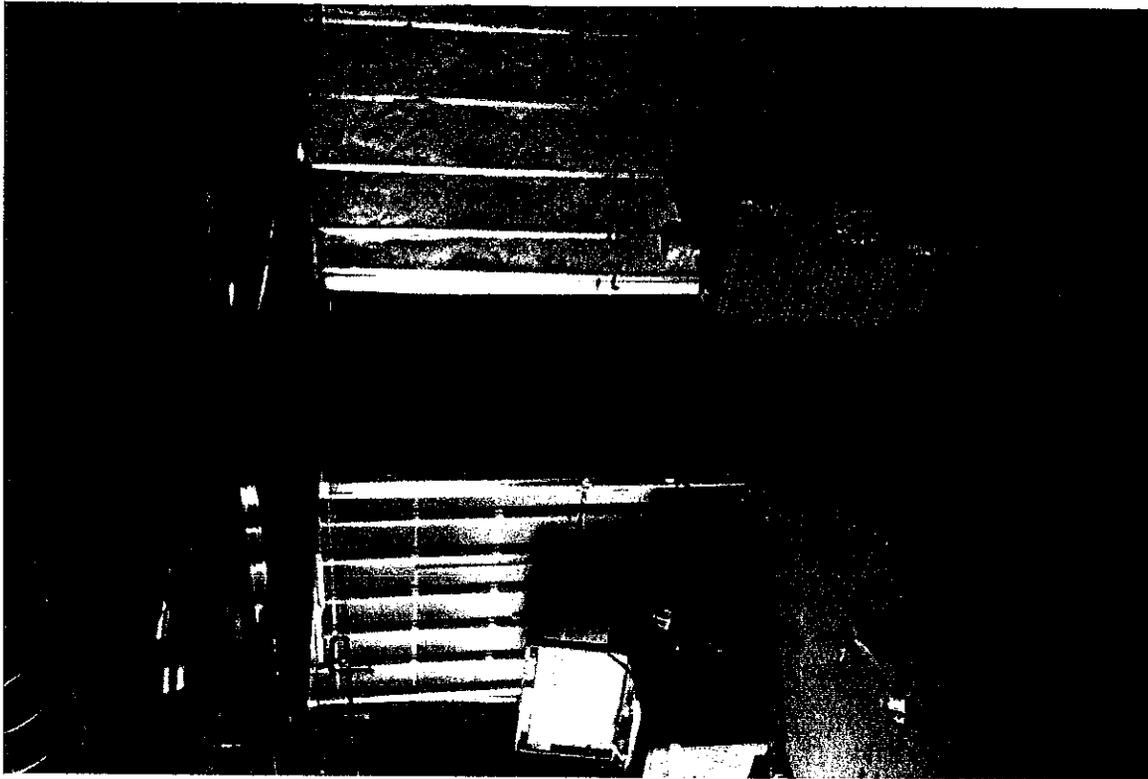
June 11th



June 11th



June 10th



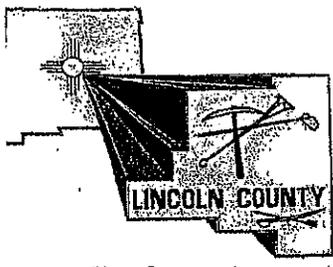
June 10th

Agenda Item No. 11
June 25, 2013

SUBJECT

9:00 A.M.: Lodgers Tax Activities with backup material:

- a. Application 1696: Carrizozo Chamber of Commerce July 4th Celebration \$500/Fran Altieri
- b. Application 1697: Bicycle Ruidoso, Trail Building \$10,000/Cody Thurston
- c. Application 1698: Carrizozo Music in the Parks; July 20, August 22, October 3 & Mid November; \$4,000/Elaine Brannen
- d. Application 1699 : Fort Stanon Live 2013, July 13-14, 2013 \$5,000/Clinton Smith



County of Lincoln

P.O. Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

Carrizozo (+ Surrounding Area)

www.lincolncountynm.net

NAME OF EVENT: July 4th Celebration DATE(S) OF EVENT: July 4, 2013

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: Carrizozo Chamber of Commerce

AMOUNT REQUESTED: \$ 500

DESCRIBE EVENT BACKGROUND & RATIONALE: Annual Brisket Dinner *pls see attached
with music + entertainment by Paul Pina + Tone Daddies
prior to the ever popular Carrizozo Fire Dept. Fireworks Display

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? Newspapers, radio
internet and poster ads.

fun for all ages!

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? Volunteer surveillance

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER? YES NO HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED? by each facility.

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 99 %
WILL YOU HAVE A WEBSITE FOR YOUR EVENT? YES NO

FUNDS WILL BE USED FOR:	
NEWSPAPER ADVERTISING:	\$ <u>200</u> -
RADIO:	\$ _____
MAGAZINE:	\$ _____
INTERNET:	\$ <u>100</u> -
PRINTING:	\$ <u>100</u> -
OTHER:	\$ <u>100</u>
TOTAL:	\$ _____

Please feel free to add additional pages, samples of ads or brochure artwork, etc.

RULES AND REGULATIONS

I understand that these are public funds and they are to be administered according to State Law and County Ordinances, and I agree to submit a follow up report with a financial statement within (90) days following the event or I could forfeit the funds. Funding recommended for approval by the Lincoln County Lodger's Tax Committee must be approved by the Lincoln County Commission (Governing Body). I also understand that approved funding amounts may differ from the amount requested on the application.

NAME (PRINT) OF APPLICANT MAKING REQUEST: <u>FRAN ALTIERI</u>	
SIGNATURE OF APPLICANT: <u>[Signature]</u>	
ADDRESS/CITY/ZIP: <u>PO Box 567 Carrizozo Nm 88301</u>	
PHONE: <u>575-473-0511</u>	EMAIL ADDRESS: <u>CARRIZOZOchamber.org</u>
DATE SUBMITTED:	PRESENTED AT MEETING ON:

Attach any previous year's budget and proposed budget for event. Mail or deliver to Billie-Jo Guevara, Lincoln County, PO Box 711, Carrizozo, NM 88301 or Fax to (575)648-4182.

County Manager's Fax
(575) 648-4182

Finance/Purchasing Fax
(575) 648-2381

Rural Addressing Fax
(575) 648-2816



CHAMBER OF COMMERCE

Discover Carrizozo . . . at the Crossroads of New Mexico SM
P.O. Box 567 Telephone (575)648-2732
Carrizozo, NM 88301 www.carrizozochamber.org

May 7, 2013

The Carrizozo Chamber of Commerce has taken new steps this year to become a much more active and involved chamber of commerce. With these steps in motion since this past January (and prior months), the chamber board has voted to raise the "bar" on events, therefore raising the need to fund the events so that they are successful and may be repeated in years to come. Along with that decision came the fact that Carrizozo is the heart beat of Hwy. 380 and travelers from all over must pass through Carrizozo to reach their destination, so why not invite them to stay and experience our life-style. One true fact about Carrizozo, you can always find art, entertainment, good food and lot's of friendly people. We are proud of our community, our County and our State.

The following are a list of this year's planned events.

July 4th celebration BBQ Brisket Dinner. Prior to the start of the Carrizozo Fire Department's annual fireworks display, the Carrizozo Chamber has held a brisket dinner to raise monies for the popular luminaria display at Christmas. This display has become a tradition over many years bringing in visitors from surrounding towns. This year's brisket dinner will sponsor Paul Pino and the Tone Daddies, a local resident and New Mexico favorite entertainers. In addition to the entertainment, the chamber will be soliciting activities to enhance family fun for the afternoon.

20th Annual Carrizozo Street Fair. This year, after twenty years of various individuals organizing this ever popular event, the Carrizozo Chamber of Commerce has adopted and pledged to keep the Street Fair an on-going Carrizozo event. Under the guidance of the Chamber's executive board and the direction of the President with an army of volunteers, old and new will mesh for a weekend of fun in Carrizozo. New this year will be a free concert in the park the evening prior to the Fair. The Fair day also hosts the Carrizozo Cowboy Ranch Rodeo. This too is an ever increasing popular event among the ranchers of Lincoln County and surrounding counties as well as rodeo fans alike.

Holiday Fesitivities Including: Luminarias and Holiday in the Park

Luminarias are a part of New Mexico history. The Chamber of Commerce with hundreds of volunteers over the course of more than 15 years has provided Lincoln County and the neighboring communities a spectacular experience. 2,500 and upward of luminarias have been lit each year to welcome visitors to our town and express the Christmas tradition. New this year, Carrizozo is preparing to welcome the holidays with a little "holiday technology". Plans are underway to erect a pre-lit Christmas tree and celebrate the start of the holiday season with a Wassil gathering and a special welcome for that ever popular "fat man".

Sincerely, Fran Altieri, President





www.ruidosobikeshop.com

2810 Sudderth Dr. Suite A Ruidoso, New Mexico 88345

Phone (575) 257-4905*Fax (575) 258-0008

Date: 5/10/13

To: Billie-Jo Guevara

Fax Number: 575-648-4182

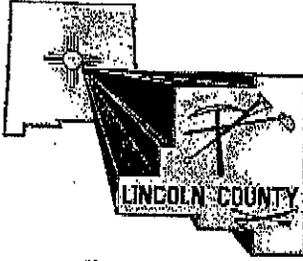
Company: Lincoln County Lodger's Tax

Number of Pages: 5

From: Cody Thurston

Re: Bicycle Ruidoso
Trail Funding

Memo:



RECEIVED

County of Lincoln

MAY 13 2013

ADMINISTRATION

P.O. Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

www.lincolncountynm.net

NAME OF EVENT: Trail Building DATE(S) OF EVENT: ASAP

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: Bicycle Ruidoso

AMOUNT REQUESTED: \$ 10,000

DESCRIBE EVENT BACKGROUND & RATIONALE: See attached

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? Chamber websites, Bicycle Ruidoso Website, Bike Shop Website, Facebook, Lincoln County Advertising

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? traffic in town, lodgings

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER? YES NO HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED?

There are many hotels that are involved in what we do.

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 70%

WILL YOU HAVE A WEBSITE FOR YOUR EVENT? YES NO
www.bicycleruidoso.com www.ruidosobikeshop.com

FUNDS WILL BE USED FOR:

- NEWSPAPER ADVERTISING: \$ _____
- RADIO: \$ _____
- MAGAZINE: \$ _____
- INTERNET: \$ _____
- PRINTING: \$ _____
- OTHER: \$ _____
- TOTAL: \$ _____

} See attached

Please feel free to add additional pages, samples of ads or brochure artwork, etc.

RULES AND REGULATIONS

I understand that these are public funds and they are to be administered according to State Law and County Ordinances, and I agree to submit a follow up report with a financial statement within (90) days following the event or I could forfeit the funds. Funding recommended for approval by the Lincoln County Lodger's Tax Committee must be approved by the Lincoln County Commission (Governing Body). I also understand that approved funding amounts may differ from the amount requested on the application.

NAME (PRINT) OF APPLICANT MAKING REQUEST:	<u>Cody Thurston</u>
SIGNATURE OF APPLICANT:	<u>Cody Thurston</u>
ADDRESS/CITY/ZIP:	<u>2810 Sudderth Dr. Suite A Ruidoso, NM 88345</u>
PHONE:	<u>575-257-4905</u>
EMAIL ADDRESS:	<u>codythurston@yahoo.com</u>
DATE SUBMITTED:	<u>5/11/13</u>
PRESENTED AT MEETING ON:	

Attach any previous year's budget and proposed budget for event. Mail or deliver to Billie-Jo Guevara, Lincoln County, PO Box 711, Carrizozo, NM 88301 or Fax to (575)648-4182.

To the Members of Lincoln County Lodger's Tax:

Bicycle Ruidoso would like to request your financial aid in building the next section of trail in phase I of our 90 mile Master Plan created by International Mountain Bike Association. Phase I is located at Grindstone Lake. This next section would be in addition to the already built 7 miles, which would make about 14 miles of multi-use trail in this area. The cost to build this next section will be about \$18,000. There is \$8,000 left from Ruidoso Lodger's Tax, and Ruidoso Trails Coalition/Bicycle Ruidoso has about \$2,000. This is a project that has been about 4 years in the making. Here is a little background information:

In 2009, we approached International Mountain Bike Association about coming to Ruidoso to present the economic benefits of a quality trail system to the community. After that, Ruidoso Lodger's Tax was approached to help fund the laying out of the 90 mile Master Plan, which consisted of Phase I in Grindstone, Phase II in the Cedar Creek, Perk Canyon areas, and Phase III in the Bonito Lake area. We were awarded \$25,000, and raised about \$5,000 to pay for the Master Plan. The next couple of years would be spent trying to find ways to fund any portion of the project. Finally in 2012, between a grant and Ruidoso Lodger's Tax again, the first 7 miles of trail were built.

The next 10 miles of the trail have been flagged, and there is a contractor, Tony Boone of Tony Boone Trails, waiting to come build the trail. Tony's expertise is building trail using machines, and because of the steep side slopes in this area, a machine is needed to build this portion of the trail. Tony is known for this throughout the country. He is ready to start building trail as early as May 20, 2013. EcoServants have been contracted by the Forest Service to do the hand labor on the trail.

We are asking that you please allow us to present to you the benefits of a quality trail system to Lincoln County, and possible consider funding the remaining portion of what it will take to build the next section of trail. We hope to be on the agenda for May 29, 2013. Thank you for your consideration.

The plan

The U.S. Forest Service has approved White Mountain Outdoor Club's proposal of developing mountain biking/shared-use trails in the Lincoln National Forest, covering only 20,000 acres of the 1.1 million acres it encompasses. A Memorandum of Understanding was signed on July 2009. White Mountain Outdoor Club is a non-profit organization dedicated to the promotion of good and responsible use of the outdoors and through its newly formed "Ruidoso Trails Fund," the money needed to develop the trails will be raised with donations, raffles and grant solicitation. The highest estimate to pay just for the project's Master Plan is \$28,500 which can be offset by community donations of goods, services and time. Total project cost has yet to be determined. When we acquire the Master Plan, prepared by International Mountain Bicycling Association (IMBA), we'll be able to obtain quotes for environmental impact studies and the actual construction of the trails. This is why we need the whole community's support and cooperation. The faster we get this project going, the faster we start building a profitable future.

15752580008

5756484182

P 4/5



Based on a three-phase construction plan, the system would be a combination of bringing current trails up to sustainable standards and the cutting of new. When building new routes or maintaining existing trails, ongoing efforts to minimize environmental impact and preserve open space are central themes. Examples include adopting designs which eliminate soil erosion, avoid sensitive habitat and archeological areas, streams, wetlands, etc. Research shows that when trails are properly planned and designed, mountain bikes have no more impact on the natural environment than hiking, and far less than many other recreational uses.

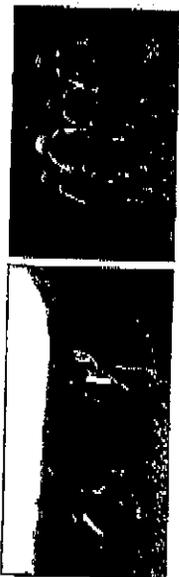
Once the trails are built they require no further monetary investment and Ruidoso will enjoy the economic benefits for years to come!

More ECONOMIC IMPACT facts

The Great Allegheny Passage in Pennsylvania \$14 million annual revenue while only half finished!

The Mineral Belt Trail in Colorado 19% increase in sales tax revenues!

Mineral Wells/Weatherford Rail Trail near Dallas, TX Annual revenue of \$2 million!



Slickrock Trail in Moab, UT Trails produce \$1.3 million in annual tourism receipts, a consumer surplus value between \$197 and \$205 per trip, and the annual value of the trails is between \$8.4 and \$8.7 million!

National Forest Service Lands primarily for mountain biking generated \$205 million in 2005, 3/4 of that year's NFS budget for Forest and Rangeland Research!



Competitive Mountain Biking Hundreds of local, state and national downhill, cross country and endurance events attract thousands of participants and spectators. By providing excellent facilities, small centers nationwide have established themselves as mountain bike destinations, expanding their local economies!

Real good!

There are so many wonderful success stories of how mountain biking tourism has brought rural communities out of economic slumps. Here are a couple examples to illustrate the incredible impact mountain bike/shared trail development could have on Ruidoso and its neighbors:

FRUITA, COLORADO - Ten miles west of Grand Junction, CO, the town of Fruta once prospered with irrigated agriculture and a local oil refinery. The refinery closed in the late 1980's and many farms were subdivided into housing developments. Although this town did not fall too deep into economic doldrums, community leaders have welcomed the huge growth in tourism spurred by two mountain bike trail systems. Fruta's population is only about 6,500. The town reports about 36,000 visitors annually with 25,000 of them being mountain bikers. Trail systems have also drawn in an eight-day Fat Tire sponsored festival that alone brings \$1.5 million to the economy of Fruta.

HATFIELD-McCOY, WEST VIRGINIA - Plagued with a dwindling economy due to the declining coal industry, West Virginia has suffered high unemployment and lack of economic diversity. Turning to recreation as the answer, the Hatfield-McCoy Recreation Area in southwestern WV will ultimately be home to 2,000 miles of shared-use trails. One of America's 16 Millennium Trails, Hatfield-McCoy is unique in that most of the trails are located on private property owned by corporations. It took almost a decade to build community support and sign an agreement with the 20 landowners, but since the area opened in the fall of 2000, the system has added \$51 million to the economy, created 1,572 new jobs and generated 303,000 visitors annually.

Ruidoso

is a potential Mecca for this group of national travelers because of our glorious terrain and, of course, the hospitality this town can provide. Because mountain biking is a sport for all seasons, our almost 365 days of sunshine with year long pleasant temperatures and mild winters, Ruidoso's weather is probably our greatest asset of all.

Over the years, we have elevated other activities as the reason to visit our town. Not that they aren't a part of our local tourism economy, but here are a few reasons why they may not have such a strong impact as mountain biking potentially may have:

CASINOS: Great for the communities they are in, but the main goal is to keep people there at the tables or machines - not to enjoy the shops or restaurants in our village.

SKIING: Over the last 10 years, Ruidoso's unreliable snowfall has produced consecutive dry winters that just do not draw the skiers as in the past.

GOLF: Golfing is still a great attraction in Ruidoso due to our many courses and our terrific weather year round. However, in the United States there are only 29 million golfers to 50 million bikers!



resources:

For more information on mountain bike eco-tourism and detailed reports on the incredible economic impact this healthy, family-friendly sport has made, check out these websites!

International Mountain Bicycling Association - www.imba.com

Outdoor Recreation in America - www.funoutdoors.com

Bikes Belong Coalition - www.bikesbelong.org

Mountain Bike Action - www.mbeaction.com

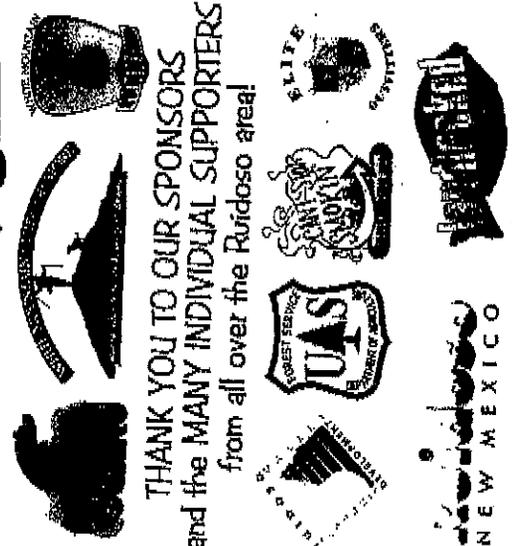
National Geographic Adventure Magazine
www.adventure.nationalgeographic.com

Outside Magazine - outside.away.com

Mountain Biking!

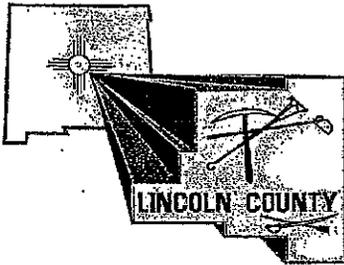
One of America's Favorite Outdoor Sport and Family Activities and it's Eco-tourism Power!

About half of American adults have taken an adventure travel vacation in the past 5 years. Sport/adventure tourism is one of the fastest growing sectors in the tourism industry with mountain biking leading the way as a top ranked activity. \$26 billion is pumped into the American economy in direct expenditures alone, benefitting retail sales, services and tourism-related industries locally, regionally and nationally. Over 50 million Americans age 16 and over enjoy the freedom of riding trails whether for leisure or competition. The median income for mountain biking adults is \$75,000 with the average enthusiast spending roughly a couple hundred dollars a day, per individual, during their getaways.



THANK YOU TO OUR SPONSORS and the MANY INDIVIDUAL SUPPORTERS from all over the Ruidoso area!





RECEIVED

MAY 20 2013

County of Lincoln

ADMINISTRATION
LINCOLN COUNTY, NM

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

www.lincolncountynm.net

NAME OF EVENT: CARRI 2020 Music in the PARKS DATE(S) OF EVENT: ~~June 4~~, June 22, July 20, Aug 22, Oct 3, Mid November.

NAME OF ORGANIZATIONS(S) APPLYING FOR FUNDING: CARRI 2020 Music in the Parks

AMOUNT REQUESTED: \$ 4,000

DESCRIBE EVENT BACKGROUND & RATIONALE: We are in our 6th year of sponsoring Free and Accessible concerts in a variety of genres and locations. Carrizo as a focus for live music

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? news paper ads, radio spots - free, extensive email list, facebook, calendars

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? we talk with everyone as they enter the classical concerts - get emails and addresses - outdoor concerts - we count as people enter park, this year we plan to survey as people go thru foodline.

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER? YES NO HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED? we talk to them at the events

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? %
WILL YOU HAVE A WEBSITE FOR YOUR EVENT? YES NO

WWW.CARRI2020.MUSIC.ORG

FUNDS WILL BE USED FOR:

NEWSPAPER ADVERTISING:	\$ <u>3000</u>	<u>(includes electronic bulletins boards)</u>
RADIO:	\$ <u> </u>	
MAGAZINE:	\$ <u> </u>	
INTERNET:	\$ <u>400</u>	
PRINTING:	\$ <u>400</u>	
OTHER:	\$ <u>200</u>	<u>portapotties</u>
TOTAL:	\$ <u>4,000</u>	

Please feel free to add additional pages, samples of ads or brochure artwork, etc.

RULES AND REGULATIONS

I understand that these are public funds and they are to be administered according to State Law and County Ordinances, and I agree to submit a follow up report with a financial statement within (90) days following the event or I could forfeit the funds. Funding recommended for approval by the Lincoln County Lodger's Tax Committee must be approved by the Lincoln County Commission (Governing Body). I also understand that approved funding amounts may differ from the amount requested on the application.

NAME (PRINT) OF APPLICANT MAKING REQUEST: <u>ELAINE BRANNEN</u>	
SIGNATURE OF APPLICANT: <u>Elaine Brannen</u>	
ADDRESS/CITY/ZIP: <u>PO Box 465, Carrizozo, NM 88301</u>	
PHONE: <u>575-648-2757</u>	EMAIL ADDRESS: <u>ebrannen@gmail.com</u>
DATE SUBMITTED: <u>May 20, 2013</u>	PRESENTED AT MEETING ON: <u> </u>

Attach any previous year's budget and proposed budget for event. Mail or deliver to Billie-Jo Guevara, Lincoln County, PO Box 711, Carrizozo, NM 88301 or Fax to (575)648-4182.

Lincoln County Lodger's Tax Request, May 2013

Carrizozo Music in the Parks has five concerts planned over next few months.

June 22, Saturday 5-7pm, Luke West in the Park, Cowboy blues

June 14, Friday, Las Cruces NMSU Faculty Baroque Quartet.

July 20, Sunday, 5-7pm, Tyler and Randy Jones in the Park, Country, rock, blues.

Aug 22 Thursday, 7pm, Bosque Bassoon Band, 2 pm at the school, Church cooking pre-concert meal.

Oct. 3, Thursday, NM Phil Woodwind Quintet. 2pm at the school and 6:30 or 7pm at the church.

Music in the Parks is actively working to bring in more attendees from out of county and state. Along these lines, we encourage the out of towners to take home a season schedule (the orange refrigerator size) and to frequently check our website for added concerts. By positioning our events as an adjunct to Ruidoso and the rest of Lincoln County, we are finding that Music in the Parks is becoming known, and is an asset to the total Lincoln County package. People love live, outdoor music, picnics in the park, Carrizozo weather, and the friendly old time feel of Carrizozo.

Over the years, our attendance and reputation has grown. Last year we ran ads in The Ink, electronic ads at Holloman Air Force Base, Ruidoso Free Press, Vamanos, and we used out of the area, free calendars and radio spots. From 2011 to 2012, we increased the attendance of out of county visitors by 10%, and total audience of our outdoor concerts to an average of 150. This included a concert during the Little Bear Fire when all roads into Carrizozo from Ruidoso were closed. By adding a non-profit selling burgers and cold drinks, the events become a more complete experience and the ads then essentially got double use. This year we plan to run ads in Roswell and Lubbock. We feel that our concerts, both outdoors and classical could become a destination in themselves with people then planning other Lincoln County activities.

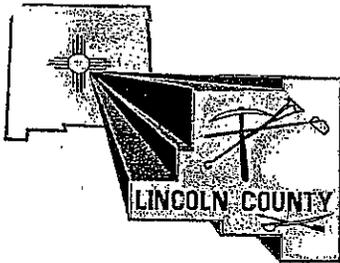
Music in the Parks is finding that our classical concert audience comes from Ruidoso, Alamogordo, Tulie, and weekend visitors from Texas tell us that they plan their visits to coincide with a concert.

Our classical performers are world class and varied. Packaged with a fancy dinner hosted by a non-profit the dinner and concert make the evening a complete event. The July, 2012, cello concert brought in people from several states including PA, FL, TX and NM. Again, we feel that we could target the Roswell area, which does support classical music, and encourage people to stay overnight and do something in Lincoln or Ruidoso the following day. Along this line, in summer 2014, we are looking toward a two-day Baroque and early music festival.

We had success with a 4 to a page, season schedule that was printed on colored cardstock. As well as being passed out in LC, the Carrizozo and Ruidoso Chambers included these in their request packets. We are designing a folded brochure that includes information about our concerts, pictures from previous events and website and schedule information. We have connected our website to google analytics which tracks visitors and their originating link, from the chambers to newspapers, and other websites.

Carrizozo Music in the Parks is becoming a force in Lincoln County. We are currently the most active venue for classical music, an important consideration, and we have the best weather for

outdoor events. We are pleased that major sponsorship for our musicians has come from Zia Gas, Piatigorsky Foundation, Otero Electric Round-up grant, Tularosa Basin Telephone Company, and a private donor. We want to grow at a steady and manageable pace and systematically widen our audience reach.



County of Lincoln

RECEIVED

MAY 13 2013

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2381
LINCOLN COUNTY, NM

www.lincolncountynm.net

NAME OF EVENT: Fort Stanton Line 2013 DATE(S) OF EVENT: 13+14 July 2013

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: Fort Stanton, INC

AMOUNT REQUESTED: \$5,000.00

DESCRIBE EVENT BACKGROUND & RATIONALE: please see attachment 1

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? local newspapers, radio, magazines, posters

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? please see attached

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER? YES NO HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED?

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 90 % WILL YOU HAVE A WEBSITE FOR YOUR EVENT? YES NO

FUNDS WILL BE USED FOR:	
NEWSPAPER ADVERTISING:	\$ <u>2,000</u>
RADIO:	\$ <u>200</u>
MAGAZINE:	\$ <u>500</u>
INTERNET:	\$ <u>---</u>
PRINTING:	\$ <u>1,000</u>
OTHER:	\$ <u>1,600</u>
TOTAL:	\$ <u>5,600</u>

Please feel free to add additional pages, samples of ads or brochure artwork, etc.

RULES AND REGULATIONS

I understand that these are public funds and they are to be administered according to State Law and County Ordinances, and I agree to submit a follow up report with a financial statement within (90) days following the event or I could forfeit the funds. Funding recommended for approval by the Lincoln County Lodger's Tax Committee must be approved by the Lincoln County Commission (Governing Body). I also understand that approved funding amounts may differ from the amount requested on the application.

NAME (PRINT) OF APPLICANT MAKING REQUEST: <u>Clinton Smith</u>	
SIGNATURE OF APPLICANT: <u>Clinton Smith</u>	
ADDRESS/CITY/ZIP: <u>PO Box 2247 Ruidoso NM 88355</u>	
PHONE: <u>575 258 5702</u>	EMAIL ADDRESS: <u>pcsem88@windstream.net</u>
DATE SUBMITTED:	PRESENTED AT MEETING ON:

Attach any previous year's budget and proposed budget for event. Mail or deliver to Billie-Jo Guevara, Lincoln County, PO Box 711, Carrizozo, NM 88301 or Fax to (575)648-4182.

County Manager's Fax
(575) 648-4182

Finance/Purchasing Fax
(575) 648-2381

Rural Addressing Fax
(575) 648-2816

Attachment 1

Background and Rationale: Fort Stanton Live is a popular annual family oriented event celebrating the history of the old fort as a military fort as well as a TB hospital. Last years attendance was around 2400.

Those attending come from regional cities and towns: El Paso, Texas, Lubbock ,Texas , Midland/Odessa, Texas ,Abilene ,Texas, Albuquerque ,New Mexico etc. We've found over the years the best way to reach this audience is through Newspaper articles and ads. We also use local radio stations and to try to reach a larger audience we have advertised in national magazines : ie , True West, Wild West . As a small 501C3 non profit group we lack the funds to advertise as needed.

FORT STANTON LIVE!



Saturday, July 13th 10 am to 8 pm

Sunday, July 14th 10 am to 2 pm

\$5 Admission

Children Free



Historic Reenactments

Cavalry, Infantry, Artillery Demonstrations

Buffalo Soldiers

Mescalero Apaches

Period Military Ball (Sat. Eve) & Church Service (Sun.)

Old Time Games for Kids

Concessions & Live Entertainment

www.fortstanton.org • (575) 354-0341



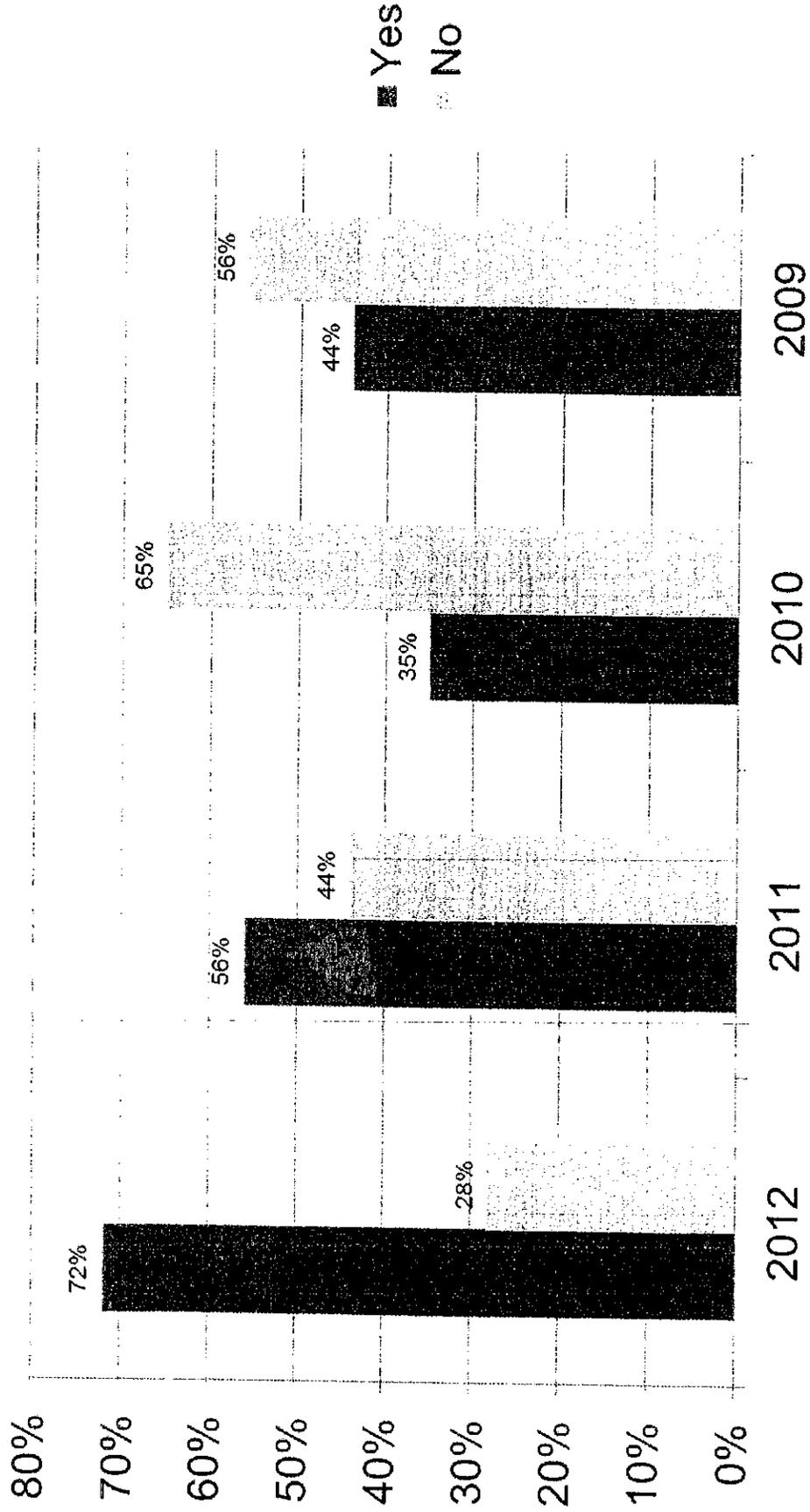
Fort Stanton Live! 2012



July 13-15, 2012

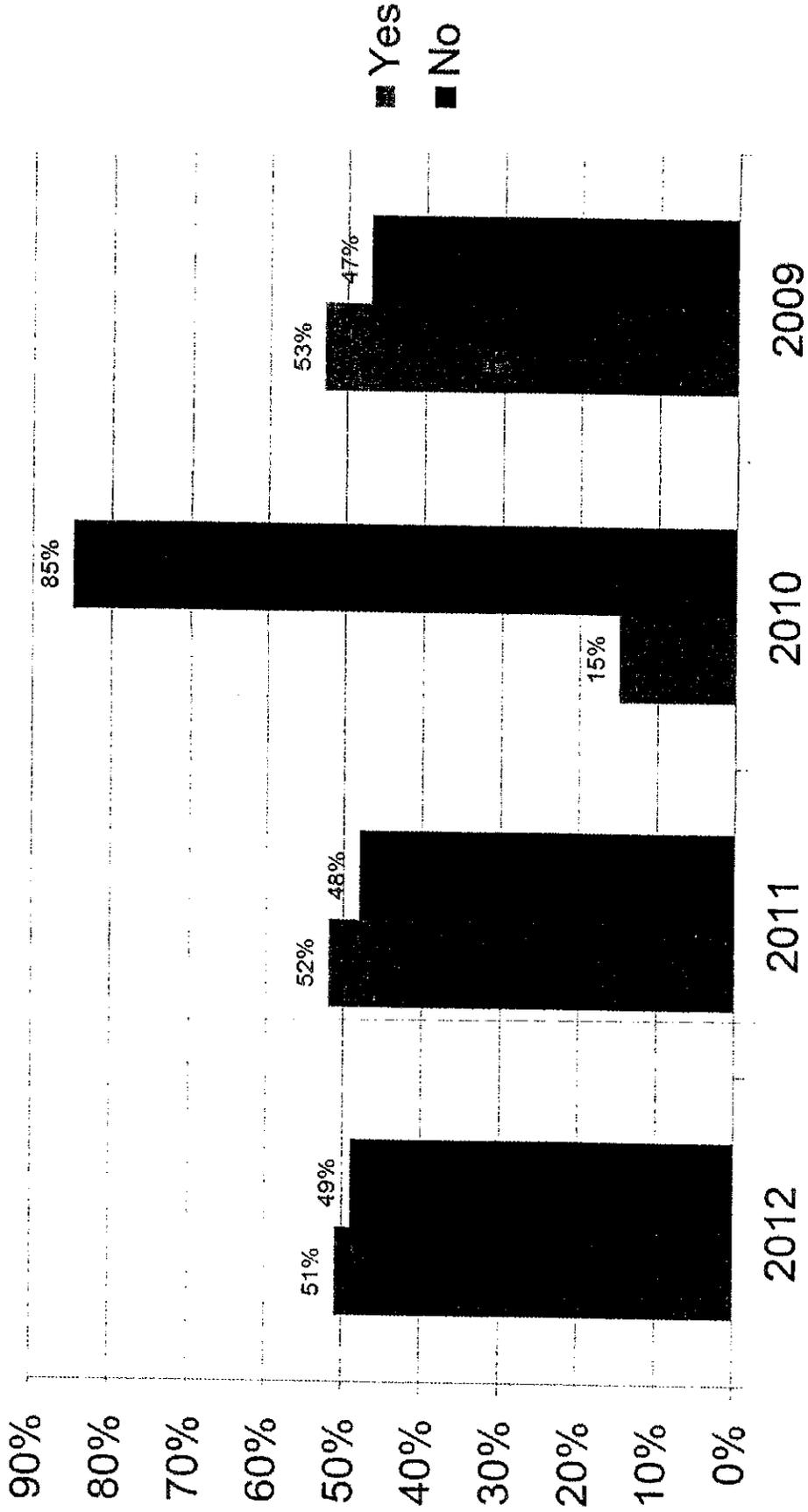


First Time at Fort Stanton Live





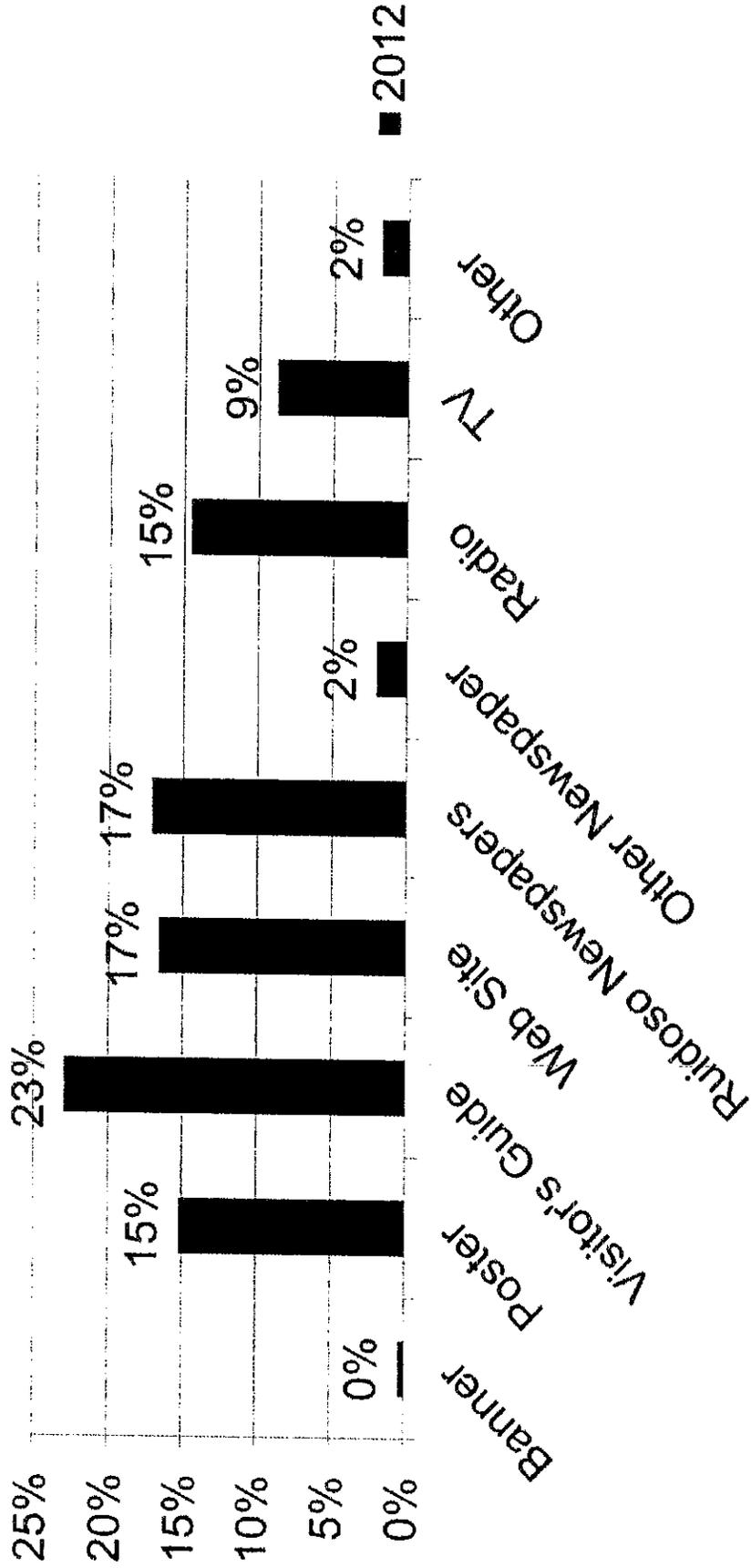
Travel to Lincoln County Principally for FSL





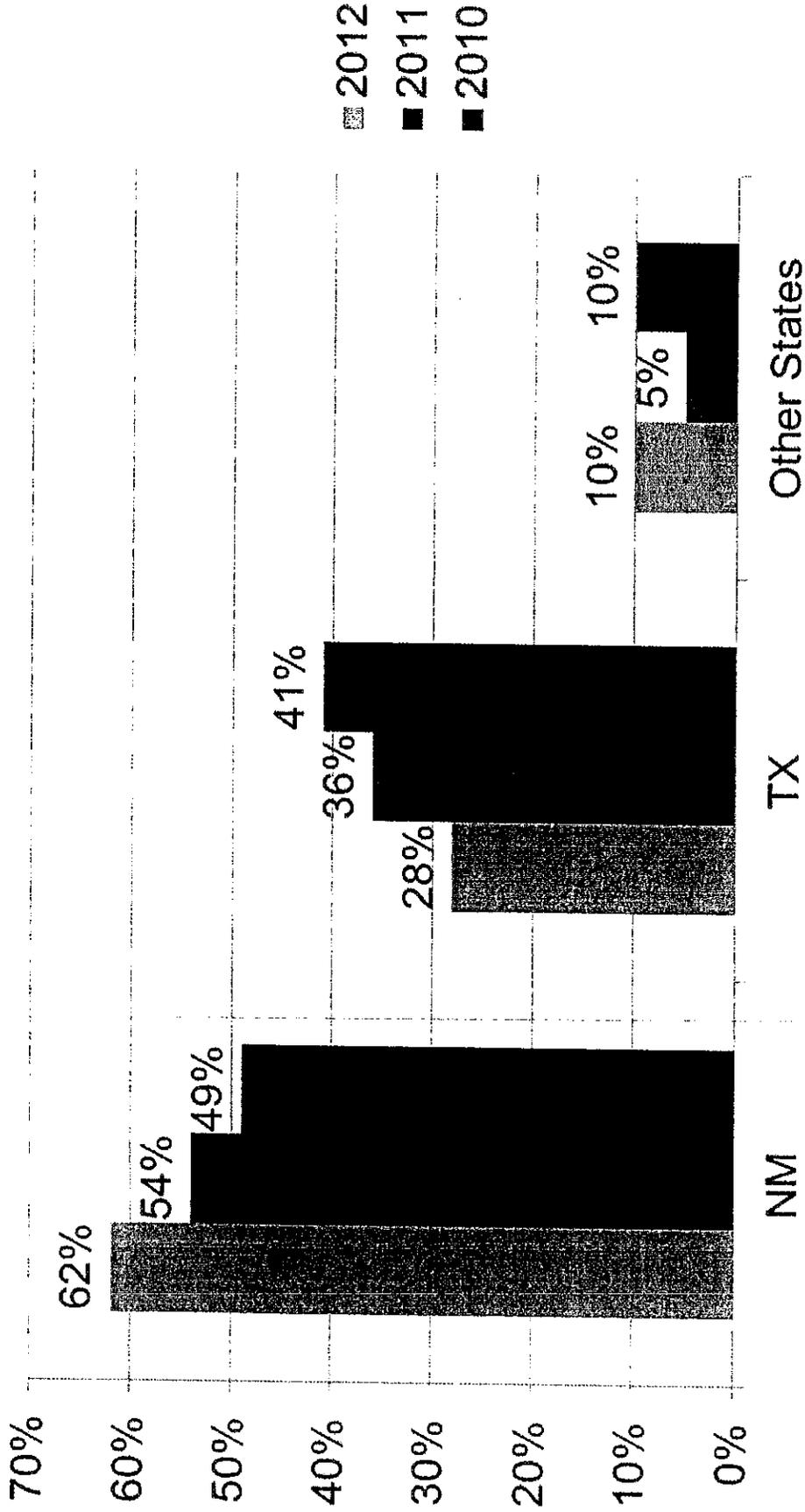
How Did You Hear About FSL

2012



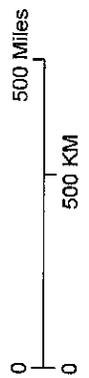
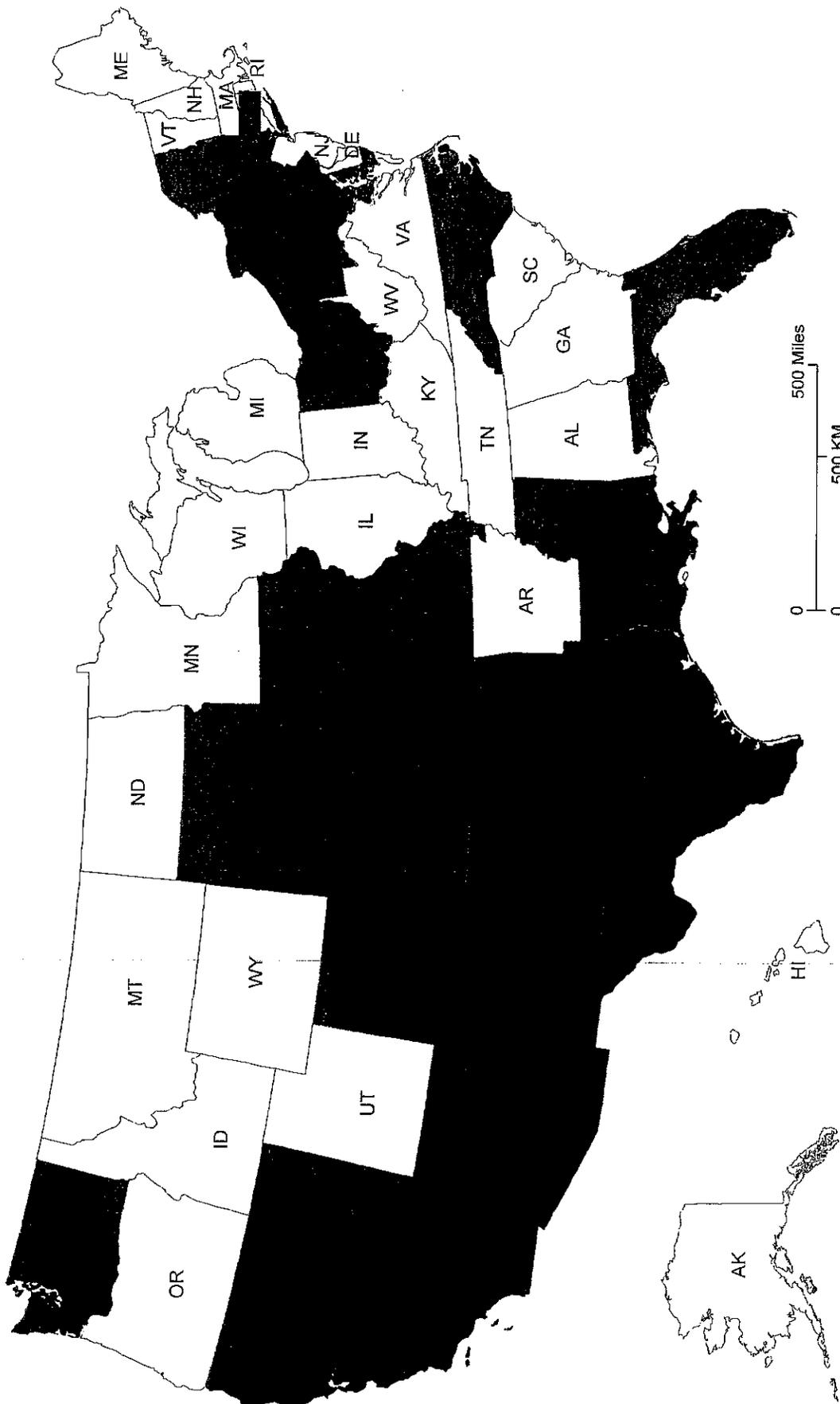


Where We Are From





States We Came From



AK & HI not to scale

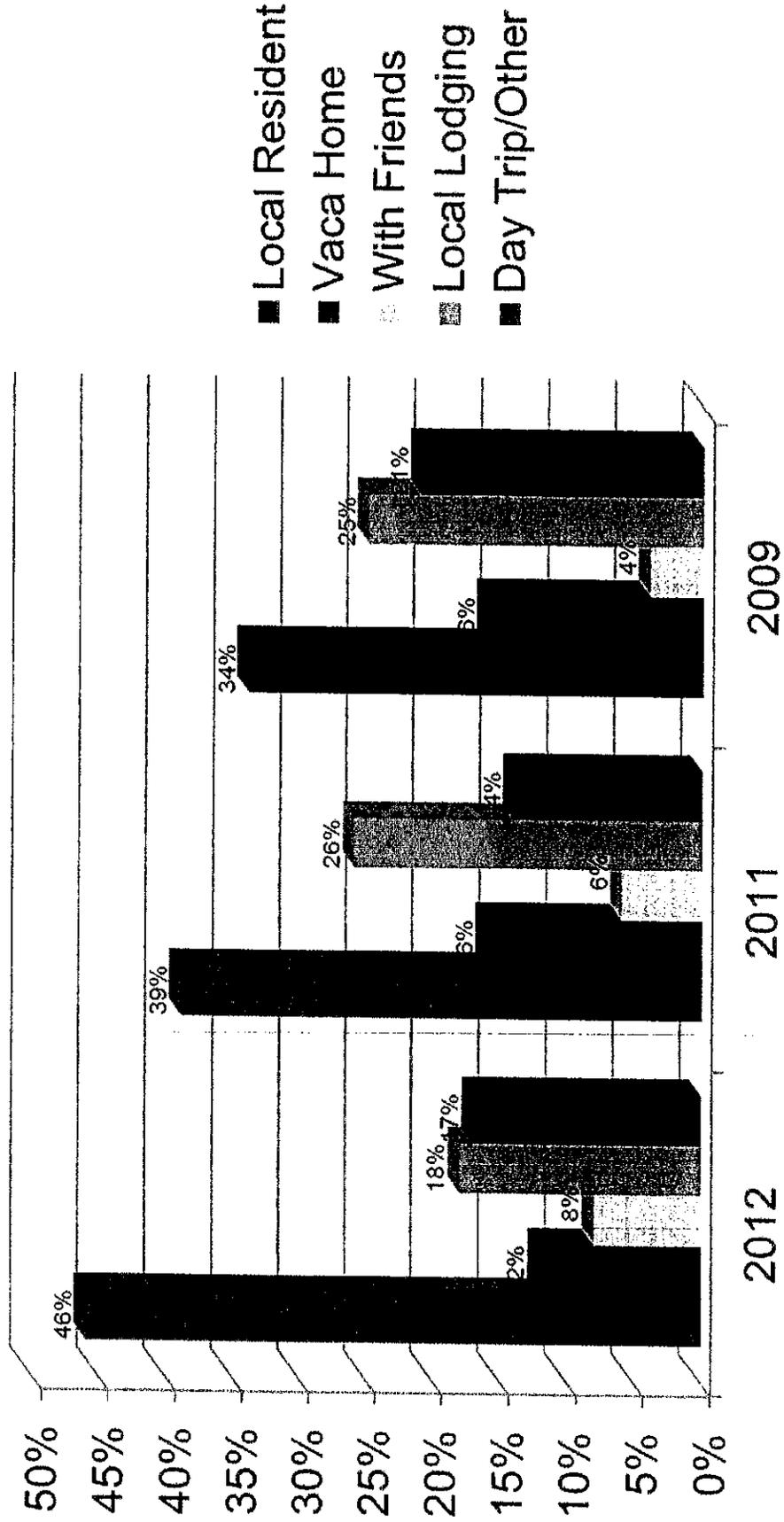
Less than 10

145

319

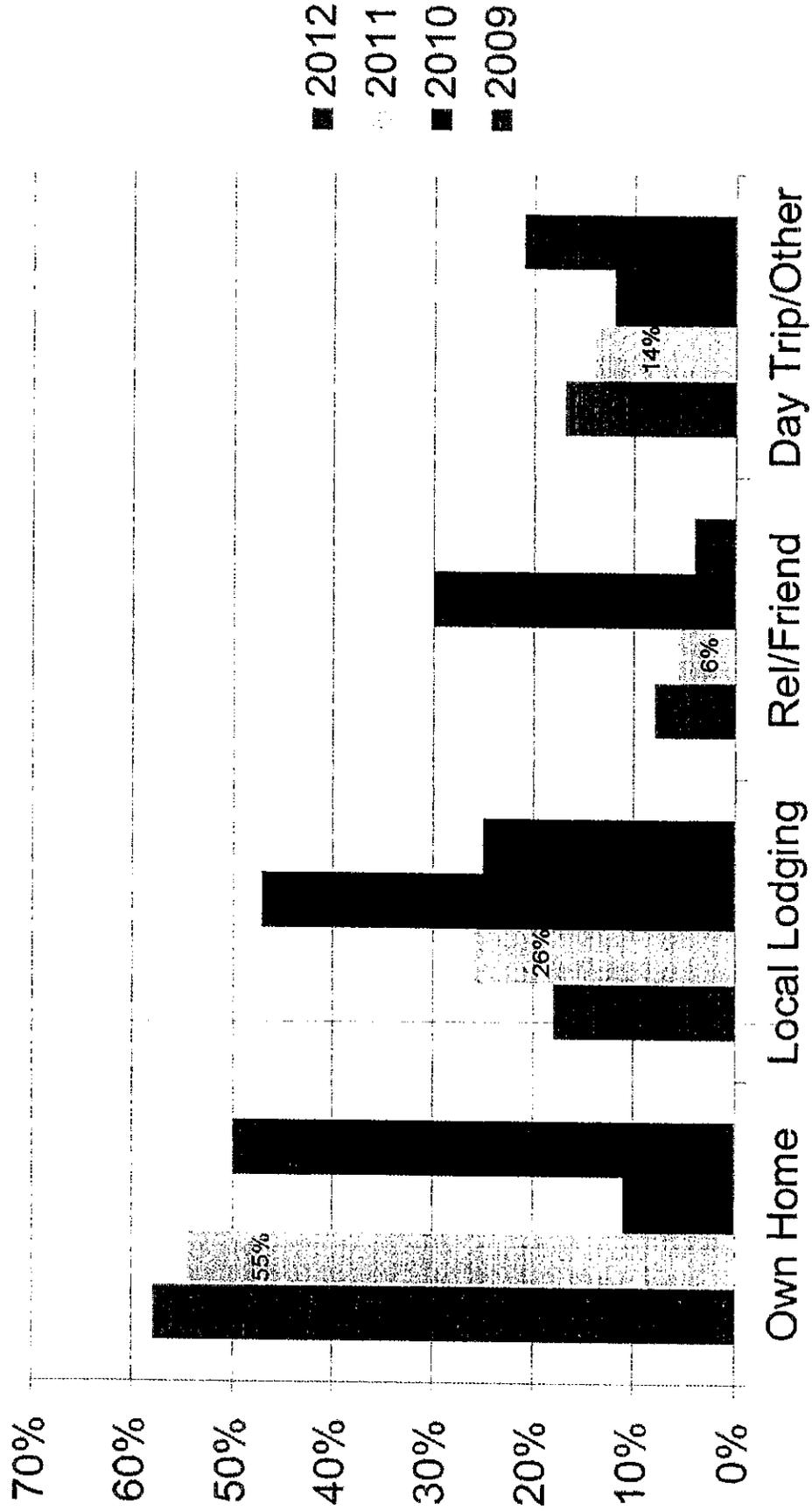


Where We Stayed





Where We Stayed (4 year)



Lincoln County
Lodgers Tax Committee
Regular Meeting –Tuesday, May 28, 2013
10:00 A.M. - Village of Capitan (Council Chambers) Capitan, New Mexico

AGENDA

1. Call to Order
2. Roll Call Victor Garrison, David Vigil, Alice Seely
3. Approval of Minutes – April 30, 2013 Regular Lodger’s Tax Meeting
4. Funding Request: \$500
Purpose: July 4th Celebration
Date(s) of Event: July 4, 2013
Presenter: Carrizozo Chamber of Commerce/Fran Altieri
DISCUSSION
Motion to recommend to County Commissioners that \$:500 be awarded. Victor
Seconded: Alice
Passed
5. Funding Request: \$10,000
Purpose: Trail Building
Date(s) of Event: ASAP
Presenter: Bicycle Ruidoso/Cody Thurston
DISCUSSION
David recommended that Cody attend the next County Commission meeting with David to discuss best approach for requesting Lodger Tax Monies.
No action taken.
6. Funding Request: \$4,000
Purpose: Carrizozo Music in the Parks
Date(s) of Event: July 20, August 22, October 3 & Mid November
Presenter: Carrizozo Music in the Parks/Elaine Brannen
DISCUSSION
Motion to recommend to County Commissioners that \$4000 be awarded. Alice
Seconded: Victor
Passed
7. Acceptance -
 - A. Lodgers Tax Report – April 2013Acceptance -
 - A. Budget Report Ending April 30, 2013
10. Other Items (for discussion only - no action will be taken)

Lincoln County
Lodgers Tax Committee
Special Meeting --Tuesday, June 11, 2013
10:00 A.M. -- Ellis Store Bed & Breakfast, 1453 Calle La Placita, Lincoln,
New Mexico

MINUTES

1. Call to Order 10:15 am
2. Roll Call Attending Victor Garrison, David Vigil, Alice Seely, Jim Holmes
3. Funding Request: \$5,000
Purpose: Fort Stanton Live 2013
Date(s) of Event: July 13-14, 2013
Presenter: Fort Stanton, Inc./Clinton Smith
4. Discussion
Motion to fund request: alice
Seconded: Victor
Passed to recommend funding \$5000 to Fort Stanton Live 2013.
5. Adjournment

Thank You.

June 11, 2013 THIS AGENDA IS SUBJECT TO CHANGE

Date: 5-28-13

Nº 1696

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1 CARRIZO Chamber of Commerce

Name of Organization

Organization is: Profit Non Profit Government Related

PO Box 567 CARRIZO NM 88301
Address City State Zip

Fran Altieri 575-973-0571
Contact Person (s) Telephone # (s)

Amount Requested: \$ 500 - Money is to be used for: July 4 celebration

BY SIGNING BELOW, I ATTEST THAT I WILL PROVIDE LINCOLN COUNTY WITH THE APPLICABLE DOCUMENTATION NECESSARY TO VALIDATE THAT THE FUNDS RECEIVED WILL BE SPENT IN ACCORDANCE WITH THE LINCOLN COUNTY LODGERS TAX ORDINANCE.

Fran Altieri 5/28/13
Signature Date

NOTE: Credit/Tag Line must appear or be given as follows: Paid For By LINCOLN COUNTY LODGERS TAX.

Section 2

LODGER'S TAX COMMITTEE

Meeting Date: 5-28-13

Amount Approved: \$ 500.00 Request Denied: _____

Comments: _____

Amanda A. Tighe
Authorized Signature

Section 3

LINCOLN COUNTY COMMISSION

Meeting Date: _____

Approval: _____ Denial: _____

Comments: _____

County Manager Signature

FUNDS WILL NOT BE RELEASED BY LINCOLN COUNTY UNTIL THE AWARDED FUNDS REIMBURSEMENT FORM IS SIGNED AND TURNED IN TO LINCOLN COUNTY.

DISTRIBUTION:

- 1) COUNTY MANAGER 2) COUNTY FINANCE 3) LODGER'S TAX COMM 4) REQUESTING ORGZN.

Date: 5-28-13

Nº 1697

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1 Bicycle Ruídos

Name of Organization _____

Organization is: Profit Non Profit Government Related

2810 Sudderth Dr Suite A Ruídos NM 88345

Address City State Zip

Cody Thurston 575-257-4905

Contact Person (s) Telephone # (s)

Amount Requested: \$ 10,000 Money is to be used for: Grindstone Trail System

The funds will help with signage of trails, construction of trails, marketing and mapping of trails

BY SIGNING BELOW, I ATTEST THAT I WILL PROVIDE LINCOLN COUNTY WITH THE APPLICABLE DOCUMENTATION NECESSARY TO VALIDATE THAT THE FUNDS RECEIVED WILL BE SPENT IN ACCORDANCE WITH THE LINCOLN COUNTY LODGERS TAX ORDINANCE

Cody Thurston
Signature

5-28-13
Date

NOTE: Credit/Tag Line must appear or be given as follows: Paid For By LINCOLN COUNTY LODGERS TAX.

Section 2

LODGER'S TAX COMMITTEE

Meeting Date: 5-28-13

Amount Approved: \$ 10,000 Request Denied: _____

Comments: _____

David L. Teje
Authorized Signature

Section 3

LINCOLN COUNTY COMMISSION

Meeting Date: _____

Approval: _____ Denial: _____

Comments: _____

County Manager Signature

FUNDS WILL NOT BE RELEASED BY LINCOLN COUNTY UNTIL THE AWARDED FUNDS REIMBURSEMENT FORM IS SIGNED AND TURNED IN TO LINCOLN COUNTY.

DISTRIBUTION:

- 1) COUNTY MANAGER 2) COUNTY FINANCE 3) LODGER'S TAX COMM 4) REQUESTING ORGZN.

Date: 5/28/13

No 1698

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1 CARRI2020 Music in the Parks
Name of Organization

Organization is: Profit Non Profit Government Related

PO Box 335 CARRI2020 NM 88301
Address City State Zip

Elaine Brunnen 575-648-2757
Contact Person (s) Telephone # (s)

Amount Requested: \$ 4000 Money is to be used for: Website redesign,
ADS, primarily Roswell, Otero County, Las Cruces
printing flyers, calendar, programs
porta potties for outdoor concerts

BY SIGNING BELOW, I ATTEST THAT I WILL PROVIDE LINCOLN COUNTY WITH THE APPLICABLE DOCUMENTATION NECESSARY TO VALIDATE THAT THE FUNDS RECEIVED WILL BE SPENT IN ACCORDANCE WITH THE LINCOLN COUNTY LODGERS TAX ORDINANCE.

Elaine Brunnen
Signature

5/28/13
Date

NOTE: Credit/Tag Line must appear or be given as follows: Paid For By LINCOLN COUNTY LODGERS TAX.

Section 2

LODGER'S TAX COMMITTEE

Meeting Date: 5-28-13

Amount Approved: \$ 4,000⁰⁰ Request Denied: _____

Comments: _____

David C. Figue
Authorized Signature

Section 3

LINCOLN COUNTY COMMISSION

Meeting Date: _____

Approval: _____ Denial: _____

Comments: _____

County Manager Signature

FUNDS WILL NOT BE RELEASED BY LINCOLN COUNTY UNTIL THE AWARDED FUNDS REIMBURSEMENT FORM IS SIGNED AND TURNED IN TO LINCOLN COUNTY.

DISTRIBUTION:

- 1) COUNTY MANAGER
- 2) COUNTY FINANCE
- 3) LODGER'S TAX COMM
- 4) REQUESTING ORGZN.

Date: 6-11-13

No. 1699

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1

Name of Organization _____

Organization is: ___ Profit Non Profit ___ Government Related

PO BOX 1 FT STANTON NM 88223
Address City State Zip

CLINTON SMITH 575 251-5702
Contact Person (s) Telephone # (s)

Amount Requested: \$5,000.00 Money is to be used for: Advertising

BY SIGNING BELOW, I ATTEST THAT I WILL PROVIDE LINCOLN COUNTY WITH THE APPLICABLE DOCUMENTATION NECESSARY TO VALIDATE THAT THE FUNDS RECEIVED WILL BE SPENT IN ACCORDANCE WITH THE LINCOLN COUNTY LODGERS TAX ORDINANCE.

Clinton Smith
Signature

11 June 13
Date

NOTE: Credit/Tag Line must appear or be given as follows: Paid For By LINCOLN COUNTY LODGERS TAX.

Section 2

LODGER'S TAX COMMITTEE

Meeting Date: 6-11-13

Amount Approved: \$ 5000.00 Request Denied: _____

Comments: _____
David C. Fijie
Authorized Signature

Section 3

LINCOLN COUNTY COMMISSION

Meeting Date: _____

Approval: _____ Denial: _____

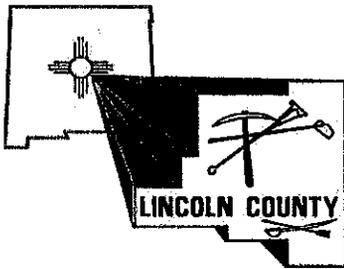
Comments: _____

County Manager Signature

FUNDS WILL NOT BE RELEASED BY LINCOLN COUNTY UNTIL THE AWARDED FUNDS REIMBURSEMENT FORM IS SIGNED AND TURNED IN TO LINCOLN COUNTY.

DISTRIBUTION:

- 1) COUNTY MANAGER 2) COUNTY FINANCE 3) LODGER'S TAX COMM 4) REQUESTING ORGZN.



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County of Lincoln

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

AGENDA ITEM NO. 12

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager

SUBJECT: Discussion of Lincoln County's Airspace as it Relates to Transmission Lines

Purpose: To provide an opportunity for the City of Alamogordo, WSMR and SunZia to present its Various Perspectives to the Commission re: Use of Lincoln County's Airspace

Discussion:

Over the past year and a half, the Commission has heard presentations from a number of parties regarding the use of Lincoln County's Airspace as it relates to the importance of the selection of proper routing of transmissions lines; of particular interest have been the options for routing the SunZia Transmission Line, impacting Lincoln County.

Several parties have requested to address the Commission at its June meeting regarding that same or similar topic:

1. Alamogordo Mayor Susie Galea, and Hanson Scott, Brigadier General, USAF (Ret) and Director, Office of Military Base Planning & Support for NM will lead a discussion related to "Spot Zoning", which is zoning a particular tract of land differently from surrounding properties. Ms. Galea stresses the concern that if planes unable to continue to utilize the airspace, as organized over Lincoln County, the stability of the bases will be unknown. Not only windmills, but also transmission lines are a threat to the range of airspace used by the military planes, and the protection of the airspace over Lincoln County is critical to the neighboring region and economic stability.
2. Chief of Staff - WSMR, Daniel C. Hicks, attended the Joint Land Use Study informational meeting for Lincoln County in Ruidoso on Monday, June 3rd. He mentioned to attendees the importance of the County perspective will be as the DOD/DOI continues to work the SunZia issue. As a follow-up, Mr. Hicks has requested the Commission to consider writing a letter of support to the Governor and other state officials, similar to that adopted by Otero County. **See enclosure 1.**
3. SunZia Representative Martin Bailey provided its June 2013 Newsletter that summarized the Final Environmental Impact Statement and provided other relative information. **See Enclosure 2.**

Recommendation: Consider information provided by all parties, and determine next steps.

COMMISSION / ADMINISTRATION
(575) 437-7427
FAX (575) 443-2904



1101 NEW YORK AVE.
ALAMOGORDO, NM 88310-6935

State of New Mexico
County of Otero

May 22, 2013

Senator Cliff R. Pirtle
3300 E. Bland Street
Roswell, NM 88203

Dear Senator Pirtle,

The Otero County Commission wishes to express their continued support to New Mexico's military installations and their mission.

New Mexico and our regional military installations offer the Department of Defense unique assets of land mass and restricted airspace that cannot be replicated anywhere else in our nation. We understand the national importance and value of this region to the Department of Defense. Additionally, military dollars provide sustained revenue and employment for our citizens. These must be preserved and protected. Because of these facts, we have joined with the surrounding counties, cities, and bases in the largest Joint Land Use Study. The intent is to collaboratively and strategically plan compatible economic development that balances economic opportunity with the regions important military missions.

The Department of Defense's increasing focus on more technological warfare and better-equipped service members necessitates the continuously evolving and increasing test and training mission requirements in and around our military installations. We want to ensure that the placement of the SunZia Transmission line does not impact this important and enduring military mission and that it is routed in the best location to minimize its impact to all stakeholders.

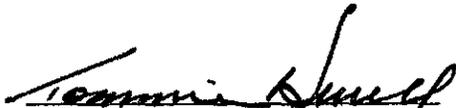
There exists a win-win route in the state along existing utility corridors and highways that will minimally impact the New Mexico cooperating agencies. We ask that through the NEPA process, all cooperating agencies come together to find the optimal route for the transmission project.

We appreciate your attention to this matter and acknowledgement of our concerns.

ENCL 1



Susan Flores, Chairwoman



Tommie Herrell, Vice-Chairman

Cc: Governor Susana Martinez
Lieutenant Governor John Sanchez
Congressman Steave Pearce
Senator Martin Heinrich
Senator Tom Udall
Senator Ron Griggs
Senator William F. Burt
Senator Craig Brandt
Representative Zachary J. Cook
Representative Nathan Cote
Representative Nora Espinoza
Representative Jason C. Harper
Representative Yvette Herrell
Representative William J. Gray
Commissioner Powell – State Land Office



4141 N. 32nd Street, Suite 102
Phoenix, AZ 85018

SunZia Southwest TRANSMISSION PROJECT

NEWSLETTER #5

JUNE 2013

Final Environmental Impact Statement and Proposed Resource Management Plan Amendments

The Bureau of Land Management (BLM) will release the Final Environmental Impact Statement and Proposed Resource Management Plan Amendments (EIS) for the SunZia Southwest Transmission Project in mid-June 2013. This document has been prepared under the guidance of the National Environmental Policy Act (NEPA).

Included in the Final EIS

- The BLM's responses to over 900 comment letters received on the Draft EIS
- The BLM's preferred alternative
- Proposed amendments to the BLM's land use plans

About the Project

The SunZia Southwest Transmission Project is a proposed high-capacity electrical transmission project in New Mexico and Arizona. It includes the construction, operation, and maintenance of approximately 515 miles of two 500-kilovolt (kV) electric transmission lines.

How to access the Final EIS

- View and download a copy at www.blm.gov/nm/sunzia
- Review a copy at a public library, or BLM and other agency offices (complete list on page 2)
- Request a CD version of the EIS

Alternative Routes and the BLM Preferred Alternative

Following is a brief description of the BLM's preferred alternative route (subroute). For a more detailed view of each route(s), please access the Interactive Map Viewer or Map Volume at the BLM Project website: www.blm.gov/nm/sunzia

Route Group 1: SunZia East Substation to Midpoint Substation

Subroute 1A2 (230.3 miles) proceeds west from the SunZia Substation site through Lincoln, Torrance, and Socorro counties, and crosses the Rio Grande near Socorro, New Mexico. The subroute continues south through Sierra and Luna counties, along the I-25 highway corridor,

toward the Midpoint Substation site near Deming, New Mexico. Subroute 1A2 parallels approximately 141 miles of existing or designated utility corridors, and crosses approximately 108 miles of public land administered by the BLM.

Subroute 1A1 was identified as the BLM preferred alternative for Route Group 1 in the Draft EIS. The subsequent selection of Subroute 1A2 as the BLM preferred alternative in this Final EIS was made in response to comments on the Draft EIS that requested an increase in the distance between the proposed transmission lines and military testing facilities, located 30 miles north of the White Sands Missile Range on non-federal lands, and in response to comments on the Draft EIS regarding views from Gran Quivira unit of the Salinas Pueblo Missions National Monument.

Route Group 3: Midpoint Substation to Willow-500 kV Substation

Subroute 3A2 (123.9 miles) proceeds west from the Midpoint Substation site through Luna, Grant, and Hidalgo counties in New Mexico and Greenlee and Graham counties in Arizona, along the I-10 highway corridor, toward the Willow-500 kV Substation site. The subroute parallels approximately 42 miles of existing or designated utility corridors, and crosses approximately 62 miles of public land administered by the BLM.

Subroute 3A1 was identified as the BLM preferred alternative for Route Group 3 in the Draft EIS. The subsequent selection of Subroute 3A2 as the BLM preferred alternative in this Final EIS was made in response to comments on the Draft EIS that requested a modification of the transmission line route in order to avoid the Lordsburg Playa, and the Hot Well Dunes Recreation Area.

Route Group 4: Willow-500 kV Substation to Pinal Central Substation

Subroute 4C2c (161.2 miles) proceeds southwest from the Willow-500 kV Substation site through Graham and Cochise counties in Arizona, along the I-10 highway corridor, and crosses the San Pedro River north of Benson. The subroute proceeds north on the west side of the San Pedro River towards Oracle through Cochise and Pima counties. The subroute continues west through Pinal County toward I-10, then turns to the north, before heading west toward the Pinal Central Substation. Subroute 4C2c

SUNZIA SOUTHWEST FINAL EIS AND PROPOSED RMP AMENDMENTS AVAILABLE MID-JUNE

Look inside to learn about:

- How to access the Final EIS
- The proposed land use plan amendments
- The BLM preferred alternative
- Project timeline

The Bureau of Land Management will release the Final Environmental Impact Statement and Proposed Resource Management Plan Amendments for the SunZia Southwest Transmission Project for public review in mid-June 2013.

For more information:

- Go online to www.blm.gov/nm/sunzia
- Email BLM project manager Adrian Garcia at agarcia@blm.gov or telephone (505) 954-2199
- Write to the BLM SunZia Southwest Transmission Project, New Mexico State Office, 301 Dinosaur Trail, Santa Fe, New Mexico 87508-1560

SunZia Southwest TRANSMISSION PROJECT

ENCL 2

BLM Preferred Alternative

The BLM identified the preferred alternative following consideration of comments submitted on the Draft EIS and proposed resource management plan amendments, and in coordination with federal, state, and local government agencies.

Notice of Availability for the Final EIS/Proposed Resource Management Plan Amendments – June 2013

The Notice of Availability is expected to be published in the *Federal Register* on or about June 14, 2013.

Land Use Plan Amendment Protest Period – 30 days

Two plan amendments are needed in order for the preferred route to be consistent with the BLM's Socorro RMP (2010, Socorro Field Office) and Mimbres RMP (1993, Las Cruces District Office). The plan amendments include proposed modifications to visual resource management objectives and right-of-way avoidance area management.

Protests on any of the proposed plan amendments must be filed with the BLM Director in Washington, D.C., within 30 days of the date the EPA publishes the Notice of Availability in the *Federal Register*. For more information on the protest process, please refer to the Dear Reader letter at the beginning of the Final EIS or online at www.blm.gov/pgdata/content/web/gen/prog/planning/planning-overview/protest_resolution.html.

parallels approximately 90 miles of existing or designated utility corridors, and crosses approximately 15 miles of public land administered by the BLM. BLM resource management plans.

The ROD is expected in September 2013. For further information on the NEPA process, see Section 1.10 of the Final EIS.

Locations of Final EIS for Public Review

BLM Offices
 Las Cruces District Office
 1800 Marquess Street
 Las Cruces, NM 89005
 Socorro Field Office
 901 S. Highway 85
 Socorro, NM 87801
 Roswell Field Office
 2909 W. Second Street
 Roswell, NM 88201

Rio Puerco Field Office
 435 Montano N.E.
 Albuquerque, NM 87107
 Tucson Field Office
 3201 E. Universal Way
 Tucson, AZ 85756
 Safford Field Office
 711 14th Avenue
 Safford, AZ 85546

Other Agency Offices

New Mexico State Land Office
 310 Old Santa Fe Trail
 Santa Fe, NM 87504
 U.S. Army Corps of Engineers
 Regulatory Division
 4101 Jefferson Plaza, N.E.
 Albuquerque, NM 87109
 Arizona State Land Department
 1616 W. Adams
 Phoenix, AZ 85007
 Arizona Game and Fish Department
 5000 W. Carefree Highway
 Phoenix, AZ 85086

Libraries

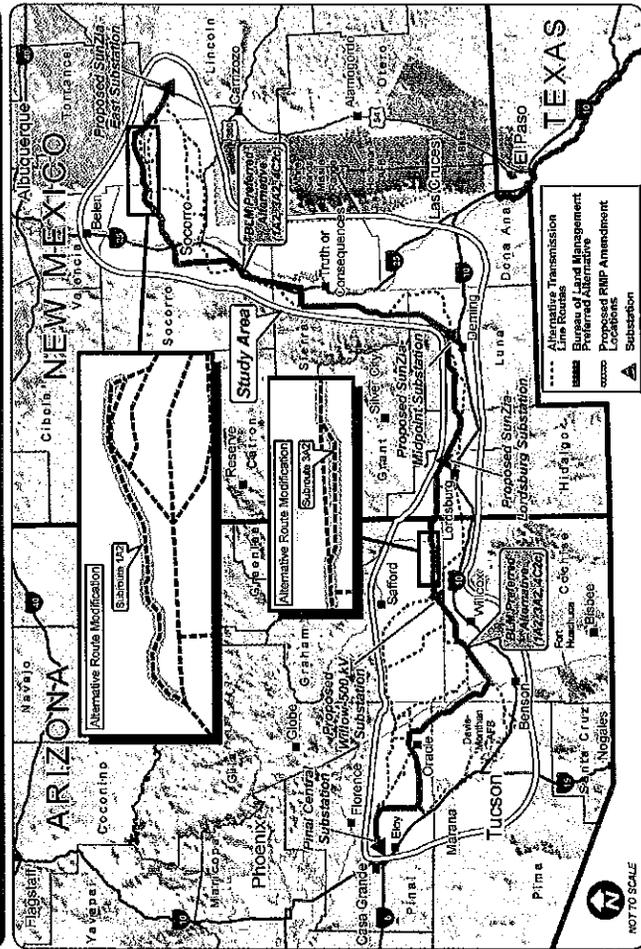
New Mexico
 Lordsburg-Hidalgo Library (Lordsburg)
 Marshall Memorial Library (Deming)
 Socorro Public Library
 Thomas Brazeigan Memorial Library (Las Cruces)
 Truth or Consequences Public Library
 Village of Corona Public Library
Arizona
 Benson Public Library
 Bowie Jimmie Libhart Library

Casa Grande Public Library
 Coolidge Public Library
 Eloy Public Library
 Maricopa Public Library
 Geasa-Marana Branch Library (Marana)
 Oracle Public Library
 Safford City-Graham County Library
 San Manuel Public Library
 Pima County Public Library (Tucson)
 Elsie S. Hogan Community Library (Willcox)

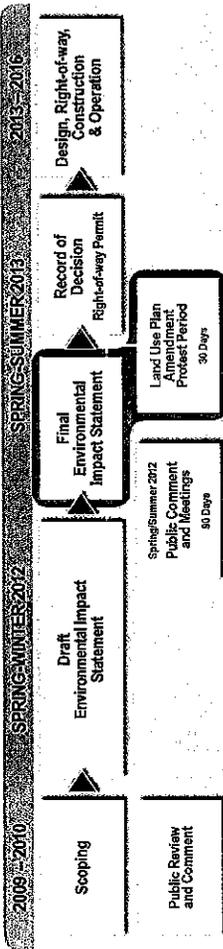
on (1) whether to approve SunZia's application for right-of-way on federal lands, and (2) whether to approve proposed land use plan amendments for BLM resource management plans.

The ROD is expected in September 2013. For further information on the NEPA process, see Section 1.10 of the Final EIS.

SUNZIA PROJECT STUDY AREA



PROJECT TIMELINE



BLM Project Website

Do you want to know more about the SunZia Project EIS? Visit the BLM Project website at www.blm.gov/nm/sunzia for more information on the following:

- Final EIS and Proposed RMP Amendments
- BLM announcements and news releases
- Map Volume and Interactive Map Viewer
- Draft EIS/RMPA
- Federal Register notices
- Project newsletters
- CEQ's *A Citizen's Guide to NEPA*

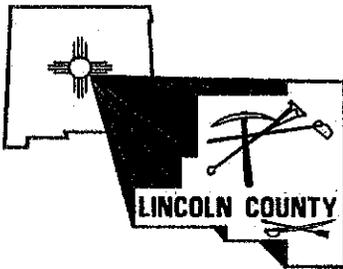




Dates when representatives from SunZia, the Bureau of Land Management and Environmental Planning Group have met with military personnel:

- 11/14/2008 WSMR personnel Dan Hicks, Chief of Staff to WSMR Commander; B.G. David Mann; Col. Gary D. Giebel, WSMR Garrison Commander; Col. Bruce D. Lewis, WSMR Test Center Commander
- 4/30/2009 WSMR personnel
- 9/21/2009 Ft. Bliss personnel: John Barrera, Ed Robbs, Eric Wolters, John Knopp, Sue Sitton, Sylvia Waggoner and Vicki Hamilton
- 9/22/2009 WSMR personnel Carol Pereira, Cathy Giblin, Russ Koch and Ft. Bliss representative John Knopp attended the BLM's second interdisciplinary meeting
- 9/24/2009 WSMR personnel Dan Hicks; William R. Ellis, Director WSMR Test Center; Col. Christopher Wicker, Garrison Commander; Daniel R. King, Chief of Airspace Management
- 10/1/2009 Bill Van Houten: Office of the Deputy Undersecretary of Defense Installations and Environment Readiness and Safety
- 10/6/2009 Holloman AFB personnel Robby Byard, Eric Carlsen, Michael Porto, Lt. Col. Dave Raggio, Dan King, Andrew "JR" Gomolak, Van Stratton, David Budak, Wesley Westphal, and Gerald Laver
- 10/27/2009 WSMR
- 11/12/2009 Meeting with Hanson Scott and Jeremy Turner (at RETA's Offices)
- 11/25/2009 Conference Call with Fred Engle: Environment & Energy Policy Analyst (DoD)
- 12/10/2009 SunZia presentation to the New Mexico Military Base Planning Commission Presented by Tom Wray
- 2/10/2010 WSMR personnel Greg DeVogel, Russ Koch; Ft. Bliss personnel Eric Wolters, Vicki Hamilton; Department of Defense personnel Mike Weaver, Lt. Colonel Greg Corkern, General Jay Bledsoe, and Thomas Rennie
- 2/17/2010 SunZia met with New Mexico's local military bases and General Bledsoe was established as a mediator among SunZia representatives and all the local military bases to facilitate a solution for SunZia's route proximate to military operations. Military personnel present included Gen. Jay Bledsoe, Col. Dave Raggio, Greg Corkery, Dan King, Greg DeVogel, Fred Engle, Ron Ralph, and Eric Wolters

- 4/27/2010 Military representatives present during the BLM scoping meeting in Socorro NM included: Bill Connor (NM Military Base Planning Commission); James H. Justice Jr. (WSMR); Michael Doyle (Kirtland AFB); Patrick Cane (Naval Research Lab); and Wesley Westphal (Holloman AFB)
- 4/29/2010 Military representatives present during the BLM scoping meeting in Tucson AZ included: Matt Walsh (Ft. Huachuca); John Allen (AZ Army National Guard); Steven Arenson (Air Force Regional Representative); Ben Kunte (AZ Army National Guard); Park Haney (US Army Regional Coordinator); Gary Presley (Davis Mothan AFB); DeEllen Brasher (Navy Region SW, DOD Regional Environmental Coordinator Officer; and Thomas Roxberry (Ft. Huachuca)
- 5/28/2010 Department of Defense personnel: Frank DiGiovanni, Fred Engle, Maureen Sullivan and Bill Van Houten
- 6/1/2010 WSMR staff
- 7/1/2010 BLM and NM Military bases conducted a meeting in Albuquerque. SunZia was not invited to participate
- 9/22/2010 WSMR staff
- 11/8/2010 DoD Operation Test & Evaluation staff
- 11/9/2010 Deputy Under Secretary of Defense for Installations & Environment
- 12/14/2010 DoD Energy Siting Clearinghouse, Dave Belote
- 2/2/2011 Meeting with New Mexico State Land Office Commissioner and staff and WSMR Chief of Staff
- 3/1/2011 Assistant Secretary of the Army, Katherine Hammack
- 10/17/2011 DoD Energy Siting Clearinghouse, Dave Belote and Bill Van Houten
- 6/19/2012 DoD Energy Siting Clearinghouse, Dave Belote, Director; Department of Defense Testing and Evaluation, Bob Butterworth; Portfolio Manager, Utilities Privatization (Energy and Sustainability) US Army (Office of the Secretary of the Army), Randy Shed; and Department of Defense personnel: Frank DiGiovanni and Fred Engle
- 12/5/2012 BLM Cooperating Agency Meeting at WSMR
- 2/12/2013 Haro, Hermann, S. Black, Juen, J. Black, Hammack, Conger, Wray, and Champion. Conger had indicated he had overruled DOD Siting Clearinghouse position with acceptance of Preferred Alternative in Draft EIS. Conger and Hammack confirmed the mission being impacted was underway at WSMR by early 2011.



www.lincolncountynm.net

County of Lincoln

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

AGENDA ITEM NO. 13

June 16, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Overview of SERPO Process

Purpose: To provide an opportunity for Mary Ann Burr, Southeastern NM Economic Development District, to present the Commission with an overview of SERPO

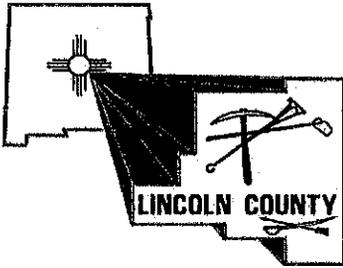
Discussion:

The Southeastern NM Economic Development District (SNMEDD) contracts with the New Mexico Department of Transportation (NMDOT) to carry out the activities for the Southeast Regional Planning Organization (SERPO), a regional planning group that focuses on transportation. SERPO goals are to :

1. Promote a regional transportation peer network in southeastern New Mexico;
2. Conduct long range transportation planning;
3. Review, rate and prioritize federally-funded transportation projects.

Mary Ann Burr will provide the Commission with additional information regarding SERPO and its potential benefits to Lincoln County.

Recommendation: Information only. No action required.



www.lincolncountynm.net

County of Lincoln

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

AGENDA ITEM NO. 14

June 16, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *X*

SUBJECT: Proclamation in Recognition of Bonito Volunteer Fire Department:
American Red Cross Humanitarian Award Recipient

Purpose: To recognize by Proclamation the Bonito Volunteer Fire Department for its Outstanding, Courageous Efforts During and After the 2012 Little Bear Fire – as Recognized by the American Red Cross Humanitarian Award.

Discussion:

On May 21st, the Bonito Volunteer Fire Department was the recipient of the American Red Cross' top award – The Humanitarian Award. In its recognition, the American Red Cross praised the Department, "When the Little Bear Fire in June 2012 had reached unprecedented conditions, 50 mph winds blowing from the north, and then, 20 minutes later, 50 mph winds blowing from the south, it was clear that the BVFD had more than a wildfire on their hands. They had a catastrophe. In the end there were no casualties, no injuries. It was the bravery, heroism and call to action of the Bonito Volunteer Fire Department that made the difference in the outcome of this raging fire. "

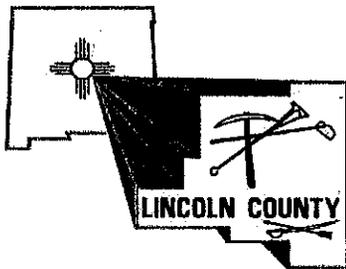
While the Little Bear Fire was catastrophic to Lincoln County, the Bonito Volunteer Fire Department has responded to hundreds of calls over time to help prevent fire starts and other incidents from becoming catastrophic. In 2012 alone, it responded to 15 wrecks, 7 structure fires, 10 wildland fires, 10 search & rescue calls and 13 false alarms; in addition to 46 EMT calls for action. It is an important part of our County firefighting family, along with all our other volunteer fire departments and forest health partners, and contributes significantly in the continuing efforts to keep Lincoln County, and its residents and visitors safe. Lincoln County is proud to have as one of its firefighting family members the Bonito Volunteer Fire Department, and honors them in the following Proclamation.

Recommendation: Adopt the attached Proclamation claiming Tuesday, June 25, 2013 the Bonito Fire Volunteer Department Day in Lincoln County.

Agenda Item No. 15
June 25, 2013

SUBJECT

9:30 A.M. Public Comment and Other Business from County Officials
(Items are for discussion only – no action will be taken)



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County of Lincoln

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Agenda Item 16

June 17, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Sole Community Provider & Indigent Health Care Claims

Purpose: To obtain the approval from the IHC Board of Sole Community Provider Payments, and the Indigent Health Care (IHC) Payments.

Discussion:

Sole Community Provider Payments: This month our coordinator processed sixty-two claims (62), fifty-seven (57) of which are recommended for approval, and five (5) for disapproval for the reasons indicated at Enclosure 1. If approved, the total recommended payment this month is **\$126,084.05**. See Enclosure. 1.

Indigent Health Care Claims: This month our coordinator processed One hundred and 10 (110) claims. Ninety-five (95) are recommended for approval and fifteen (15) for disapproval for the reasons indicated at Enclosure 2. If approved, total recommended for payment this month is **\$30,984.73**.

At Enclosure 3 is a summary of total applications approved and denied, and at Enclosure 4 is a Year-to-Date summary; both by medical provider.

Manager's Analysis – For the last two years, the average Indigent Health Care monthly payments were **\$36,467 and \$21,651** respectively. The FY 12-13 year-end total is **\$291,140.11**, with a monthly average of **\$24,261.68**. Our budget for the year is \$386,461.

Similarly, for the last two fiscal years, the total Commission-approved Sole Community Provider Claims were **\$1,118,309 and \$1,201,132** respectively. The FY 12-13 year-end total is **\$1,371,889.88**, with a monthly average of **\$114,324.16**. Our current budget for the year is \$1,003,541, which does not include the federal match. Attached at Encl. 5 are IHC and SCP tracking charts for the previous and current fiscal years.

Recommendation: Approve the claims as indicated for the Sole Community Provider report at Enclosure 1. Approve and disapprove claims as indicated by the Indigent Health Care Program report as indicated at Enclosure 2.

Approved: _____
Jackie Powell

SOLE COMMUNITY PROVIDER CLAIMS FISCAL YEAR 2012 - 2013

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$1,245,805.83

ADJUSTMENTS

TOTAL ADJUSTMENTS: \$0.00 \$0.00

JUNE # CLAIMS FOR APPROVAL 57

CLAIMS FOR DENIAL 5

JUNE # TOTAL CLAIMS 62

JUNE TOTAL \$ AMOUNT APPROVED \$126,084.05

TOTAL # CLAIMS THIS FY APPROVED 817

TOTAL # CLAIMS THIS FY DENIED 45

TOTAL # CLAIMS FY 2012 - 2013 862

TOTAL APPROVED THIS FISCAL YEAR \$1,371,889.88

ENCL 1

FACILITY: LINCOLN COUNTY MEDICAL CENTER 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19239	05/18/2013	1398.00	1076.46	077%
19318	03/27/2013	499.00	384.23	077%
19150	04/02/2013	78.00	60.06	077%
19151	04/16/2013	305.00	234.85	077%
19153	05/08/2013	573.00	441.21	077%
19154	05/14/2013	308.00	237.16	077%
19240	05/21/2013	398.00	306.46	077%
19155	04/26/2013	121.00	93.17	077%
19156	05/14/2013	5295.01	4077.16	077%
19241	05/22/2013	1966.00	1513.82	077%
19252	05/18/2013	14124.30	4996.83	035%
19321	03/29/2013	627.00	482.79	077%
19242	05/20/2013	420.00	323.40	077%
19243	05/21/2013	1906.00	1467.62	077%
19166	05/07/2013	14932.30	11497.87	077%
19169	02/07/2013	43978.80	9362.13	021%
19171	04/06/2013	2412.00	1857.24	077%
19244	05/24/2013	101.00	77.77	077%
19285	09/28/2012	18020.04	5420.42	030%
19245	05/14/2013	759.00	584.43	077%
19287	03/18/2013	26636.44	15350.05	058%
19175	04/14/2013	7919.64	6098.12	077%
19246	05/17/2013	135.00	103.95	077%
19185	05/07/2013	1110.00	854.70	077%
19247	05/24/2013	756.00	582.12	077%
19177	04/22/2013	490.00	377.30	077%
19182	05/06/2013	275.00		000%

PATIENT HAS MET OR EXCEEDED POLICY LIMIT

FACILITY: LINCOLN COUNTY MEDICAL CENTER 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19319	03/28/2013	5287.01	4071.00	077%
19248	05/21/2013	107.00	82.39	077%
19266	03/28/2013	2401.40	1849.08	077%
19267	04/29/2013	412.00	317.24	077%
19188	05/07/2013	107.00	82.39	077%
19194	05/06/2013	1450.00	1116.50	077%
19196	05/14/2013	43.00		000%
PATIENT'S BILL IS BELOW \$50				
19320	03/29/2013	5644.00	4345.88	077%
19192	05/06/2013	77.00	59.29	077%
19199	04/08/2013	8856.40	6819.43	077%
19200	04/22/2013	7311.10	5629.55	077%
19201	04/26/2013	205.00	157.85	077%
19202	04/26/2013	963.00	741.51	077%
19203	04/30/2013	4041.00	3111.57	077%
19280	07/18/2012	2255.00	1736.35	077%
19282	07/19/2012	987.00	759.99	077%
19284	05/07/2013	6803.00	5238.31	077%
19157	09/21/2012	275.00	211.75	077%
19279	09/21/2012	275.00	211.75	077%
19273	10/12/2012	499.00		000%
PATIENT FAILED TO PROVIDE INFORMATION				
19274	01/11/2013	8561.90		000%
PATIENT FAILED TO PROVIDE INFORMATION				
19206	02/04/2013	2276.00	1752.52	077%
19275	06/02/2013	1063.00	818.51	077%
19237	05/10/2013	535.00	411.95	077%
19207	04/26/2013	1002.00	771.54	077%
19209	04/29/2013	600.00	462.00	077%
19214	04/19/2013	4085.00	3145.45	077%
19215	05/07/2013	5177.01	3986.30	077%
19218	04/30/2013	4716.00	3631.32	077%
19158	05/09/2013	6017.00	4633.09	077%
19220	04/11/2013	326.00	251.02	077%
19317	03/28/2013	671.00	516.67	077%
19228	02/01/2013	447.00		000%
PATIENT IS MEDICAID ELIGIBLE				
19229	05/10/2013	675.00	519.75	077%
19230	04/24/2013	1014.00	780.78	077%

126084.05

APPROVED- 57 REJECTED- 5

INDIGENT HEALTH CARE CLAIMS FISCAL YEAR 2012 - 2013

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$260,155.38

ADJUSTMENTS

TOTAL ADJUSTMENTS: 0.00

JUNE # CLAIMS FOR APPROVAL 95

CLAIMS FOR DENIAL 15

JUNE # TOTAL CLAIMS 110

JUNE TOTAL \$ AMOUNT APPROVED \$30,984.73

TOTAL # CLAIMS THIS FY APPROVED 675

TOTAL # CLAIMS THIS FY DENIED 84

TOTAL # CLAIMS FY 2012 - 2013 759

CURRENT TOTAL APPROVED THIS FISCAL YEAR \$291,140.11

*Assuming the above is approved

FACILITY: ANESTHESIA ASSOCIATES OF NM 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19186	04/30/2013	1547.00	255.45	017%
19187	02/01/2013	1222.00	255.45	021%
19172	11/08/2012	846.00	176.85	021%
19173	03/14/2013	3768.00	720.35	019%
19179	02/28/2013	846.00	176.85	021%
19180	03/20/2013	85.67	65.97	077%
19181	03/28/2013	952.00	157.20	017%
19250	03/28/2013	952.00	157.20	017%
			1965.32	

APPROVED- 8 REJECTED-

FACILITY: GERALD CHAMPION REGIONAL MED CTR 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19238	05/04/2013	21355.50	5000.00	023%
19233	12/20/2012	135.74	104.52	077%
			5104.52	

APPROVED- 2 REJECTED-

FACILITY: LC AMBULANCE-PRES HEALTH SVCS 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19168	02/01/2013	573.80	500.00	087%
19174	04/14/2013	1253.20	500.00	040%
19265	03/28/2013	1727.40	500.00	029%
19198	04/08/2013	2407.60	500.00	021%
19281	07/19/2012	4794.40	500.00	010%
19216	04/30/2013	525.20	500.00	095%
19217	04/30/2013	972.40		000%
PATIENT HAS MET OR EXCEEDED POLICY LIMIT				
			3000.00	

APPROVED- 6 REJECTED- 1

FACILITY: LINCOLN COUNTY FAMILY MEDICAL 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19289	05/07/2013	160.00	52.08	033%
19290	04/19/2013	237.00	81.91	035%
19291	05/07/2013	237.00	81.91	035%
19292	05/23/2013	237.00	81.91	035%
19160	01/16/2013	237.00		000%
PATIENT IS MEDICAID ELIGIBLE				
19161	01/18/2013	237.00		000%
PATIENT IS MEDICAID ELIGIBLE				
19162	01/28/2013	160.00		000%
PATIENT IS MEDICAID ELIGIBLE				
19293	05/07/2013	160.00	52.08	033%
19294	04/12/2013	457.00	174.42	038%
19295	04/22/2013	160.00	52.08	033%
19296	05/10/2013	237.00	81.91	035%
19297	05/23/2013	160.00	52.08	033%
19298	05/20/2013	237.00	81.91	035%
19307	04/12/2013	393.00	140.07	036%
19308	05/01/2013	262.00	85.18	033%
19311	05/01/2013	160.00	52.08	033%
19312	04/24/2013	160.00	52.08	033%
19313	05/17/2013	160.00	52.08	033%
19314	05/06/2013	237.00	81.91	035%
19315	05/30/2013	205.00	65.90	032%
19310	05/07/2013	160.00	52.08	033%
19301	04/25/2013	368.00	136.80	037%
19302	05/21/2013	160.00	52.08	033%
19303	05/23/2013	160.00	52.08	033%
19309	05/01/2013	160.00	52.08	033%
19304	04/15/2013	160.00	52.08	033%
19305	04/26/2013	268.00	62.08	023%
19306	05/24/2013	237.00	81.91	035%
19300	04/16/2013	160.00	52.08	033%
19299	05/02/2013	160.00	52.08	033%
19222	01/16/2013	81.00		000%
PATIENT IS MEDICAID ELIGIBLE				
19223	01/02/2013	81.00		000%
PATIENT IS MEDICAID ELIGIBLE				
19224	01/09/2013	81.00		000%
PATIENT IS MEDICAID ELIGIBLE				
19225	01/23/2013	81.00		000%
PATIENT IS MEDICAID ELIGIBLE				
19226	02/04/2013	237.00		000%
PATIENT IS MEDICAID ELIGIBLE				
19227	02/13/2013	81.00		000%
PATIENT IS MEDICAID ELIGIBLE				

1966.94

APPROVED- 27 REJECTED- 9

FACILITY: LINCO MEDICAL & SUPPLY, INC 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19253	05/31/2013	206.79	206.79	100%
19254	03/05/2013	177.36	177.36	100%
19255	04/05/2013	177.36	177.36	100%
19256	05/05/2013	177.36	177.36	100%
19257	06/05/2013	177.36	177.36	100%
19258	06/05/2013	58.86	58.86	100%
19184	03/10/2013	82.82	82.82	100%
19264	05/10/2013	82.82	82.82	100%
19191	05/12/2013	206.79	206.79	100%
19205	05/19/2013	206.79	206.79	100%
19208	05/06/2013	177.36	177.36	100%
19316	06/06/2013	177.36	177.36	100%

1909.03

APPROVED- 12 REJECTED-

FACILITY: LINCOLN COUNTY RADIOLOGY 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19152	04/10/2013	157.00	36.65	023%
19159	03/19/2013	181.00	43.19	024%
19163	03/21/2013	364.00	81.03	022%
19268	04/30/3013	84.00	19.08	023%
19234	03/04/2013	260.00	62.40	024%
19167	04/08/2013	143.00	32.44	023%
19170	02/05/2013	745.00	198.98	026%
19259	04/06/2013	84.00	17.72	021%
19235	12/06/2012	325.00		000%

PAST FILING DEADLINE

19189	02/26/2013	142.00	28.95	020%
19193	04/09/2013	75.00	16.22	022%
19277	03/20/2013	385.00	78.68	020%
19278	02/13/2013	51.28	39.49	077%
19219	03/12/2013	580.00	137.63	024%

792.46

APPROVED- 13 REJECTED- 1

FACILITY: MICHAEL P CLEMENTS, M.D. 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19183	04/29/2013	100.00	81.91	082%
19251	04/10/2013	100.00	81.91	082%

163.82

APPROVED- 2 REJECTED-

FACILITY: NEW MEXICO ONCOLOGY HEMATOLOY 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19262	05/28/2013	1028.52	294.84	029%
			294.84	

APPROVED- 1 REJECTED-

FACILITY: PRESBYTERIAN HOSPITAL 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19236	04/12/2013	13370.40	5000.00	037%
19283	07/20/2012	10683.60	3184.35	030%
			8184.35	

APPROVED- 2 REJECTED-

FACILITY: ROSWELL CLINIC CORP 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19249	10/09/2012	15.00		000%

PATIENT'S BILL IS BELOW \$50

APPROVED- REJECTED- 1

FACILITY: SUBSTANCE ABUSE SERVICES OF LC 06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19176	04/24/2013	180.00	150.00	083%
19178	04/29/2013	300.00	90.00	100%
19197	04/25/2013	168.00	168.00	100%
19263	05/28/2013	336.00	336.00	100%
19269	04/22/2013	420.00	420.00	100%
19270	05/21/2013	120.00	120.00	100%
19190	04/29/2013	600.00	600.00	100%
19271	05/20/2013	180.00	150.00	100%
19204	04/30/2013	240.00	240.00	100%
19272	05/28/2013	180.00	174.00	100%
19213	04/23/2013	252.00	252.00	100%
19276	05/28/2013	168.00	168.00	100%
19221	04/29/2013	300.00		000%

PATIENT HAS MET OR EXCEEDED POLICY LIMIT

19231	04/24/2013	120.00	120.00	100%
19286	05/21/2013	120.00	120.00	100%
19232	04/30/2013	480.00	480.00	100%
19288	05/28/2013	180.00	180.00	100%

3768.00

APPROVED- 16 REJECTED- 1

FACILITY: UNM HEALTH SCIENCES CTR

06/25/2013 THROUGH 06/25/2013

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
19212	05/10/2013	3911.10	3011.55	077%
19164	05/03/2013	458.00	352.66	077%
19165	05/03/2013	68.00	52.36	077%
19260	04/10/2013	250.00	192.50	077%
19261	05/01/2013	226.00	174.02	077%
19195	05/08/2013	68.00	52.36	077%
19210	03/19/2013	228.00		000%
PATIENT HAS MET OR EXCEEDED POLICY LIMIT				
19211	03/19/2013	68.00		000%
PATIENT HAS MET OR EXCEEDED POLICY LIMIT				

3835.45

APPROVED- 6 REJECTED- 2

INDIGENT FUND MEETING

JUNE 25, 2013

TOTAL APPLICATIONS	172	157,068.78
TOTAL APPROVED	152	
TOTAL DENIED	20	
ALBUQUERQUE		
ANESTHESIA ASSOCIATES OF NM		1,965.32
APPROVED-	8	
DENIED-		
ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		5,104.52
APPROVED-	2	
DENIED-		
RUIDOSO		
LC AMBULANCE-PRES HEALTH SVCS		3,000.00
APPROVED-	6	
DENIED-	1	
RUIDOSO		
LINCO MEDICAL & SUPPLY, INC		1,909.03
APPROVED-	12	
DENIED-		
RUIDOSO		
LINCOLN COUNTY FAMILY MEDICAL		1,966.94
APPROVED-	27	
DENIED-	9	
RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		126,084.05
APPROVED-	57	
DENIED-	5	
ALTO		
LINCOLN COUNTY RADIOLOGY		792.46
APPROVED-	13	
DENIED-	1	
RUIDOSO		
MICHAEL P CLEMENTS, M.D.		163.82
APPROVED-	2	
DENIED-		
ALBUQUERQUE		
NEW MEXICO ONCOLOGY HEMATOLOY		294.84
APPROVED-	1	
DENIED-		
ALBUQUERQUE		
PRESBYTERIAN HOSPITAL		8,184.35
APPROVED-	2	
DENIED-		

ENCL 3

BRENTWOOD ROSWELL CLINIC CORP		
APPROVED-		
DENIED-	1	
RUIDOSO SUBSTANCE ABUSE SERVICES OF LC		3,768.00
APPROVED-	16	
DENIED-	1	
ALBUQUERQUE UNM HEALTH SCIENCES CTR		3,835.45
APPROVED-	6	
DENIED-	2	

YTD

INDIGENT FUND MEETING

JUNE 25, 2013

TOTAL APPLICATIONS	1621	1,663,029.99
TOTAL APPROVED	1492	
TOTAL DENIED	129	
ALBUQUERQUE		
ANESTHESIA ASSOCIATES OF NM		7,761.15
APPROVED-	39	
DENIED-	2	
RUIDOSO		
CHERYL AIKEN		360.00
APPROVED-	1	
DENIED-		
RUIDOSO		
DEBORAH J HEWITT, M.D.		225.54
APPROVED-	1	
DENIED-		
ROSWELL		
EASTERN NM MEXICO MEDICAL CNTR		15,152.97
APPROVED-	9	
DENIED-	4	
RUIDOSO		
FRONTIER MEDICAL		257.79
APPROVED-	1	
DENIED-		
ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		36,019.52
APPROVED-	25	
DENIED-	1	
RUIDOSO		
LC AMBULANCE-PRES HEALTH SVCS		20,503.17
APPROVED-	55	
DENIED-	27	
RUIDOSO		
LINCO MEDICAL & SUPPLY, INC		15,787.77
APPROVED-	101	
DENIED-		
RUIDOSO		
LINCOLN COUNTY FAMILY MEDICAL		6,376.88
APPROVED-	92	
DENIED-	9	
RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		1,371,889.88
APPROVED-	817	
DENIED-	45	

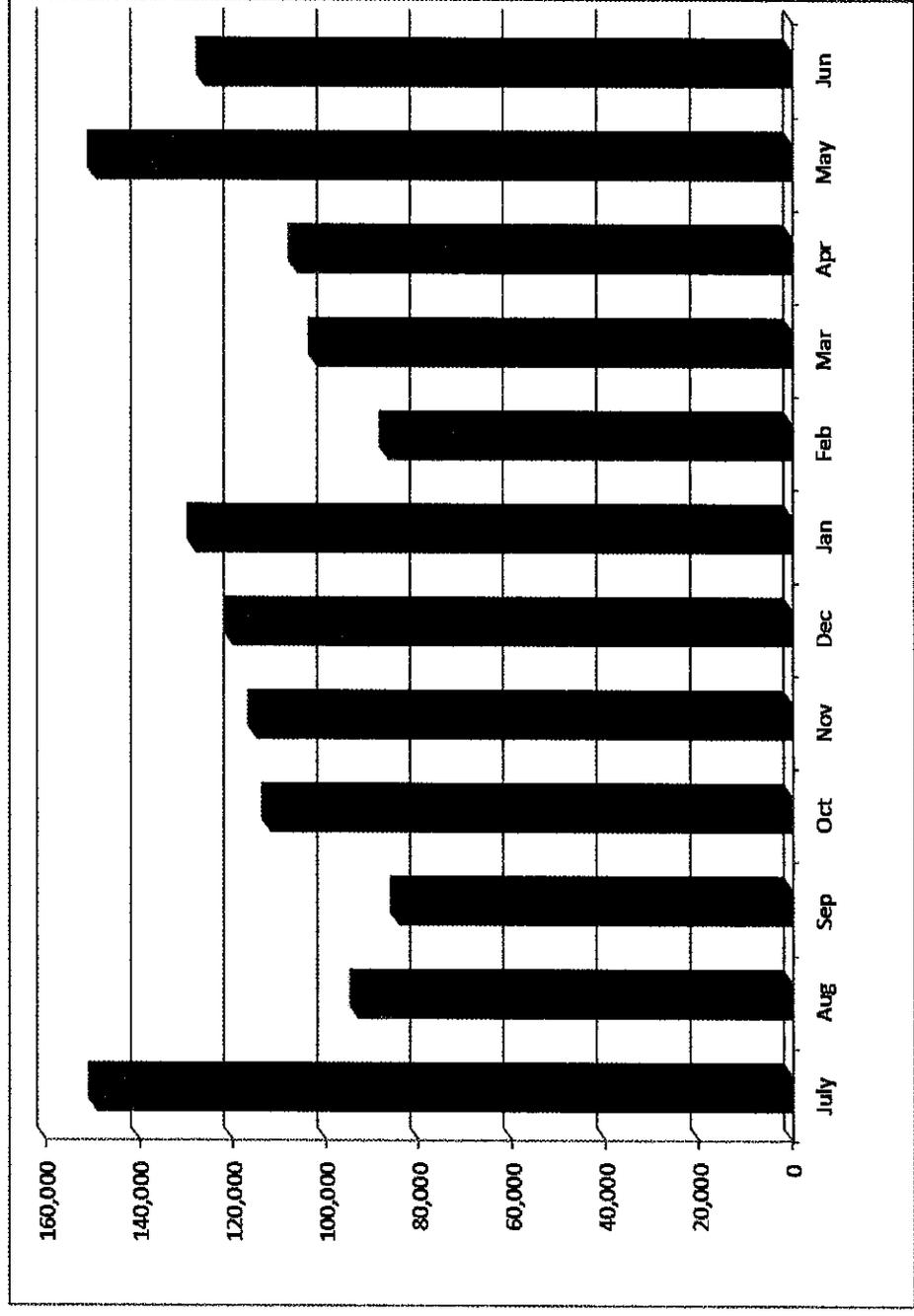
ENCL 4

ALTO		
LINCOLN COUNTY RADIOLOGY		6,151.56
APPROVED-	93	
DENIED-	6	
RUIDOSO		
MICHAEL P CLEMENTS, M.D.		2,361.84
APPROVED-	26	
DENIED-	2	
ALBUQUERQUE		
NEW MEXICO ONCOLOGY HEMATOLOY		8,280.67
APPROVED-	19	
DENIED-	3	
ROSWELL		
NM REHABILITATION CENTER		1,000.00
APPROVED-	1	
DENIED-		
ROSWELL		
PATHOLOGY CONSULTANTS OF NM		79.34
APPROVED-	4	
DENIED-	2	
LOS ANGELES		
PHI AIR MEDICAL		485.00
APPROVED-	1	
DENIED-	3	
ALBUQUERQUE		
PRESBYTERIAN HOSPITAL		112,771.88
APPROVED-	27	
DENIED-	5	
BRENTWOOD		
ROSWELL CLINIC CORP		8,382.09
APPROVED-	95	
DENIED-	4	
RUIDOSO		
RUIDOSO HOME CARE & HOSPICE		5,360.00
APPROVED-	9	
DENIED-		
FAIRACRES		
SOUTHWEST AIR AMBULANCE		908.38
APPROVED-	2	
DENIED-		
RUIDOSO		
SUBSTANCE ABUSE SERVICES OF LC		8,982.00
APPROVED-	40	
DENIED-	1	
RUIDOSO		
TALL PINES MEDICAL, INC		351.14
APPROVED-	5	
DENIED-		
ALBUQUERQUE		
UNM HEALTH SCIENCES CTR		33,581.42
APPROVED-	29	
DENIED-	15	

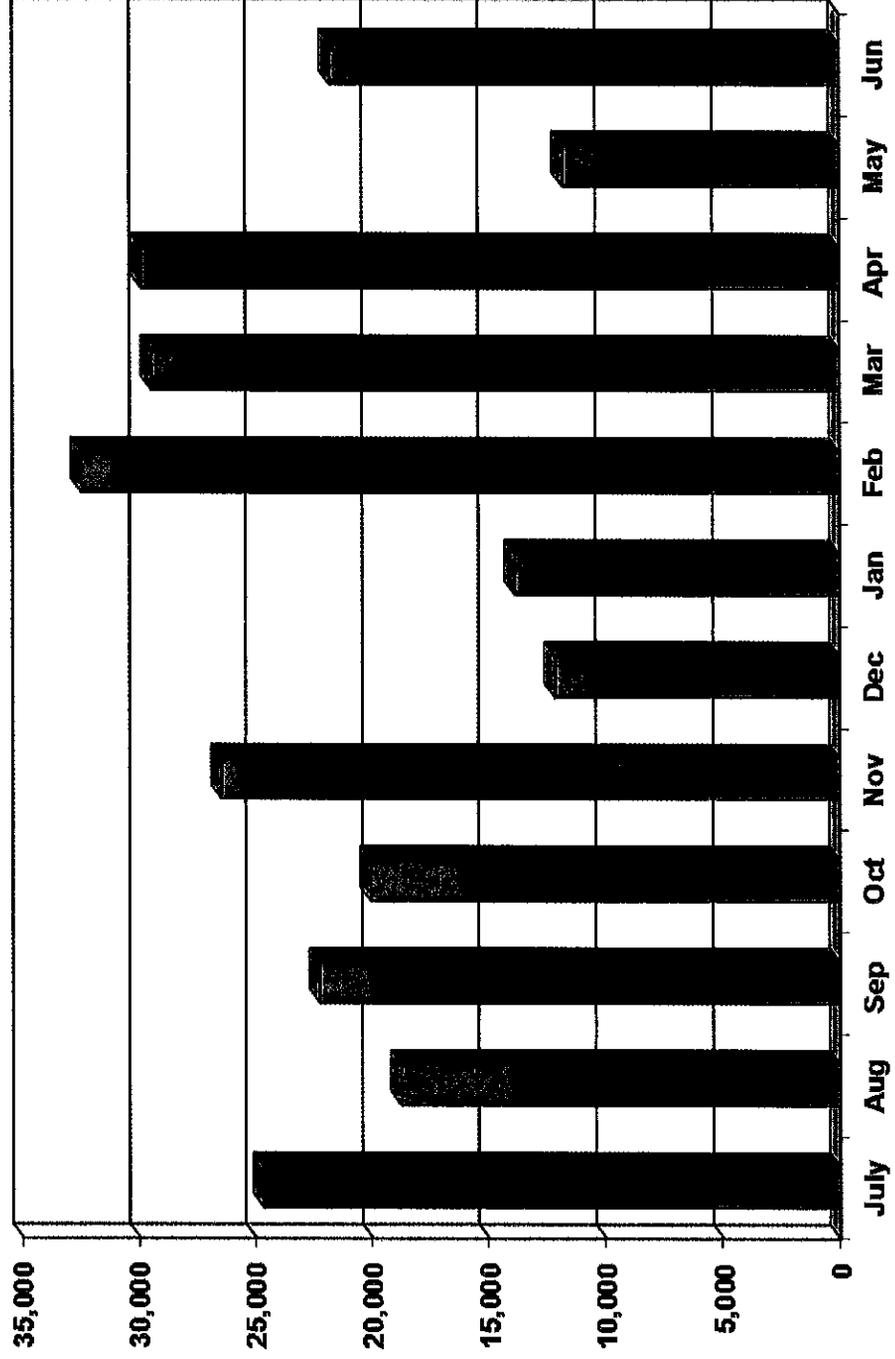
FY 2012-2013 Sole Community Claims

Average Month for FY = \$ 114,324

Total for FY 12-13 = \$ 1,371,890



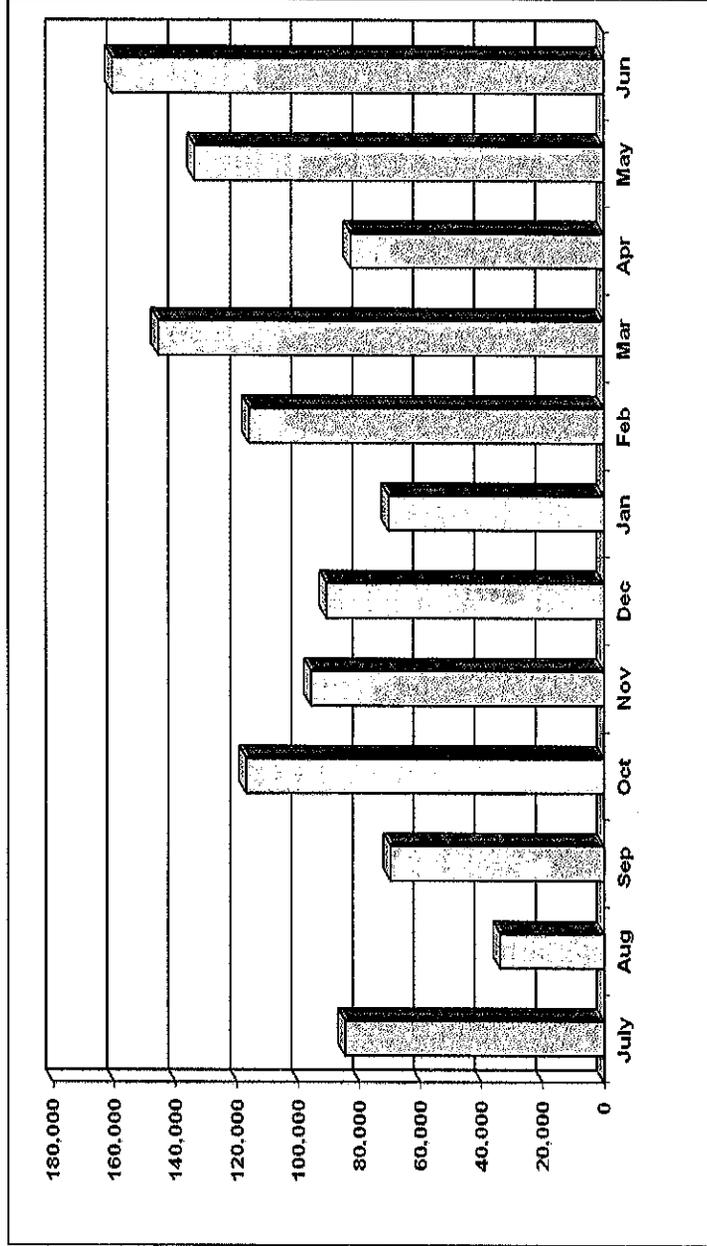
FY 2011-2012 IHC Payments
Average Month for FY = \$ 21,651
Total for FY = \$ 259,810
DO NOT EXCEED \$416,027



FY 2011-2012 Sole Community Claims

Average Month for FY = \$ 100,094

Actual Total for FY \$ 1,201,132

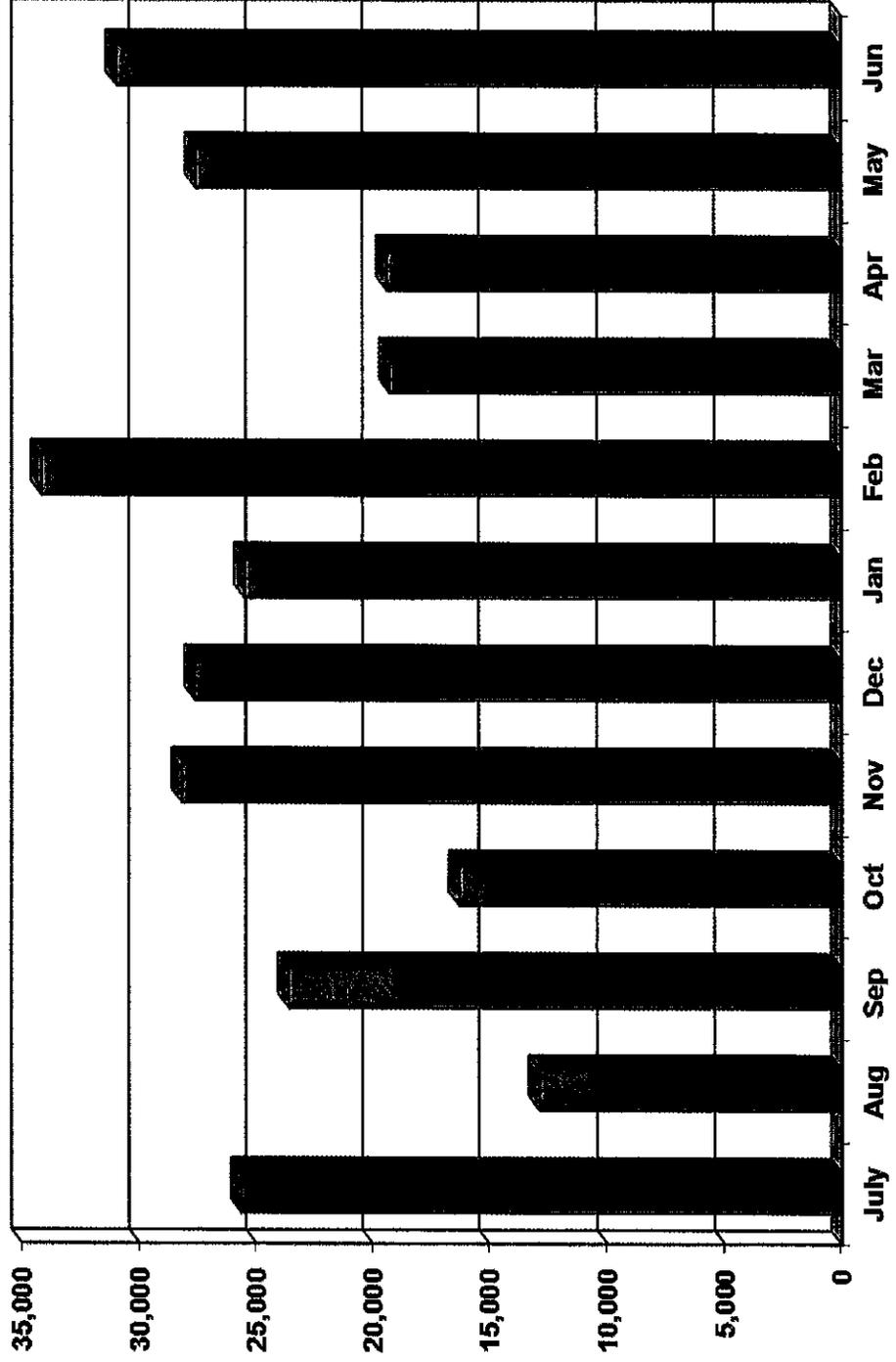


FY 2012-2013 IHC Payments

Average Month for FY = \$ 24,261.68

Total for FY 12-13 = \$ 291,140.11

DO NOT EXCEED \$386,461



AGENDA DOCUMENTATION

June 25, 2013

Agenda Item No. 17

SUBJECT

Manager's Report

ACTION REQUESTED BY

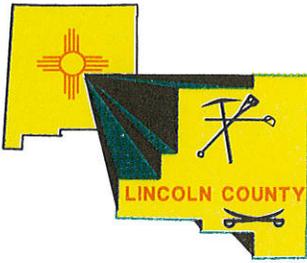
County Manager

ACTION REQUESTED

To Be Determined

BACKGROUND

Manager's report is in progress & will be available prior to the meeting



County of Lincoln

P.O.Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (505) 648-2385

AGENDA ITEM NO. 18

June 3, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager

SUBJECT: Approval of Preliminary Budget by DFA

Purpose: To acknowledge Department of Finance and Administration (DFA) approval of our recent 2013-2014 Commission- approved preliminary budget.

Discussion:

At enclosure 1 is a letter from DFA approving our preliminary budget for 2013-2014. According to the state requirements, the Board of County Commissioners must acknowledge budget approvals in the minutes of a commission meeting.

Recommendation: None – Acknowledge receipt of DFA approval of our 2013-2014 preliminary budget.

SUSANA MARTINEZ
GOVERNOR

THOMAS E. CLIFFORD, PH. D.
CABINET SECRETARY



RYAN GLEASON
DIRECTOR

SAMUEL OJINAGA
DEPUTY DIRECTOR

STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION
Bataan Memorial Building, Suite 201 ♦ Santa Fe, New Mexico 87501
(505) 827-8051 ♦ FAX No. (505) 827-4948

RECEIVED

JUN 03 2013

ADMINISTRATION
LINCOLN COUNTY NM

May 30, 2013

The Honorable Eileen Sedillo, Chairperson
Lincoln County Commission
P.O. Box 711
Carrizozo, NM 88301

Dear Chairperson Sedillo:

In accordance with Section 6-6-2 (B) NMSA 1978, the Local Government Division (LGD) has examined the proposed (interim) budget of your local government entity for Fiscal Year 2014 and hereby grants approval and certification for use pending approval of the final budget by September 1st 2013. Sufficient resources appear to be available to cover proposed budgeted expenditures.

Approval and certification of your final budget is contingent upon submission of the following by July 31st, 2013:

- A resolution adopting the final 2014 operating budget submittal and the 4th quarter report;
- Unaudited (reconciled) beginning cash balances as of July 1, 2013 that agree with the year-end June 30, 2013 cash balances per the fourth quarterly financial report;
- The year-end June 30, 2013 fourth quarter financial report in the LGD required Excel spreadsheet form;
- Any additional information or clarifications requested of your staff before or after the final submittal;

Please note that if your audit for the fiscal year ended June 30, 2012 submission to the Office of the State Auditor is not current, final budget certification will be "conditional" upon your due diligence to get in compliance per 2.2.3 NMAC.

If you have questions, please call me at (505) 827-8059.

Respectfully,

A handwritten signature in blue ink that reads "Tom Dixon".

Tom Dixon
Budget and Finance Analyst

cc. Charlene "Punkin" Schlarb, Finance Director, Lincoln County

ENCL 1



www.lincolncountynm.net

County of Lincoln

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

Agenda Item No. 19

June 3, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Approval of FY 2013 – 2014 Contracts for Services

Purpose: To obtain approval of the attached contracts for services.

Discussion:

During the preliminary budget approval process of May 3, 2013 and May 14, 2013 the county commission approved funding for external agencies in the amounts indicated below. To avoid anti-donation issues, the attached contracts for services specify the necessary agreement arrangements. The contracts are as follows:

Capitan Library	\$ 5,000	(Encl 1)
Corona Library	\$ 5,000	(Encl 2)
Ruidoso Library	\$ 20,000	(Encl 3)
Lincoln County Juvenile Justice Board	\$ 8,000	(Encl 4)
Noxious Weeds Management	\$ 40,000	(Encl 5)
South Central RC&D	\$ 30,000	(Encl 6)
Humane Society	\$ 30,000	(Encl 7)
EcoServants	\$ 15,000	(Encl 8)
The Coalition of Arizona/NM Counties	\$ 5,000	(Encl 9)
Boys & Girls Club of Sierra	\$ 3,000	(Encl 10)
New Mexico State Library	\$ 1,260	(Encl 11)

The current list of external funding is at enclosure 12.

In addition to the external agencies listed above, also included is the annual contract with the Lincoln County Fair Association, including an allocation for FY13-14 in the amount of \$24,000.

Recommendation: Consider and approve the desired contracts.

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
CAPITAN LIBRARY**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and Capitan Library, a 501 c 3.

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that Capitan Library performs worthwhile and necessary services for the citizens of Lincoln County by offering library services for all in the vicinity of Capitan; and

WHEREAS, Capitan Library has agreed to provide these services to all who are eligible for the program within the boundaries of Lincoln County within program budget; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing this library access and to acquire these services from the Capitan Library.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract for services from Capitan Library, consisting of access to a library in the vicinity of Capitan for all citizens in need of such services within the boundaries of Lincoln County.
2. **Consideration.** In consideration for the services to be provided hereunder, COUNTY agrees to provide a total of \$5,000 paid in two equal semi-annual payments.
3. **Stipulations.** Capitan Library agrees that it will be responsible for all facets of these services and shall be responsible for providing a semi-annual report of services at the time payments are requested.
4. **Release.** Capitan Library hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses of damages, and any claims of damages resulting therefrom, on account of personal injury or property damages resulting while providing library services and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

ENCL 2

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June, 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

Capitan Library

By: _____
Jackie Powell,
Chair, Board of Commissioners
County of Lincoln

By: _____
Its _____

Attest:

Attest:

Rhonda Burrows
Lincoln County Clerk

(Title)

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
VILLAGE OF CORONA**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and Village of Corona.

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that Village of Corona performs worthwhile and necessary services for the citizens of Lincoln County by offering library services for all in the vicinity of Corona; and

WHEREAS, Village of Corona has agreed to provide these services to all who are eligible for the program within the boundaries of Lincoln County within program budget; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing this library access and to acquire these services from the Village of Corona.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract for services from Village of Corona, consisting of access to a library in the vicinity of Corona for all citizens in need of such services within the boundaries of Lincoln County.
2. **Consideration.** In consideration for the services to be provided hereunder, COUNTY agrees to provide a total of \$5,000 paid in two semi-annual payments.
3. **Stipulations.** Village of Corona agrees that it will be responsible for all facets of these services and shall be responsible for providing a semi-annual report of services at the time a semi-annual payment is requested.
4. **Release.** Village of Corona hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses of damages, and any claims of damages resulting therefrom, on account of personal injury or property damages resulting while providing library services and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

ENCL 2

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June, 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

Village of Corona

By: _____
Jackie Powell,
Chair, Board of Commissioners
County of Lincoln

By: _____
Its _____

Attest:

Rhonda Burrows
Lincoln County Clerk

Attest:

(Title)

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
VILLAGE OF RUIDOSO**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and Village of Ruidoso.

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that Village of Ruidoso performs worthwhile and necessary services for the citizens of Lincoln County by offering library services for all in the vicinity of Ruidoso; and

WHEREAS, Village of Ruidoso has agreed to provide these services to all who are eligible for the program within the boundaries of Lincoln County within program budget; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing this library access and to acquire these services from the Village of Ruidoso.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract for services from Village of Ruidoso, consisting of access to a library in the vicinity of Ruidoso for all citizens in need of such services within the boundaries of Lincoln County.
2. **Consideration.** In consideration for the services to be provided hereunder, COUNTY agrees to provide a total of \$20,000 paid in two semi-annual payments.
3. **Stipulations.** Village of Ruidoso agrees that it will be responsible for all facets of these services and shall be responsible for providing an semi-annual reports of services at the time payments are requested.
4. **Release.** Village of Ruidoso hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses of damages, and any claims of damages resulting therefrom, on account of personal injury or property damages resulting while providing library services and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

ENCL 3

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June, 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

Village of Ruidoso

By: _____
Jackie Powell,
Chair, Board of Commissioners
County of Lincoln

By: _____
Its _____

Attest:

Attest:

Rhonda Burrows
Lincoln County Clerk

(Title)

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
LINCOLN COUNTY JUVENILE JUSTICE BOARD**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and Lincoln County Juvenile Justice Board, a 501 c 3.

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that the Lincoln County Juvenile Justice Board (LCJJB) performs worthwhile and necessary services for the citizens and young adults by offering alternatives to formal sentencing of juveniles in the County; and

WHEREAS, LCJJB has agreed to provide these services to all who are eligible for the program within the boundaries of Lincoln County within program budget and a New Mexico Children Youth and Families Department (CYFD) grant; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing these services.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract for services from the LCJJB, for alternatives to sentencing for juvenile offenders or youth at risk within the boundaries of Lincoln County.

2. **Consideration.** In consideration for the services to be provided hereunder, COUNTY agrees to provide a total of \$8,000 paid in two equal semi-annual payments and the County will also administer the CYFD grant under separate agreement with CYFD and LCJJB.

3. **Stipulations.** LCJJB agrees that it will be responsible for all facets of these services and shall be responsible for providing a semi-annual report of services at the time payments are requested.

4. **Release.** LCJJB hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses of damages, and any claims of damages resulting therefrom, on account of personal injury or property damages resulting while providing library services and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

ENCL 4

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June, 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

**Lincoln County
Juvenile Justice Board**

By: _____
Jackie Powell,
Chair, Board of Commissioners
County of Lincoln

By: _____
Its _____

Attest:

Attest:

Rhonda Burrows
Lincoln County Clerk

(Title)

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
THE LINCOLN COUNTY COOPERATIVE WEED MANAGEMENT AREA**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and the "Lincoln County Cooperative Weed Management Area" or LCCWMA.

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that the Lincoln County Cooperative Weed Management Area performs worthwhile and necessary services for the citizens of Lincoln County in the suppression of invasive plant species; and

WHEREAS, the Lincoln County Cooperative Weed Management Area under the direction of the Upper Soil and Water Conservation District has agreed to provide suppressive services of invasive and noxious plant species within the boundaries of Lincoln County; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing these suppressive services from the program.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract for services from Lincoln County Cooperative Weed Management Area (LCCWMA), consisting of the hiring of personnel and application of suppressive materials to areas of invasive species within the boundaries of Lincoln County.

2. **Consideration.** In consideration for the services to be provided hereunder, COUNTY agrees to provide a total of \$40,000 paid in periodic increments based upon written reports and receipts.

3. **Stipulations.** The Lincoln County Cooperative Weed Management Area agrees that it will be responsible for all facets of these applications and shall be responsible for providing a periodic report of services provided.

ENCL 5

4. **Release.** The Lincoln County Cooperative Weed Management Area hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses of damages, and any claims of damages resulting therefrom, on account of personal injury or property damages resulting while providing these treatment services and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

LCCWMA

By: _____
Jackie Powell,
Chair, Board of Commissioners
County of Lincoln

By: _____

Its _____

Attest:

Attest:

Rhonda Burrows
Lincoln County Clerk

(Title)

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
SOUTH CENTRAL MOUNTAIN RC&D COUNCIL, INC.**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and the South Central Mountain RC&D Council, Inc., a 501 c 3.

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that SOUTH CENTRAL MOUNTAIN RC&D COUNCIL, INC. performs a worthwhile and necessary service for the citizens of Lincoln County by coordinating natural resource related services in Lincoln County; and

WHEREAS, SOUTH CENTRAL MOUNTAIN RC&D COUNCIL, INC. has agreed to provide these services to all citizens and municipalities and the Carrizozo Soil and Water Conservation District within the boundaries of Lincoln County; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing these services.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract with the SOUTH CENTRAL MOUNTAIN RC&D COUNCIL, INC. for those in need of natural resources related services within the boundaries of Lincoln County.
2. **Consideration.** In consideration for the services to be provided hereunder, COUNTY agrees to provide a total of \$30,000 paid in one lump sum payment.
3. **Stipulations.** SOUTH CENTRAL MOUNTAIN RC&D COUNCIL, INC. agrees that it will be responsible for all facets of these services and shall be responsible for providing an annual report of services when requesting payment.

ENCL 6

4. **Release.** SOUTH CENTRAL MOUNTAIN RC&D COUNCIL, INC. hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses of damages, and any claims of damages resulting therefrom, on account of personal injury or property damages resulting while providing services and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June, 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

**SOUTH CENTRAL MOUNTAIN
RC&D COUNCIL, INC.**

By: _____
Jackie Powell,
Chair, Board of Commissioners
County of Lincoln

By: _____
Its _____

Attest:

Attest:

Rhonda Burrows
Lincoln County Clerk

(Title)

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
HUMANE SOCIETY OF LINCOLN COUNTY**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and the Humane Society of Lincoln County, a 501 c 3, sometimes referred to as the "HUMANE SOCIETY."

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that HUMANE SOCIETY performs a worthwhile and necessary service for the citizens of Lincoln County in providing shelter and controlling over population by unwanted dogs and cats; and

WHEREAS, HUMANE SOCIETY has agreed to provide these services to all animals and citizens, including the Lincoln County Sheriff, who are in need of these services within the boundaries of Lincoln County; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing this service to control the proliferation of unwanted pets.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract for sheltering and adoption services from the HUMANE SOCIETY for those in need within the boundaries of Lincoln County.

2. **Consideration.** In consideration for the services to be provided hereunder, COUNTY agrees to provide up to a total of \$30,000 paid upon invoices in amounts determined by the HUMANE SOCIETY and in approximately quarterly increments.

3. **Stipulations.** HUMANE SOCIETY OF LINCOLN COUNTY agrees that it will be responsible for all facets of these services and shall be responsible for providing a quarterly report of services provided when requesting payment.

ENCL 7

4. **Release.** HUMANE SOCIETY OF LINCOLN COUNTY hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses of damages, and any claims of damages resulting therefrom, on account of personal injury or property damages resulting while providing Humane Society services and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June, 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

**HUMANE SOCIETY OF
LINCOLN COUNTY**

By: _____
Jackie Powell,
Chair, Board of Commissioners
County of Lincoln

By: _____
Its _____

Attest:

Attest:

Rhonda Burrows
Lincoln County Clerk

(Title)

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
ECOSERVANTS aka SIERRA BLANCA SERVICE CORPS**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and EcoServants, a 501 c 3, sometimes referred to as "Sierra Blanca Service Corps."

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that EcoServants performs worthwhile and necessary services for the citizens of Lincoln County by offering a mentoring and project program for youth; and

WHEREAS, EcoServants has agreed to provide these services to all who are eligible for the program within the boundaries of Lincoln County within program budget; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing this mentoring program for its youth and to acquire these services from EcoServants.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract for services from EcoServants, consisting of a mentoring and project program for youth in need of such services within the boundaries of Lincoln County.

2. **Consideration.** In consideration for the services to be provided hereunder, COUNTY agrees to provide a total of \$15,000 paid in a single lump sum payment.

3. **Stipulations.** EcoServants agrees that it will be responsible for all facets of these services and shall be responsible for providing an annual report of services at the time the lump sum payment is requested.

4. **Release.** EcoServants hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses of damages, and any claims of damages resulting therefrom, on account of personal injury or property damages resulting while providing a mentoring and project program for youth and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June, 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

**EcoServants
Sierra Blanca Service Corps**

By: _____
Jackie Powell,
Chair, Board of Commissioners
County of Lincoln

By: _____
Its _____

Attest:

Attest:

Rhonda Burrows
Lincoln County Clerk

(Title)

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
THE COALITION OF ARIZONA/ NEW MEXICO COUNTIES
FOR STABLE ECONOMIC GROWTH**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and The Coalition of Arizona/New Mexico Counties for Stable Economic Growth, a 501 c 3, hereinafter sometimes referred to as "the Coalition."

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that The Coalition of Arizona/New Mexico Counties for Stable Economic Growth performs worthwhile and necessary services for the citizens of Lincoln County by proposing, defending, and advocating worthwhile rural initiatives in our region of the country; and

WHEREAS, the Coalition has agreed to provide these services to the County on behalf of all of its citizens; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing this protection to the way of life of its citizens and to acquire services from the Coalition.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract for services which involve legal defense of worthwhile issues proposed by the county members of the Coalition in Arizona and New Mexico.

2. **Consideration.** In consideration for the legal services to be provided hereunder, COUNTY agrees to pay the Coalition \$5,000 for the fiscal year 2013-2014.

3. **Stipulations.** Coalition agrees that it will be responsible for all facets of these legal services, and upon invoicing the County of Lincoln will provide a report and evidence of legal services paid by the Coalition to the Lincoln County Manager, PO Box 711, Carrizozo, NM 88301.

ENCL 9

4. **Release.** Coalition hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses or damages, and any claims of damages resulting therefrom, and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

**Coalition of Arizona/New Mexico Counties
for Stable Economic Growth**

By: _____
Jackie Powell ,
Chair, Board of Commissioners
County of Lincoln

By: _____
Its _____

Attest:

Attest:

Rhonda Burrows
Lincoln County Clerk

(Title)

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
BOYS & GIRLS CLUB OF SIERRA**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and Boys & Girls Club of Sierra, a 501 c 3, sometimes referred to as "Boys & Girls Club of Sierra."

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that Boys & Girls Club of Sierra performs worthwhile and necessary services for the citizens of Lincoln County by offering a program of mentoring for youth; and

WHEREAS, Boys & Girls Club of Sierra has agreed to offer and provide these services to all who are eligible for the program within the boundaries of Lincoln County within program budget; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing this mentoring program for its youth and to acquire these services from Boys & Girls Club of Sierra.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract for services from Boys & Girls Club of Sierra, consisting of a mentoring program for a minimum of three Lincoln County youth in need of such services within the boundaries of Lincoln County.

2. **Consideration.** In consideration for the services to be provided hereunder, COUNTY agrees to provide a total of \$3,000 paid in a single lump sum payment.

3. **Stipulations.** Boys & Girls Club of Sierra agrees that it will be responsible for all facets of these services and shall be responsible for providing an annual report of services provided Lincoln County at the time the lump sum payment is requested.

4. **Release Boys & Girls Club of Sierra** hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses of damages, and any claims of damages resulting therefrom, on account of personal injury or property damages resulting while providing mentoring services and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by

ENCL 10

the laws of the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June, 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

Boys & Girls Club of Sierra

By: _____
Jackie Powell,
Chair, Board of Commissioners
County of Lincoln

By: _____
Its _____

Attest:

Attest:

Rhonda Burrows
Lincoln County Clerk

(Title)

**CONTRACT FOR SERVICES BETWEEN
THE COUNTY OF LINCOLN
AND
NEW MEXICO STATE LIBRARY**

THIS CONTRACT FOR SERVICES is entered into by and between the County of Lincoln, New Mexico, hereinafter sometimes referred to as the "COUNTY," and New Mexico State Library, a 501 c 3.

WITNESSETH:

WHEREAS, the Board of County Commissioners of Lincoln County has determined that New Mexico State Library performs worthwhile and necessary services for the citizens of Lincoln County by offering library services for all in the vicinity of Lincoln County; and

WHEREAS, New Mexico State Library has agreed to provide these services to all who are eligible for the program within the boundaries of Lincoln County within program budget; and

WHEREAS, it is in the interest of both parties that the County of Lincoln assist in providing this library access and to acquire these services from the New Mexico State Library.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises contained herein, the parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to contract for services from New Mexico State Library, consisting of access to a library in the vicinity of Lincoln County for all citizens in need of such services within the boundaries of Lincoln County.

2. **Consideration.** In consideration for the services to be provided hereunder, COUNTY agrees to provide a total of \$1,260 paid in two equal semi-annual payments.

3. **Stipulations.** New Mexico State Library agrees that it will be responsible for all facets of these services and shall be responsible for providing a semi-annual report of services at the time payments are requested.

4. **Release.** New Mexico State Library hereby releases, waives and discharges the County of Lincoln from all liability, for any and all losses of damages, and any claims of damages resulting therefrom, on account of personal injury or property damages resulting while providing library services and expressly agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of

ENCL 11

the State of New Mexico, and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

5. **Term.** The term of this Contract for Services shall be for the 2013-2014 state fiscal year, unless otherwise mutually agreed to, in writing, by both parties.

6. **Modification of Agreement.** Any changes to this Contract for Services shall be in writing and agreed to and signed by both parties.

DONE this 25th day of June, 2013.

**Board of County Commissioners
of County of Lincoln, New Mexico**

New Mexico State Library

By: _____
Jackie Powell,
Chair, Board of Commissioners
County of Lincoln

By: _____
Its _____

Attest:

Attest:

Rhonda Burrows
Lincoln County Clerk

(Title)

LINCOLN COUNTY PRELIMINARY BUDGET REVIEW - MAY 3, 2013

2013 - 2014 External Requests

	Organization	09-10 Funded	10-11 Funded	11-12 Funded	12-13 Funded	13-14 Requested on May 3, 2013	Diff.13-14 Request From 12-13 Funded	FUNDED 5.3.2103
	Funded 2011-2012							
1	Co-op Ext. Svcs.	\$60,563	\$63,400	\$63,400	\$93,337	\$64,399	-\$28,938	\$64,399
2	Capitan Library	\$10,000	\$12,000	\$3,000	\$3,000	\$22,920	\$19,920	\$5,000
3	Corona Library	\$5,000	\$5,000	\$3,000	\$3,000	\$5,000	\$2,000	\$5,000
4	Ruidoso Library	\$25,000	\$25,000	\$15,000	\$15,000	\$35,000	\$20,000	\$20,000
5	LCJJB	\$4,000	\$4,000	\$8,000	\$8,000	\$10,000	\$2,000	\$8,000
6	SNMEDD	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$0	\$6,000
7	USDA Wildlife Svcs.	\$84,000	\$84,000	\$88,500	\$88,500	\$88,500		\$88,500
	Note: Per head tax of \$0.55 = \$18,640; delinquent taxes = \$1,200; Taylor Grazing = \$29,287: Approved \$39,373 from Gen'l Fund.							
8	Noxious Weeds	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$0	\$40,000
9	SC Mtn. RC&D	\$5,000	\$7,000	\$7,000	\$40,000	\$40,000	\$0	\$30,000
10	Humane Society	\$30,000	\$35,000	\$30,000	\$30,000	\$32,000	\$2,000	\$30,000
11	EcoServants	\$20,000	\$20,000	\$20,000	\$15,000	\$25,000	\$10,000	\$15,000
12	NM State Library Rural Bookmobile	\$1,050	\$1,050	\$1,050	\$1,050	\$1,260	\$210	\$1,260
13	Town of Carrizozo	\$12,500	\$12,500	\$12,500	\$8,000	\$0	-\$8,000	\$0
	Carrizozo swm pool				\$3,000	\$0	-\$3,000	\$0
14	Coal. of Counties				\$5,000	\$5,000	\$0	\$5,000
	Sub-total				\$368,887	\$385,079	\$16,192	
	Sub-total (including only \$39,373 for Wildlife Svcs)				\$312,583	\$335,952	\$23,369	
	Special Requests							
15	Lincoln County	\$0	\$0	\$0	\$0	\$25,000		\$0
16	Boys & Girls Club	\$3,000	\$3,600	\$0	\$0	\$6,000		\$3,000
17	SANE	\$0	\$0	\$0	\$0	\$2,000		\$0
17	White Mtn. Search & Rescue	\$0	\$0	\$0	\$1,000	\$2,220		\$0
18	VOR - School Resource Officer	\$0	\$0	\$0	\$0	\$0		
19	COPE	\$0	\$0	\$0	\$0	\$0		
	Linc. Cnty Food Bank	\$10,000	\$10,000	\$0	\$0	\$0		
	Sub-Total				\$1,000	\$35,220	\$34,220	
	Total	\$326,113	\$338,550	\$307,450	\$369,887	\$420,299	\$50,412	\$321,159
	Total including only \$39,373 for Wildlife			\$307,450	\$313,543	\$371,172	\$57,629	\$272,032

**LEASE
and
MANAGEMENT AGREEMENT**

LINCOLN COUNTY FAIRGROUNDS

WHEREAS, the **BOARD OF COUNTY COMMISSIONERS OF LINCOLN COUNTY, NEW MEXICO**, hereinafter referred to as the "Board," has determined that it is in the best interests of the **COUNTY OF LINCOLN**, hereinafter referred to as the "County" and the residents thereof that complete management responsibility for the Lincoln County Fairgrounds located in Capitan, New Mexico, including all land, buildings, and equipment associated therewith and appurtenant thereto, which are more particularly described as follows:

A tract of land in the E2 SE3, Section 9, and the W2 W2, Section 10, Township 9 South, Range 14 East, NMPM being the North half of Block 57; all of Block 58; Lots 2, 3, 4, 5, and 6, Block 59; Lots 15, 16, 17, 18, 19, and 20, Block 65; and Lots 1, 2, 3, 4, 5, and 6, Block 66, all in the Original Townsite of Capitan, Lincoln County, New Mexico, as shown on the plat thereof filed in the Office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico; and

Lots 1, 2, 3, 4, 5, and 6, Block 65, VILLAGE OF CAPITAN, Lincoln County, New Mexico, as shown by the plat thereof filed in the office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico, November 11, 1948; and the northern third of Two (2) tracts of land referred to as Tract "A" located in the SE/4 of Section 9, and Tract "B" located within the SW/4 of Section 10, both in Township 9 South, Range 14 East, N.M.P.M., Lincoln County, New Mexico, all as shown on the certain Boundary Survey Plat, filed for record in the office of the County Clerk of Lincoln County, New Mexico, on January 19, 2010, in Cabinet J, Slide No. 450.

and hereinafter referred to as the "Fairgrounds," should be delegated to the **LINCOLN COUNTY FAIR ASSOCIATION**, a New Mexico non-profit corporation, hereinafter referred to as "Fair Association"; and

WHEREAS, the Lincoln County Fair Association desires to assume complete management responsibility for the Fairgrounds to promote the highest and best use thereof consistent with the nature of the facility and the needs of the citizenry of the County of Lincoln; and

WHEREAS, the Board and the Fair Association previously entered into a Lease and Management Agreement executed the 28th day of July, 1997; and

NOW, THEREFORE, the Board and the Fair Association do hereby mutually agree as follows:

LEASE PROVISIONS

1. **Lease of Property.** The Board hereby leases to the Fair Association that certain real estate known as the Lincoln County Fairgrounds located in Capitan, New Mexico, including all land, buildings, and equipment associated therewith and appurtenant thereto, which is more particularly described as follows:

A tract of land in the E2 SE3, Section 9, and the W2 W2, Section 10, Township 9 South, Range 14 East, NMPM being the North half of Block 57; all of Block 58; Lots 2, 3, 4, 5, and 6, Block 59; Lots 15, 16, 17, 18, 19, and 20, Block 65; and Lots 1, 2, 3, 4, 5, and 6, Block 66, all in the Original Townsite of Capitan, Lincoln County, New Mexico, as shown on the plat thereof filed in the Office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico; and

Lots 1, 2, 3, 4, 5, and 6, Block 65, VILLAGE OF CAPITAN, Lincoln County, New Mexico, as shown by the plat thereof filed in the office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico, November 11, 1948; and the northern third of Two (2) tracts of land referred to as Tract "A" located in the SE/4 of Section 9, and Tract "B" located within the SW/4 of Section 10, both in Township 9 South, Range 14 East, N.M.P.M., Lincoln County, New Mexico, all as shown on the certain Boundary Survey Plat, filed for record in the office of the County Clerk of Lincoln County, New Mexico, on January 19, 2010, in Cabinet J, Slide No. 450.

to be used as a fairgrounds and for those activities usually associated with a fairgrounds.

2. **Consideration for Lease.** The rental for the Fairgrounds shall be good and valuable consideration, the receipt of which is hereby acknowledged by the Board.

3. **Term of Lease.** The term of this Lease and Management Agreement shall begin on the 1st day of July 2013, and shall terminate on the 30th day of June, 2014.

4. **Condition of Fairgrounds.** The Fair Association hereby acknowledges receipt of the Fairgrounds in good order and condition.

5. **Insurance.** The Fair Association shall, at its expense, maintain in force during the term of this Lease, a combined single limit policy of bodily injury and property damage insurance, with a limit of not less than \$1,000,000 insuring the COUNTY and the Fair Association against all liability arising out of the use, occupancy, or maintenance of the Leased Premises and appurtenant areas. A certificate of insurance will be provided to the COUNTY. The County shall maintain adequate fire and property damage insurance coverage on the buildings and appurtenances under this Lease and Management Agreement. County agrees to reimburse Fair Association in an amount up to One Thousand Dollars (\$1,000) annually for the general liability premium charge incurred by Fair Association.

The Fair Association hereby agrees to insure that Special Events Insurance coverage is provided when required in accordance with the NMAC policies and procedures.

6. **Alterations.** The Fair Association agrees not to make any alterations to the Fairgrounds without the prior written consent of the Board. Any alterations made by the Fair Association shall remain upon the Fairgrounds and become the property of the County. Any alterations shall be done at the Fair Association's expense, in compliance with all applicable laws, and no lien shall be created against or imposed upon the Fairgrounds.

7. **Americans With Disabilities Act.** The Fair Association shall be responsible for insuring that the Fairgrounds are in compliance with the Americans With Disabilities Act, and shall bear all costs in connection with bringing the Fairgrounds into compliance with requirements of the Americans With Disabilities Act.

8. **Assignment or Subletting.** The Fair Association shall not assign or sublet the Fairgrounds without the prior consent in writing of the Board. The Board's consent shall not be arbitrarily or unreasonably withheld.

9. **Utilities.** The Fair Association shall be liable for, and shall pay promptly, all utility charges for electrical, gas, telephone, and other services incurred in connection with the Fair Association's use of the Fairgrounds.

10. **Indemnity Clause.** The Fair Association shall indemnify the County against all expenses, liabilities and claims of every kind, including reasonable attorney's fees arising out of (a) a failure by the Fair Association to perform any of the terms or conditions of this Lease and Management Agreement; (b) any injury or damage happening on or about the Fairgrounds; (c) failure to comply with any law of any governmental authority; or (d) any mechanic's lien or security interest filed against the Fairgrounds or equipment, materials, or alterations effected by the Fair Association. Should the Fair Association default in any of the terms or conditions of this Lease and Management Agreement, it shall be lawful for the Board to declare this Lease and Management Agreement terminated and to take such action as may be permitted by law.

11. **Holding Over.** Holding over by the Fair Association after the expiration of this Lease and Management Agreement shall not operate to extend or renew this Lease and Management

Agreement, but shall be construed as a tenancy from month to month, subject to the terms and conditions of this Lease and Management Agreement.

MANAGEMENT AGREEMENT PROVISIONS

12. Rights and Responsibilities of the Fair Association.

A. The Fair Association shall receive or designate the recipient of any and all proceeds, receipts, and pecuniary benefits generated from the use of and the activities at the Fairgrounds during the term of this Lease and Management Agreement, so long as the proceeds, receipts, and pecuniary benefits are used to further the present purposes of the Fair Association and for the benefit of the citizens of Lincoln County.

B. The Fair Association shall manage the Fairgrounds for the collective benefit of all citizens of Lincoln County, and shall not discriminate in any way with respect to employment and use of the Premises, shall not discriminate unlawfully on account of race, age, sex, religion, color, national origin, ancestry, sexual orientation, gender identity, physical or mental handicap, serious medical condition or spousal affiliation.

C. The Fair Association shall manage and operate the Fairgrounds in a business-like manner.

D. The Fair Association shall at its own expense maintain the Fairgrounds in good and safe repair, and in at least as good condition as that in which it was received, considering ordinary wear and tear and excepting acts of God.

E. The Fair Association shall, at its own expense, furnish water, gas, and electricity at the Fairgrounds and shall maintain the Fairgrounds areas in a clean and safe condition, and shall provide regular and necessary janitorial and regular maintenance of the premises, fixtures, and equipment.

F. The Fair Association shall obtain the Board's approval for types of activities to be held on the Fairgrounds.

G. The Fair Association shall indemnify and hold harmless the Board and the County of Lincoln, State of New Mexico, from any and all losses, liability, and damage claims of any kind whatsoever under the contract, tort, or any other theory of liability related to the Fairgrounds and the management and operation thereof by any person or entity of any sort, whether such person or entity is acting with or without the permission or authorization of the Fair Association.

H. The Fair Association shall not delegate or assign its duties and responsibilities under this Lease and Management Agreement, or any right or privilege connected therewith. Any consent to delegation or assignment by the Board or any of its agents or employees, with or without authorization, shall not be a consent to any subsequent delegation or assignment.

I. **Insurance.** The Fair Association shall, at its expense, maintain in force during the term of this Lease, a combined single limit policy of bodily injury and property damage insurance, with a limit of not less than \$1,000,000 insuring the COUNTY and the Fair Association against all liability arising out of the use, occupancy, or maintenance of the Leased Premises and appurtenant areas. A certificate of insurance will be provided to the COUNTY. The County shall maintain adequate fire and property damage insurance coverage on the buildings and appurtenances under this Lease and Management Agreement. County agrees to reimburse Fair Association in an amount up to One Thousand Dollars (\$1,000) annually for the general liability premium charge incurred by Fair Association. Such policies shall provide for at least ten (10) days prior notice to County and the Fair Association of cancellation. At least ten (10) days before any such policy expires, the Fair Association or its designee shall supply the Fair Association with a substitute therefore, together with evidence that the premiums therefore were paid. If the Fair Association fails to do so, County may procure such policies or pay such premiums. In such event, the Fair Association shall be responsible for reimbursing County the cost of said insurance.

13. **Rights and Responsibilities of the Board.**

A. In exchange for the Fair Association maintaining and operating the Fairgrounds under the terms of this Lease and Management Agreement, the Board shall pay to the Fair Association the sum of Twenty-Four Thousand and No/100 Dollars (\$24,000.00) per year payable in four (4) equal installments of Four Thousand Eight Hundred Seventy-five and No/100 Dollars (\$6,000.00) each, said installments being due and payable on July 1, October 1, January 1, and April 1 of each year during the term of this Lease and Management Agreement.

B. The Board shall have oversight of and have the right to overrule any management decision made by the Fair Association in connection with the use or operation of the Fairgrounds when necessary in order to prevent illegality, or when clearly in the best interests of the citizens, or to preserve and protect the County's property or interests.

C. The Board shall be responsible for any major repairs necessary on the Fairgrounds, subject to the approval of the Board. "Major repairs" shall be construed to mean repairs which cost in excess of \$1,000.00.

14. **General.**

A. The parties hereby mutually agree that the sum of money being paid to the Fair Association pursuant to paragraph 13.A above is equal in value to the services being rendered to the

County of Lincoln. It is further mutually agreed between the parties that any monies remaining after payment by the Fair Association of all expenses and utilities is equitable compensation for the services rendered by the Fair Association to the Board.

B. The Board, while having budgeted and expended funds in the past for the support of the Lincoln County Fair, the Fairgrounds, and related activities, shall have no duty to budget or expend any funds under this Lease and Management Agreement.

C. Either party may terminate this Lease and Management Agreement by giving the other party thirty (30) days written notice by certified mail, return receipt requested. All notices relating to this Lease shall be in writing and delivered to the following address and if mailed, sent certified or registered mail:

If to Fair Association:

Lincoln County Fair Association
c/o Billy Bob Shafer, President
P.O. Box 597
Capitan, New Mexico 87316

If to County:

Board of County Commissioners
Attention: Lincoln County Manager
P.O. Box 711
Carrizozo, New Mexico 88301-0711

D. This Lease and Management Agreement embodies the whole agreement between the parties. There are no promises, terms, conditions, or obligations other than those contained herein. This Lease and Management Agreement shall supersede all previous communications, representations or agreements of any sort, either verbal or written, or as may have arisen by custom or long usage, between the parties hereto, their agents, or employees, or predecessors in interest.

E. This Lease and Management Agreement shall be construed and enforced in accordance with the laws of the State of New Mexico.

F. This Lease and Management Agreement replaces and supersedes the Lease and Management Agreement executed the 25nd day of June, 2013, and shall become effective on the date it is executed by both parties.

EXECUTED this _____ day of _____, 2010.

**BOARD OF COMMISSIONERS
COUNTY OF LINCOLN, NEW MEXICO**

Jackie Powell, Chairwoman

Preston Stone, Vice Chair

Mark Doth, Member

Dallas Draper, Member

Kathryn Minter, Member

Attest:

Rhonda Burrows
Lincoln County Clerk

LINCOLN COUNTY FAIR ASSOCIATION

By: _____
Billy Bob Shafer, President

ATTEST:

Secretary



www.lincolncountynm.net

County of Lincoln

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

Agenda Item 20

June 17, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Water Issues/Forest/Wildlife Health Programs/LANRAC

PURPOSE: To provide information and discussion of water right notices, forest health, Game and Fish.

Discussion:

1. There have been no new valid water rights applications posted on the State Engineers website for Lincoln County since Application No. H-722-POD6 by Enchanted Forest Water Corporation, Alto, NM, on February 25, 2013.
2. Brian Archuleta with USDA Wildlife Services provided an update of their efforts to thin out the feral hog population. During the budget meetings, Mr. Archuleta informed the Commission of the USDA releasing \$1 million to initiate a pilot project in New Mexico for addressing feral swine control. Efforts used to remove these wild hogs include the setting of corral and cage traps, and hunting/shooting them from a helicopter. Since February, approximately 400 feral hogs have been eliminated in the state, and approximately 35 in the County. Hogs are also of particular quantity in the Mescalero area. Mr. Archuleta is working closely with the Smokey Bear Ranger District to resolve the issue of hunting/shooting from a helicopter over wilderness areas.
3. The US Fish & Wildlife Services issued a new release on June 7, 2013 announcing "Service Proposes to Return Management and Protection of Gray Wolves to State Wildlife Professionals Following Successful Recovery Efforts. **See Enclosure 1.** Commissioner Stone requested the topic be discussed. The Commission did discuss this issue earlier in the year, and instructed Manager to issue strong letter of opposition. However, Manager was informed the comment period was closed and protests would be untimely. The Service has again announced the opening of a 90-day comment period, but has not posted a date. Manager is working to obtain dates.

4. Regarding fire danger, as of this date, the Fire Behavior Research Center in Missoula, Montana rates fire danger in Lincoln County as “moderate”, and the Smokey Bear Ranger District rates the fire danger as “very high”.

Joe Kenmore reports that the number of fire starts in the County since May 15th is 12, with the most recent occurring Friday evening – “The Good Fire”, which was just north of Nogal and west of the cemetery. The fire was very small, about 10’ x 10’, and was caused by lightning. It’s important to note that the all fire departments in the County are working together to ensure all fire starts, no matter the size, are contained immediately.

Recommendation: Information only. No action required.

News Release



Office of Communications
4401 N. Fairfax Drive, MS-330
Arlington, VA 22203
Phone: 703-358-2220
Fax: 703-358-1973
<http://www.fws.gov>

For Immediate Release

June 7, 2013

Contact:

Chris Tollefson – 703-358-2222

Chris_Tollefson@fws.gov

Service Proposes to Return Management and Protection of Gray Wolves to State Wildlife Professionals Following Successful Recovery Efforts

Mexican wolves in Southwest would continue to be protected as endangered subspecies

The U.S. Fish and Wildlife Service today proposed to remove the gray wolf (*Canis lupus*) from the list of threatened and endangered species. The proposal comes after a comprehensive review confirmed its successful recovery following management actions undertaken by federal, state and local partners following the wolf’s listing under the Endangered Species Act over three decades ago. The Service is also proposing to maintain protection and expand recovery efforts for the Mexican wolf (*Canis lupus baileyi*) in the Southwest, where it remains endangered.

Under the proposal, state wildlife management agency professionals would resume responsibility for management and protection of gray wolves in states where wolves occur. The proposed rule is based on the best science available and incorporates new information about the gray wolf’s current and historical distribution in the contiguous United States and Mexico. It focuses the protection on the Mexican wolf, the only remaining entity that warrants protection under the Act, by designating the Mexican wolf as an endangered subspecies.

In the Western Great Lakes and Northern Rocky Mountains, the gray wolf has rebounded from the brink of extinction to exceed population targets by as much as 300 percent. Gray wolf populations in the Western Great Lakes and Northern Rocky Mountain Distinct Population Segments were removed from the Federal List of Endangered and Threatened Wildlife in 2011 and 2012.

“From the moment a species requires the protection of the Endangered Species Act, our goal is to work with our partners to address the threats it faces and ensure its recovery,” said Service Director Dan Ashe. “An exhaustive review of the latest scientific and taxonomic information shows that we have accomplished that goal with the gray wolf, allowing us to focus our work under the ESA on recovery of the Mexican wolf subspecies in the Southwest.”

The Service will open a 90-day comment period on both proposals seeking additional scientific, commercial and technical information from the public and other interested parties. The comment

period will commence upon publication of the proposed rules in the Federal Register. Relevant information received during this comment period will be reviewed and addressed in the Service's final determination on these proposals, which will be made in 2014. The Service must receive requests for public hearings, in writing, within 45 days of the publication in the Federal Register. Information on how to provide comments will be made available in the Federal Register notices and on the Service's wolf information page at www.fws.gov/graywolfrecovery062013.html. The Service's proposal is supported by governors and state wildlife agency leadership in each of the states with current wolf populations, as well as those that will assume responsibility for managing wolves dispersing into their states, such as Washington, Oregon, Colorado, Utah and North Dakota.

" With a solid state conservation and management plan in place for the Northern gray wolf, an experienced wildlife management agency that is committed to wolf recovery, and established populations recovering at an increasing rate, Oregon is ready to take on further responsibility for wolf management in this state," said Roy Elicker, Director of the Oregon Department of Fish and Wildlife. "We know that there are questions that need to be resolved in moving toward a delisting of the Northern gray wolf under the federal ESA, and we believe the rulemaking process is an appropriate forum to address these issues. Oregon is supportive of the U.S. Fish and Wildlife Service publishing a proposed rule to begin this dialogue, and we look forward to participating in the scientific review process."

"The Washington Department of Fish and Wildlife is firmly committed to the long-term persistence of wolves in Washington," said Miranda Wecker, Chair of the Washington Fish and Wildlife Commission. "The Washington Fish and Wildlife Commission believes the state should be responsible for the management of wolves and supports the U.S. Fish and Wildlife Service's consideration of delisting gray wolves under the federal Endangered Species Act. By publishing the proposed rule, the Service ensures this important consideration can take place in an open and public process."

The Service's comprehensive review determined that the current listing for gray wolf, which was developed 35 years ago, erroneously included large geographical areas outside the species' historical range. In addition, the review found that the current gray wolf listing did not reasonably represent the range of the only remaining of the Mexican wolf population in the Southwest.

Gray wolves were extirpated from most of the Lower 48 states by the middle of the 20th century, with the exception of northern Minnesota and Isle Royale in Michigan. Subsequently, wolves from Canada occasionally dispersed south and successfully began recolonizing northwest Montana in 1986. In 1995 and 1996, 66 wolves from southwestern Canada were reintroduced into Yellowstone National Park and central Idaho.

In 2002 the Northern Rocky Mountain population exceeded the minimum recovery goals of 300 wolves for a third straight year, and they were successfully delisted in the Northern Rocky Mountains in 2012 and Western Great Lakes in 2011. Today, there are at least 6,100 gray wolves in the contiguous United States, with a current estimate of 1,674 in the Northern Rocky Mountains and 4,432 in the Western Great Lakes.

The number of Mexican wolves continues to increase within the Blue Range Wolf Recovery Area. During the 2012 annual year-end survey, the Mexican wolf Interagency Field Team counted a minimum of 75 Mexican wolves in the wild in Arizona and New Mexico, an increase over the 2011 minimum population count of 58 wolves known to exist in the wild.

In addition to listing the Mexican wolf as an endangered subspecies, the Service proposes to modify existing regulations governing the nonessential experimental population to allow captive raised wolves to be released throughout the Blue Range Wolf Recovery Area in the Apache and Gila National Forests east central Arizona and west central New Mexico, and to disperse into the Mexican Wolf Experimental Population Area in the areas of Arizona and New Mexico located between I 40 and I 10.

Read what supporters of the Service proposal are saying at www.fws.gov/whatpeoplearesaying062013.html

For more information on gray and Mexican wolves, including the proposed rules, visit www.fws.gov/graywolfrecovery062013.html.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals, and commitment to public service. For more information on our work and the people who make it happen, visit www.fws.gov. Connect with our Facebook page at www.facebook.com/usfws, follow our tweets at www.twitter.com/usfwshq, watch our YouTube Channel at <http://www.youtube.com/usfws> and download photos from our Flickr page at <http://www.flickr.com/photos/usfwshq>.

--FWS--



County of Lincoln

P.O.Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (505) 648-2385

Agenda Item No. 21

June 14, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Fire Danger Emergency Declaration

Purpose: To obtain approval of the attached resolution 2012-41

Discussion:

The county first adopted restriction on April 25, 2013 with resolution 2012-32. NMSA 60-2C-8.1 requires that the restrictions be based upon relevant indices and that the restrictions be reviewed every 30 days. Based upon the “extreme” fire danger, and our next regular commission meeting is scheduled for July 16, 2013, this would not meet the 30 day requirement, the proposed resolution extends the County restrictions.

Recommendation:

Consider Resolution 2012-41 for continuing fire restrictions in Lincoln County.

**RESOLUTION NO. 2012-41
DECLARATION OF FIRE DANGER EMERGENCY**

(In accordance with Lincoln County Ordinance No. 2003-06 & 2011-2)

WHEREAS, the Board of County Commissioners of Lincoln County, New Mexico, has determined that the present fire danger within the County of Lincoln, due to the extreme drought conditions currently existing, is exceedingly high; and

WHEREAS, the Board of County Commissioners of Lincoln County has further determined that, in order to protect the health, safety, and welfare of the citizens of Lincoln County, the Board must take emergency action in its meeting of June 25, 2013; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Lincoln County, New Mexico, hereby proclaims a ban on all burning of open flames, fires, campfires (except in designated areas), trash, rubbish, shrubbery or other material of any kind, except by permit, and hereby bans the sale or use of display fireworks and the sale and use of missile-type rockets, helicopters, aerial spinners, stick-type rockets and ground audible devices within the affected unincorporated drought areas. In addition, all fireworks not listed in this paragraph shall be limited to areas that are paved or barren or that have a readily accessible source of water for use by the homeowner or the general public. Fireplaces & in particular the unquenched ashes from same, may present a significant hazard and use should be discouraged during this period of drought. This Resolution to remain in effect for 30 days or until rescinded or extended by the Board of County Commissioners pursuant to NMSA 60-2C-8.1.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2013.

**BOARD OF COUNTY COMMISSIONERS
OF LINCOLN COUNTY, NEW MEXICO**

JACKIE POWELL, CHAIRWOMAN

PRESTON STONE, VICE CHAIRMAN

KATHRYN MINTER, MEMBER

ATTEST:

DALLAS DRAPER, MEMBER

RHONDA BURROWS, CLERK

MARK DOTH, MEMBER



LINCOLN COUNTY CLERK

Rhonda B. Burrows, County Clerk Tammie J. Maddox, Chief Deputy Clerk

300 Central Ave. • P.O. Box 338 • Carrizozo, New Mexico 88301-0970
(575) 648-2394 ext. 6 • Fax (575) 648-2576 • (800) 687-2705 ext. 6
www.lincolncountynm.net

AGENDA ITEM NO. 22

Memo

To: Board of County Commissioners

From: Rhonda Burrows, County Clerk

Date: 6/5/2013

Re: Resolution 2012- 40

Recent legislative action and the ongoing evolution of methods by which data is created, stored, and transferred prompted a review of the current Resolution 2010-36 Public Records Policy and Fee Schedule by the Elected Officials and various staff.

The exhibit of "Fee Schedules" has been revised to: 1) reflect a standardized fee schedule for all departments rather than individual fee schedules for each department; 2) incorporate legislative fee changes such as the change in the recording fee for UCC filings; and 3) to begin to address requests for large volume data base information.

In conjunction with the proposed fees for data base information I have provided copy of the relevant State Statutes for your review.

RESOLUTION NO. 2012-40

A RESOLUTION ADOPTING THE LINCOLN COUNTY PUBLIC RECORDS POLICY FEE SCHEDULE

WHEREAS, the County of Lincoln has numerous records of public information maintained on computer files; and

WHEREAS, the County receives numerous requests for such information in various formats; and

WHEREAS, the Resolution adopting the “Lincoln County Public Records Policy and Rates” on June 21, 2011 is in need of revision.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 2010-36 is hereby rescinded and replaced by Resolution No. 2012-40 adopting the A Lincoln County Public Records Policy and Fee Schedule.

APPROVED, PASSED AND ADOPTED this 25th day of June, 2013.

**BOARD OF COMMISSIONERS OF
LINCOLN COUNTY, NEW MEXICO**

JACKIE POWELL, CHAIRWOMAN

PRESTON STONE, VICE CHAIR

KATHRYN MINTER, MEMBER

DALLAS DRAPER, MEMBER

MARK DOTH, MEMBER

ATTEST:

RHONDA BURROWS, CLERK

REQUEST FOR PUBLIC RECORDS

1. The Manager of the County of Lincoln is designated as the Records Custodian for all records kept by and sought from the County of Lincoln.
2. The Public Records Custodian shall:
 - A. Receive and respond to requests to inspect public records.
 - B. Provide proper and reasonable opportunities to inspect public records.
 - C. Provide reasonable facilities to make or furnish copies of the public records during usual business hours.
 - D. Post in a conspicuous location at the administrative office of each public body a notice describing the following:
 - (1) the right of a person to inspect a public body's records;
 - (2) procedures for requesting inspection of public records;
 - (3) procedures for requesting copies of public records;
 - (4) reasonable fees for copying public records; and
 - (5) the responsibility of a public body to make available public records for inspection.
3. All public records requests shall be made to the County Manager at the following address:
Lincoln County Manager, Post Office Box 711, Carrizozo, New Mexico 88301-0711.
4. Fees for public records requests made to the County of Lincoln will be as attached hereon as ***Exhibit A*** and incorporated by reference herein.

INSPECTION OF PUBLIC RECORD

Every person has a right to inspect any public record of this County with very few exceptions. These ***exceptions*** include medical records; letters of reference concerning employment; licensing or permits; letters or memoranda which are matters of opinion in personnel files; law enforcement records that reveal confidential sources, methods, information, or individuals accused but not charged with a crime. Law enforcement records that include evidence in any form received or compiled in connection with any law enforcement or prosecuting agency, including inactive matters or closed investigations to the extent that they contain the information listed above; or as provided by the Confidential Materials Act and as otherwise provided by law.

1. The ***PUBLIC INFORMATION REQUEST*** form must be completed by the person requesting the information.
2. The person receiving the request (Records Custodian) shall permit the inspection immediately or as soon as is practicable under the circumstances, but not later than fifteen (15) days after receiving a written request.
If the inspection is not permitted within three (3) business days, the custodian shall explain in writing when the records will be available

for inspection or when the response can be expected. The three day period begins when the written request is delivered to the office of the Records Custodian.

3. In the event that a written request is made to the Lincoln County Records Custodian and Lincoln County is **NOT** in possession or responsible for the public records requested, the Records Custodian shall promptly forward the request to the proper custodian of the requested public records and notify the requestor. The notification to the requestor shall state the reason for the absence of the records from that person=s custody or control, the records location and the name and address of the custodian. This form is called the **RESPONSE TO PUBLIC INFORMATION REQUEST**.
4. On the **RESPONSE TO PUBLIC INFORMATION REQUEST** form there are reasons for the delay in complying with a request.
 - A. Lincoln County is not the custodian of the requested record.
 - B. Your request was submitted to the wrong department and has been forwarded to:

Custodian's Name _____
Custodian's Address _____
 - C. The person and/or department having custodial responsibility for the type of records needed to comply with your request is not known.
 - D. Additional time is needed to separate classified information from public information for your request.
 - E. Additional time is needed to compile this information for your inspection/review.
 - F. Additional time is needed to reproduce this information for you.
 - G. See other side for further comments.
 - H. Our department will need approximately ____ day(s) ____ week(s) ____ month(s) to compile and/or prepare this information for your request.
 - I. **DENIED** for the following reasons: _____
5. If the information requested is excessively burdensome or broad, an additional reasonable period of time shall be allowed to comply with the request. The custodian shall provide written notification to the requestor within fifteen (15) days of the request that additional time will be needed to respond to the written request.

DEPARTMENT RESPONSIBILITY

Each office and department is responsible for providing any and all requests for public information to the County Manager for response. If there is a question concerning the information requested, the County Clerk, County Manager, and/or County Attorney will determine whether the information can be lawfully provided.

FORMS ATTACHED: Data Processing Price Schedule (Exhibit A)
Notice of Right to Inspect Public Records
Public Information Request
Response to Public Information Request

Lincoln County Fee Schedule

COPIES

Documents

Letter	Blk/Wht	\$0.50
	Color	\$0.75
Legal/Ledger	Blk/Wht	\$0.75
	Color	\$1.00

Plats/Surveys/Maps

Small (12"/18")	Blk/Wht	\$2.00
	Color	\$3.00
Medium (18"x24")	Blk/Wht	\$3.00
	Color	\$4.00
Large (24"x36")	Blk/Wht	\$5.00
	Color	\$7.00
Extra Large (32"x36")	Blk/Wht	\$7.00
	Color	\$10.00

Audio CD/DVD \$5.00

Certified Copies

1 page w/certification	\$1.50
each additional page	\$0.50

Misc. Copies

County Road Map	\$4.00
Subdivision Ordinance	\$10.00
Delinquent Tax Sale List	\$5.00
Delinquent Tax Sale Map	\$5.00

FEES

Marriage License		\$25.00
Probate Filing Fee		\$30.00
Returned Check Fee		\$25.00
Delinquent Mobile Home Collection Fee		\$25.00
Moving Permit for Mobile Homes	Per Section	\$10.00
Accident/Incident Sheriff's Report		
Single Page		\$2.00
each additional page		\$0.50
Liquor License		
Club		\$25.00
Restaurant		\$250.00
Dispenser		\$250.00
Special Permit /Daily		\$25.00
Facsimile (FAX) Transmission		
1st page w/cover sheet		\$1.50
each additional page		\$0.50

CLERK'S RECORDING

DOCUMENTS/UCC's

1 to 10 index entries	\$25.00
Each additional 10 entries	\$25.00
In Person Grantor or Grantee (non-commercial <10 entries)	\$10.00

Plats/Surveys (Original Mylar returned)	\$25.00
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VOTER INFORMATION - SOS FEES

CD or Email Set up and \$3.00 per 1000 voters or \$4.00 per 1000 voters w/history	\$15.00
---	---------

Printed List Set up and \$5.00 per 1,000 voters and \$.50 per page	\$15.00
--	---------

Labels Set up and \$20.00 per 1,000 labels	\$15.00
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DATA BASE INFORMATION*

Copies of Electronic Files

Clerks Land Records	Per Week	\$50.00
	Per Month	\$200.00
	Daily	\$200.00
Assessment and/or Property Tax List	Annual List	\$100.00
Map Shape Files		\$100.00

***Requests for data base information will be subject NMSA 14-2-6, 14-3-15.1 and 14-3-18 which allow a reasonable fee to be charged for personnel time to research and retrieve electronic records; require redaction of protected personal information; and restrict data base access for specific purposes.**

Research and Redaction Fee	Per Hour	\$20.00
----------------------------	----------	---------

ALL PAYMENTS DUE BEFORE SERVICE

NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

By law, under the Inspection of the Public Records Act, every person has the right to inspect public records of the County of Lincoln.

Requests to inspect public records should be submitted in writing on the County of Lincoln Public Records Request form to the *Records Custodian, c/o County Manager, at Post Office Box 711, Carrizozo, New Mexico 88301-0711.*

A person desiring to inspect public records may submit a request to the Records Custodian orally or in writing. However, the procedures and penalties prescribed by the Act apply only to written requests. A written request must contain the name, address and telephone number of the person making the request. The request must describe the records sought in sufficient detail to enable the Records Custodian to identify and locate the requested records.

The Records Custodian must permit inspection immediately or as soon as practicable, but no later than fifteen (15) calendar days after the Records Custodian receives the inspection request. If inspection is not permitted within three (3) business days, the person making the request will receive a written response explaining when the records will be available for inspection or when the public body will respond to the request. If any of the records sought are not available for public inspection, the person making the request is entitled to a written response from the Records Custodian explaining the reasons inspection has been denied. The written denial shall be delivered or mailed within fifteen (15) calendar days after the Records Custodian received the request for inspection.

If a person requesting inspection would like a copy of a public record, a reasonable fee may be charged. The fee for documents is set forth on "*Exhibit A*" to this Notice. The Records Custodian may request that applicable fees for copying public records be paid in advance, before copies are made. A receipt indicating that the fees have been paid for making copies of public records will be provided to the person requesting the copies.

**COUNTY OF LINCOLN
PUBLIC INFORMATION REQUEST
(Please Type or Print)**

Date: _____

Name: _____ Telephone: (____) _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Please check at least one of the following:

- I want to inspect/review this information.
- I would like copies of this information.

Public Information Sought (be as specific as possible):

I understand that I will be required to pay the fees imposed by the County of Lincoln, pursuant to the Inspection of Public Records Act. The County of Lincoln has agreed to provide me with a schedule of its fees for copying public records, and upon request, will provide me with an estimate of the costs for copies of the records I am requesting. I understand this is only an estimate and that I will not receive copies of any public record until I have paid the applicable fees. I also understand some of the materials enclosed may be provided to me as community service, and that the County is not responsible for any error liability contained therein, or any use or misuse of this information.

Signed: _____

**FOR COUNTY USE ONLY
(Please Type or Print)**

Date or Receipt: _____ Time of Receipt: _____

Employee Name: _____ Title: _____

Department: _____

*County of Lincoln
Post Office Box 711
Carrizozo, New Mexico 88301-0711*

**COUNTY OF LINCOLN
RESPONSE TO PUBLIC INFORMATION REQUEST
(Please Type or Print)**

To: _____ Date: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

From: _____ Title: _____

Department: _____ County of Lincoln
P. O. Box 711, Carrizozo, NM 88301

Compliance with your request for public information on _____, 201_____, has been:

- DELAYED** for the following reason(s):
 - a) your request was submitted to the wrong department and has been forwarded to:
Custodian's Name: _____
Custodian's Address: _____

 - b) the person and/or department having custodial responsibility for the type of records needed to comply with your request is not known;
 - c) additional time is needed to separate the classified information from the public information for your request;
 - d) additional time is needed to compile this information for your inspection/review;
 - e) and/or more time is needed to reproduce this information for you;
 - f) see other side for further comments.

Our department will need approximately _____ day(s) _____ week(s) _____ month(s) to compile and/or prepare this information for your request.

- DENIED** for the following reason(s):

Staff concurrence of this denial:
Name: _____ Title: _____
Name: _____ Title: _____

If further room for any part of this form is needed, please continue with the reason(s) or the list of our staff on the other side of this form.

14-3-18 . County and municipal records; geographic information system; computer databases; copy fees.

A. The administrator may advise and assist county and municipal officials in the formulation of programs for the disposition of public records maintained in county and municipal offices.

B. Notwithstanding the provisions of Subsection E of this section, a county or municipality may charge a reasonable fee, as adopted by ordinance of the respective board of county commissioners or governing body of a municipality, for a document or product generated by a geographic information system.

C. Except as otherwise provided by federal or state law, information contained in a computer database shall be a public record and shall be subject to disclosure in printed or typed format by a county or municipality that has inserted that information into the database, in accordance with the Public Records Act.

D. The administrator may advise and assist county and municipal officials with the procedures, schedules and technical standards for the retention of computer databases.

E. A county or municipality that has inserted data in a computer database shall authorize an electronic copy to be made of the computer database of a public record on a currently available electronic medium for a person if the person agrees to pay a reasonable fee based upon the cost of:

- (1) materials;
- (2) making an electronic copy of the computer database; and
- (3) personnel time to research and retrieve the electronic record.

F. Subject to any confidentiality provisions of law, a county or municipality may permit another federal, state or local government entity access to all or any portion of a computer database created by the county or municipality.

G. A county or municipality may at its option, and if it has the capability, permit access or use of its computer and network system to search, manipulate or retrieve information from a computer database and charge reasonable fees based on the cost of materials, personnel time, access time and the use of the county or municipality's computer network.

History: 1953 Comp., § 71-6-17.1, enacted by Laws 1963, ch. 186, § 2; 1965, ch. 81, § 3; 2005, ch. 217, § 1.

14-3-15.1 . Records of state agencies; public records; copy fees; computer databases; criminal penalty.

A. Except as otherwise provided by federal or state law, information contained in information systems databases shall be a public record and shall be subject to disclosure in printed or typed format by the state agency that has inserted that information into the database, in accordance with the Public Records Act [Chapter 14, Article 3 NMSA 1978], upon the payment of a reasonable fee for the service.

B. The administrator shall recommend to the commission the procedures, schedules and technical standards for the retention of computer databases.

C. The state agency that has inserted data in a database may authorize a copy to be made of a computer tape or other medium containing a computerized database of a public record for any person if the person agrees:

- (1) not to make unauthorized copies of the database;
- (2) not to use the database for any political or commercial purpose unless the purpose and use is approved in writing by the state agency that created the database;
- (3) not to use the database for solicitation or advertisement when the database contains the name, address or telephone number of any person unless such use is otherwise specifically authorized by law;
- (4) not to allow access to the database by any other person unless the use is approved in writing by the state agency that created the database; and
- (5) to pay a royalty or other consideration to the state as may be agreed upon by the state agency that created the database.

D. If more than one state agency is responsible for the information inserted in the database, the agencies shall enter into an agreement designating a lead agency. If the agencies cannot agree as to the designation of a lead state agency, the commission shall designate one of the state agencies as the lead agency to carry out the responsibilities set forth in this section.

E. Subject to any confidentiality provisions of law, any state agency may permit another state agency access to all or any portion of a computerized database created by a state agency.

F. If information contained in a database is searched, manipulated or retrieved or a copy of the database is made for any private or nonpublic use, a fee shall be charged by the state agency permitting access or use of the database.

G. Except as authorized by law or rule of the commission, any person who reveals to any unauthorized person information contained in a computer database or who uses or permits the unauthorized use or access of any computer database is guilty of a misdemeanor, and upon conviction the court shall sentence that person to jail for a definite term not to exceed one year or to payment of a fine not to exceed five thousand dollars (\$5,000) or both. That person shall not be employed by the state for a period of five years after the date of conviction.

History: Laws 1986, ch. 81, § 9; 1993, ch. 197, § 11; 1978 Comp., § 15-1-9, amended and recompiled as 1978 Comp., § 14-3-15.1 by Laws 1995, ch. 110, § 8.

14-2-9 . Procedure for inspection.

A. Requested public records containing information that is exempt and nonexempt from disclosure shall be separated by the custodian prior to inspection, and the nonexempt information shall be made available for inspection. If necessary to preserve the integrity of computer data or the confidentiality of exempt information contained in a database, a partial printout of data containing public records or information may be furnished in lieu of an entire database. Exempt information in an electronic document shall be removed along with the corresponding metadata prior to disclosure by utilizing methods or redaction tools that prevent the recovery of exempt information from a redacted electronic document.

B. A custodian shall provide a copy of a public record in electronic format if the public record is available in electronic format and an electronic copy is specifically requested. However, a custodian is only required to provide the electronic record in the file format in which it exists at the time of the request.

C. A custodian:

(1) may charge reasonable fees for copying the public records, unless a different fee is otherwise prescribed by law;

(2) shall not charge fees in excess of one dollar (\$1.00) per printed page for documents eleven inches by seventeen inches in size or smaller;

(3) may charge the actual costs associated with downloading copies of public records to a computer disk or storage device, including the actual cost of the computer disk or storage device;

(4) may charge the actual costs associated with transmitting copies of public records by mail, electronic mail or facsimile;

(5) may require advance payment of the fees before making copies of public records;

(6) shall not charge a fee for the cost of determining whether any public record is subject to disclosure; and

(7) shall provide a receipt, upon request.

D. Nothing in this section regarding the provision of public data in electronic format shall limit the ability of the custodian to engage in the sale of data as authorized by Section 14-3-15.1 NMSA 1978, including imposing reasonable restrictions on the use of the database and the payment of a royalty or other consideration.

History: Laws 1993, ch. 258, § 6; 2011, ch. 181, § 2; 2011, ch. 182, § 3.



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County of Lincoln

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

AGENDA ITEM NO. 23

June 17, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager

SUBJECT: Extension Agreement No. 2 – Lincoln County Abstract & Title Co – Lots 4 – 11, Block 12 of the Town of Carrizozo

Purpose: To obtain approval to extend the due diligence period and closings dates for the Lincoln County purchase of Lots 4 – 11, Block 12 of the Town of Carrizozo.

Discussion: During its February 6, 2013 meeting, the Commission approved the purchase of Lots 4 – 11, Block 12 of the Town of Carrizozo. The Commission directed Attorney Morel and Manager Taylor to proceed with necessary actions. The Commission granted an initial extension of time due to the need for additional time in obtaining the Level 1 Environmental Assessment, appraisal and survey. Based on the timing of the initial survey, the state has requested a new survey. The Commission is requested to further extend the Due Diligence Period to September 3, 2013 and the Closing Date to October 3, 2013. **See Enclosure 1** for Extension Agreement No. 2.

Recommendation: Approve the requested extensions.

EXTENSION AGREEMENT NO. 2

With respect to the Agreement of Purchase and Sale and Joint Escrow Instructions dated February 19, 2013, between the County of Lincoln, State of New Mexico (“Buyer”) and Lincoln County Abstract & Title Company (“Seller”), and relating to the purchase of the following property:

(a) “Property”:

Lots 4, 5, 6, 7, 8, 9, 10, and 11, of Block 12 of the TOWN OF CARRIZOZO, Lincoln County, New Mexico, as shown by the plat thereof filed in the office of the County Clerk of Lincoln County, July 13, 1911;

TOGETHER WITH all improvements thereon;

SUBJECT TO easements, reservations and restrictions of record.

It is hereby understood and agreed that the Due Diligence Period shall be extended to September 3, 2013, and the Closing Date shall be extended to October 3, 2013. The reason for the extension is due to the inability to obtain the appraisal and State approval within the timeline provided in the Agreement of Purchase and Sale and Joint Escrow Instructions, and the Extension Agreement. All other terms and conditions of the Agreement of Purchase and Sale and Joint Escrow Instructions remain the same.

SELLER:

BUYER:

LINCOLN COUNTY ABSTRACT
& TITLE COMPANY

COUNTY OF LINCOLN

By: _____
Troy L. Hays President
& Personal Representative of the
Estate of Charles F. Headen

By: _____
Jackie Powell
Its: County Chairwoman, Board of
County Commissioners of the
County of Lincoln, New Mexico

STATE OF NEW MEXICO)
) §§
COUNTY OF CHAVES)

This instrument was acknowledged before me on _____, 2013, by Troy L. Hays, President of Lincoln County Abstract & Title Company, a New Mexico corporation, and Personal Representative of the Estate of Charles F. Headen

Notary Public

My Commission Expires:

EXECUTED this ____ day of _____, 2013, by the County of Lincoln, signing by and through Jackie Powell, its Chairwoman of the County’s Board of County Commissioners, duly authorized to execute the same.

ATTEST:

Rhonda Burrows
Lincoln County Clerk

Agenda Item No. 24
June 25, 2013

SUBJECT

1:00 P.M.:

Public Hearing is to consider adoption of an Ordinance 2013-2 Amending Lincoln County Subdivision Rules and Regulations; providing for the severability of parts hereof; providing an effective date, and repeal Ordinance 2008-01.

Agenda Item No. 25
June 25, 2013

SUBJECT

2:00 P.M.:

Public Hearing is to consider adoption of an Ordinance 2013-4 amending Lincoln County Personnel Polices & Procedures 2013-1

ORDINANCE NO. 2013-04

Deleted: 2013-1

AN ORDINANCE AMENDING LINCOLN COUNTY PERSONNEL POLICIES AND PROCEDURES; PROVIDING FOR THE SEVERABILITY OF PARTS HEREOF; PROVIDING AN EFFECTIVE DATE AND THE REPEAL OF ORDINANCE NO. 2013-1.

Deleted: 2005-4

WHEREAS, the Board of County Commissioners of Lincoln County, New Mexico adopted Ordinance No. 2013-01, which established personnel policies and procedures for the County; and

Deleted: 2005-4

WHEREAS, it is good public policy to periodically review the personnel policies and procedures to ensure their efficacy and fairness; and

WHEREAS, after reviewing the personnel policies and procedures, the Board of County Commissioners of Lincoln County, New Mexico, desires to amend certain portions of Ordinance 2013-01; and

Deleted: 2005-4

WHEREAS, the Board of County Commissioners of Lincoln County has determined that any unclear references to employee insurance benefits, and definitions of near relative and nepotism, contained in Ordinance 2013-01 have been addressed in this revision, as well as clarifying other portions thereof; and

Deleted: some of the

Deleted: part-time employees and classified employees

Deleted:

Deleted: 2005-4

WHEREAS, the Board of County Commissioners of Lincoln County, New Mexico, finds that this amendment is necessary to provide for the safety, preserve the health and welfare, promote the prosperity, order, comfort, and convenience of the County of Lincoln, its personnel, or its inhabitants.

Deleted: were confusing and/or misleading, in that part-time employees are not considered classified employees, as that term is defined herein, and any unclear references

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lincoln County, New Mexico, that the Lincoln County Personnel Policies and Procedures shall be amended to read as follows:

GRIEVANCE - A formal written complaint of an employee concerning actions taken by management which result in suspension, demotion, dismissal, or an actual loss in pay.

IMMEDIATE FAMILY - The employee's spouse, children, parents, mother-in-law, father-in-law, siblings, grandchildren, grandparents, grandmother-in-law, and grand-father-in-law.

LAYOFF - See reduction in force (RIF).

LEAVE WITH PAY - Type of leave which is authorized by a proper authority enabling an employee to be away from work, during regularly scheduled work hours, with pay.

LEAVE WITHOUT PAY - Type of leave which is authorized by a proper authority enabling an employee to be away from work, during regularly scheduled work hours, without pay.

NEAR RELATIVE - A spouse or ex-spouse, children, parents, siblings, grandparents, grandchildren, aunts, uncles, nieces, nephews, first cousins, and like relations of the Elected Official's or employee's spouse. This definition includes any person related to the employee by birth, adoption, or marriage, up to and including those within the third degree of consanguinity or affinity. This includes any person who would fall under the above definition, if the persons who are cohabiting were in fact married.

NEPOTISM - The practice of giving preferential treatment in areas of employment including, but not limited to: selection, benefits, pay, promotion, and discipline to employees who are spouses, ex-spouses, children, parents, siblings, grandparents, grandchildren, aunts, uncles, nieces, nephews, or to unrelated persons who are cohabiting.

Deleted: near relatives

NON-EXEMPT EMPLOYEE - Employee who is not exempt under the Fair Labor Standards Act (FLSA). A nonexempt employee is entitled to receive overtime pay and/or compensatory time for actual hours worked as defined by the FLSA.

OVERTIME - Time for which an employee is paid the rate which is one and one-half (1½) the employee's regularly rate of pay for hours actually worked.

PART-TIME EMPLOYEE - An employee whose normal work schedule is established at no more than thirty-two (32) hours per week. Part-time employees cannot grieve disciplinary actions.

PAY PERIOD - The two week period of time designated by the County Commission for which an employee shall be paid for accumulated work.

PER DIEM - A flat rate payment for personal travel expense.

PERFORMANCE EVALUATION - The written objective review made by the employee's supervisor of the employee's performance relating to assigned duties. This evaluation is a

401.C. Former Employee Hired to a Classified Position

1. A former County employee rehired more than six (6) months after termination, or rehired at any time to fill a different position, shall serve the required probationary period. All benefits will accrue at the same rate as any new employee.
2. A former County employee whose termination was in good standing and who is rehired within six (6) months after termination to fill the same position in which the employee was previously employed, will not be required to serve an probationary period.

402. NEPOTISM

402.A. The practice of nepotism is prohibited. Any person elected or appointed to public office shall not give employment as clerk, deputy, assistant or other class of departmental employee to ~~their spouse, ex-spouse, children, parents, siblings, grandparents, grandchildren, aunts, uncles, nieces, nephews,~~ or to an unrelated individual sharing a spousal relationship with an employee when that person's compensation is \$600.00 or more. (§ 10-1-10, NMSA 1978.)

Deleted: any near relative

402.B. When there is a change in assignment or relative relationships among County employees which leads to one employee supervising another ~~employee, as specified in Section 402.A.,~~ in the same department, the employees must inform the Elected Official/Department Head in writing within five (5) working days. The Elected Official/ Department Head must transmit a letter and a recommended course of action to the County Manager within five (5) working days of receipt of the letter. The County Manager will attempt to transfer one of the employees in question and will officially notify those involved, if a position is available. If no position is available within three (3) months of notice, one employee will be terminated. Any employee not submitting a letter indicating a change of relative or spousal relationship, as specified in this section, will be disciplined.

402.C. Employees hired prior to March 1, 1998, who are ~~relatives, as specified in Section 402.A.,~~ of supervisors in the direct chain of command or persons who are cohabiting with a supervisory employee in their direct chain of command are grand-fathered under the current situation for the duration of County employment.

Deleted: near

403. CONFLICT OF INTEREST

No employee shall engage in any business or transaction or accept private employment or other public employment which is incompatible with the proper discharge of the employee's responsibilities, or which gives the appearance of impropriety.

404. ATTENDANCE

Regular and punctual attendance at work shall be required of all Lincoln County employees. All employees are to be at their designated work areas on time and ready to work. They shall work until the scheduled quitting time, unless permission of the supervisor has been obtained for different work hours. If the Elected Official/Department Head does not take appropriate action, the County Commission may compel regular and punctual work habits of all County employees.

2. *Immediate family*, and *near relative*, for subsection 501.D, is defined as the employee's spouse, children, parents, mother-in-law, father-in-law, siblings, aunt, aunt-in-law, uncle, uncle-in-law, niece, niece-in-law, nephew, nephew-in-law, grandchildren, grandparents, grandmother-in-law, and grand-father-in-law.

3. When travel out-of-state is required for funeral services of an immediate family member, or near relative, an employee may receive an additional two (2) days of bereavement leave.

4. An employee shall notify the supervisor prior to taking bereavement leave.

501.E. Jury Duty

An employee will be granted leave with pay for the purpose of serving as a juror in federal court or the state court of a political subdivision of the State of New Mexico. When excused by the Court during a working day, the employee is expected to return to duty if at least one (1) hour of County duty can be served in the work day. Employees receiving Jury Duty leave with pay shall turn any fees received for such Court service to the County.

501.F. Court Appearances

An employee may be required to testify in court on a job-related case. An employee may be called to testify on behalf of the County on the employee's scheduled day off.

501.G. Voting Time

1. For purposes of a national, state, or local election, an employee who is registered to vote will be granted a reasonable period of time up to two (2) hours paid leave for voting between the time of opening and the time of closing the polls. The employee's supervisor may specify the hours for the leave.

2. This leave will not be granted to any employee whose work day begins more than two (2) hours subsequent to the time of the opening of the polls or ends more than three (3) hours before the closing of the polls.

501.H. County Business Leave

1. Elected Officials/Department Heads or the County Manager may authorize leave with pay to allow an employee to attend meetings of boards and/or commissions when the employee's attendance is on behalf of the County and in the best interest of the County.

2. If the employee is paid by the board or commission for travel and attendance, that money shall be turned in to the County or its equivalent subtracted from the employee's pay.

3. The County Manager may grant early departure from work or late arrival to work due to hazardous road conditions or unusual circumstances. The employee will receive leave with pay.

501.I. Administrative Leave

513. UNAUTHORIZED LEAVE

An employee who fails to report to work for three (3) consecutive days without authorization is considered to have abandoned the position and may be subject to disciplinary action, including dismissal.

514. PERA BENEFITS

A. Each classified and appointed employee will be enrolled as a member of the appropriate Lincoln County Retirement Plan or the Public Employees Retirement Association (PERA).

1. PERA will be optional to Elected Officials.
2. Employees planning to retire should initiate the process at least three (3) months before the projected date of retirement.

515. UTILIZATION OF ACCUMULATED VACATION LEAVE AT RETIREMENT

Employees eligible for retirement may elect to take any accumulated vacation time prior to the official date of retirement.

516. MEDICAL AND OTHER INSURANCE BENEFITS

The County provides medical and other insurance benefits to all classified employees. Insurance plans may be changed at the discretion of the County Commission.

Insurance benefits for newly hired employees will be effective on the first day of the month following their employment start date.

517. UNIFORMS/CLOTHING

517.A. An employee in designated jobs with the County may be required to wear special clothing to perform the job function. An employee who is required to wear special clothing shall receive a clothing issue from the County.

517.B. The County issue consists of a shirt, pants, and coat. Items not furnished to the sheriff and the officers are hand gun, leather gear, and coordinating footwear.

518. LEAVE FOR IMPAIRED EMPLOYEES

518.A. If a supervisor has reason to believe that an employee's work performance has deteriorated due to excessive use of intoxicants or other personal problems, the supervisor may call the employee in for a consultation. At the consultation meeting, the nature of the diminished work performance will be presented to the employee. The employee will be given an opportunity to explain any circumstances which may have caused the diminished work performance.

1005. COURTHOUSE CLOSING

The County Manager shall be the only authority to release any employee earlier than the regular closing hours of the Courthouse and its departments, or to delay the regular time to report to work due to inclement weather conditions or other unusual circumstances. The County Commission or County Manager or designee has authority in closing due to inclement weather conditions and as to which employees shall be released.

Section 1. Conflict Clause.

Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 2. Severability Clause.

In the event any section, part or sub-part of this Ordinance shall be determined to be in violation of the Constitution or Statutes of the State of New Mexico by a Court of competent jurisdiction, that Section shall be stricken and be thereafter unenforceable. Such determination shall not invalidate the application or enforcement of the remaining Sections.

Deleted: 2005-4

Section 3. Effective Date and Repeal of Ordinance 2013-1

This Ordinance shall take effect thirty days after recording in the Public Records of Lincoln County, at which time Ordinance No. 2013-1 is hereby repealed.

Deleted: 2005-4

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2013.

**BOARD OF COUNTY COMMISSIONERS
OF LINCOLN COUNTY, NEW MEXICO**

Jackie Powell, Chairwoman

Preston Stone, Vice Chairman

Mark Doth, Member

Dallas Draper, Member

Kathryn Minter, Member

Attest:

Rhonda Burrows
Lincoln County Clerk

countyattorneys/ordinances/personnel policy 4-25-13

Deleted: 4-16

AGENDA ITEM NO. 26
JUNE 25, 2013

SUBJECT

1. **2:30 P.M.:** Public Hearing is to consider the request of a transfer of ownership of Liquore License No. 0010 with package sales: from Chapparal Investments, Inc., DBA Chisum #32 at 1010 Sun Valley Road, Alto, NM 88355. License No./Appl. No. License No.0010/Apl. No. 8532920



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us

June 6, 2013

Susana Martinez
GOVERNOR

J. Dee Dennis, Jr.
SUPERINTENDENT

Mary Kay Root
DEPUTY
SUPERINTENDENT

James C. McKay
CHIEF GENERAL
COUNSEL

Jennifer M. Anderson
DIRECTOR

Certified Mail No.: 7003 2260 0003 1522 3392

Rhonda Burrows, Clerk
Lincoln County
P.O. Box 338
Carrizozo, NM 88301-0338



Re: License No. / Appl. No.: License No. 0010/App. No. 853920
Name of Applicant: Chapparral Investments, Inc.
Doing Business As: Chisum #32
Proposed Location: 101 Sun Valley Road
Alto, NM 88355

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses.

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted Preliminary Approval; it is being forwarded to you in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

Within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body **shall** hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer. Notice of the Public Hearing required by the Liquor Control Act **shall** be given by the governing body by publishing a notice of the date, time, and place of the hearing at least once a week for two consecutive weeks in a newspaper of general circulation within the territorial limits of the governing body, **which requires that two weeks of publication must be satisfied before a hearing can be conducted.** The notice shall include: (A) Name and address of the Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and Gaming Division; and (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. A record **shall** be made of the hearing.

THE APPLICANT IS SEEKING TRANSFER OF OWNERSHIP OF LIQUOR LICENSE NO. 0010 WITH PACKAGE SALES.

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

The governing body may disapprove the issuance or transfer of the license if:

- 1) The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this location prior to 1981 or unless the Applicant/Licensee has obtained a waiver from the Local Option District governing body for the proposed licensed premises).
- 2) The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a Zoning Statement from the governing body, this is not a basis for disapproval. Attached is a copy of a Zoning Statement from the local governing body.
- 3) The issuance would be detrimental to the public health, safety, or morals of the residents of the Local Option District. Disapproval by the governing body on public health, safety, or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

Within thirty **(30)** days after the Public Hearing, the governing body **shall** notify the Alcohol and Gaming Division as to whether the local governing body has approved or disapproved the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notice of publication(s). **If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director will give Final Approval to the issuance or transfer of the license.**

If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty **(30)** days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the notice of disapproval (Page 1 of the Application page noting disapproval).

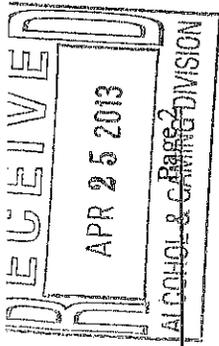
Sincerely,



Rose L. Garcia
Hearing Officer
NM Regulation & Licensing Dept.
Alcohol & Gaming Division
Phone: 505-476-4552
Fax: 505-476-4595

Enclosures:

1. Original Page 1 of the Application **(must be signed and returned).**
2. Copy of Page 2 of the Application



RECEIVED
FEB 16 2006

SS 60-6B-10

PREMISES, LOCATION, OWNERSHIP & DESCRIPTION OF PREMISES

1. The land and building which is proposed to be the licensed premise is (check one):

Owned by Applicant Leased by Applicant (attach copy of deed or lease) _____ Other (please provide details) _____

2. If the land and building are not owned by Applicant, please indicate the following:

A. Owner(s) _____
B. Date and Term of Lease _____

Attach a hand drawn map, zoning map, or other map, showing the location of the proposed premises, and the main adjacent streets, roads or highways, in relation to the closest church and school properties. This map should be drawn on an 8 1/2 x 11 sheet of paper only.

*3. Premise location is zoned (example C-1) C-1

If the premise is zoned, attach zoning statement from local government giving location address, type of zone and stating whether alcoholic beverages are allowed at proposed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

4. Distance from nearest church *(Property line of church to licensed premises-shortest distance).

Miles, Feet 2.5 mi Name of Church GRACE HARVEST CHURCH Address-Location of Church 1108 GARDNER CANYON RD. BURNSO, NM 88345

5. Distance from nearest school *(Property line of school to licensed premises-shortest distance).

Miles, Feet 3.9 mi Name of School WHITE MOUNTAIN Address-Location of Church 203A WHITE MOUNTAIN DR. BURNSO, NM 88345

6. Distance from military installation (Property line of military installation to licensed premises-shortest distance).

Miles 10 mi Name of Military Installation HOLLOMAN AIR FORCE BASE

7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premise. The floor plan should be no larger than 8 1/2 x 11 inches, and must include the total square footage of premises.

*If the distance is beyond 300 feet, but less than 400 feet, a registered engineer or licensed surveyor must complete a Survey Certificate showing the exact distance.

8. Type of Operation: Lounge _____ Restaurant _____ Package Grocery Racetrack _____ Hotel _____ Drive Up _____ Other (Please specify) _____

Agenda Items No. 27
June 25, 2013

SUBJECT

Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinances.

- A. Final Budget FY 2013-2013 for July Regular meeting
- B. Green Tree Solid Waste Rate Increase to County Residence



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County of Lincoln

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

AGENDA ITEM NO. 28

June 17, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, County Manager *NT*

SUBJECT: Bid Awards: RFP 12-13-018 – Heating and Air Conditioning Maintenance Services; RFP 12-13-019 – “Electrical Maintenance Services” and RFP 12-13-020 “Plumbing Maintenance Services”.

Purpose: To award bids for RFP 12-13-018, IFB 12-13-019 and RFP 12-13-020

Discussion: The three RFPs listed above are for County maintenance in all locations, including: 1) Heating and Air Conditioning services, 2) Electrical Services and 3) Plumbing Services. Each of these contracts are to include jobs for \$5,000 or less. Considered in the evaluation process is:

1. Hourly labor rates	25 points
2. Material markup rate	20 points
3. Travel time and mileage costs using Carrizozo as the destination	50 points
4. Response time	5 points
TOTAL	100 points

Proposals for these RFPs are not due until Tuesday, June 18th. Bids will be opened and evaluated on that day, enabling Staff to make a recommendation to the Commission based on high points.

Recommendation: Recommendations will be made to Commission at June 25th meeting.

Agenda Item No. 29
June 25, 2013

SUBJECT

Consideration of Appointments and Removals from Boards/
Commissions/Committees:

- A. Road Review Advisory Committee
- B. Lodger's Tax Committee

PREDATORY ANIMAL CONTROL BOARD, LINCOLN COUNTY - 5 YEAR TERM

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	MARK HENDRICKS	BOX 307, CARRIZOZO 88301	1	07/20/10	07/15
	JIM COOPER	HC73 BOX 25, TINNIE 88351	5	07/20/10	07/15
	RON MERRITT	HC66 BOX 30, YESO 88136	1	07/20/10	07/15
	MIKE SKEEN	BOX 67, PICACHO 88343	5	07/20/10	07/15
	LEE SULTEMEIER	Box 147, CORONA 88318		07/20/10	07/15
	BILLY BOB SHAFER	BOX 82, CARRIZOZO 88301	1	07/20/10	07/15

ACB HOLDS ELECTION - PUBLICATION IS REQUIRED

PROPERTY TAX PROTEST BOARD - 2 YEAR TERM

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	LORI WETZEL	BOX 698, CARRIZOZO, 88301		05/15/12	05/14
	DONDA RICHARDSON	BOX 9, CAPITAN, NM 88316		05/15/12	05/14
	ALTERNATE - DEREK MOORHEAD	1201 MECHEM DR, RUIDOSO 88345		05/15/12	05/14

REGIONAL WASTE WATER JOINT USE BOARD -- 2 YEAR TERM

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION

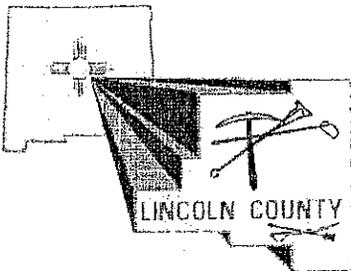
ROAD REVIEW ADVISORY COMMITTEE, LINCOLN COUNTY - 2 YEAR TERM (ORDINANCE NO. 2003-5)

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
DIST 1	LANCE HALE	BOX 745 RUIDOSO DOWNS, 88346	1	06/21/11	06/13
DIST 2	ROBERT BARBER	BOX 126, CAPITAN, NM	1	10/16/12	10/14
DIST 4	J.BRYAN WHITE (336-2619 OR 208-610-5464; COCHCH@BAJABB.COM)	PO BOX 237, ALTO, NM 88312		01/22/13	01/15
DIST 5	BILLY SEELBACH (258-1704)	406 GAVTLAN CANYON, DOSO 88345	2	06/12/12	06/14

PUBLICATION IS REQUIRED

SENIOR CITIZENS OLYMPIC COMMITTEE, LINCOLN COUNTY - 2 YEAR TERM (ORDINANCE NO. 1994-5)

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	BART YOUNG (257-3193)	BOX 2930, RUIDOSO 88355		03/28/12	03/14
	LUCY SERVIES	107 JACK LITTLE DR. B3, RUIDOSO		01/22/13	01/15
	JIM CLEMENTS	101 POW WOW TR, RUIDOSO 88345		12/20/11	12/13
	JERRY LONGBOTHAM	HC 71, BOX 1085, CAPITAN 88316		02/15/11	02/13
	GENE NITZ	218 JACK LITTLE DR, RUIDOSO		12/20/11	12/13



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County of Lincoln

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May 17, 2013

Lance Hale
PO Box 745
Ruidoso Downs, NM 88346

Dear Mr. Hale:

Your term for the Road Review Advisory Committee will expire June 2013. If you would like to serve an additional two year term and be re-appointed at the next commission meeting, June 25, 2011, please indicate below and return for further processing.

Thank you for serving on this Board, and hopefully you will continue to serve. If I can be of any assistance to you, please contact this office.

Sincerely,

Billie-Jo Guevara
Administrative Assistant/
Human Resources

Yes I would like to be re-appointed to the Road Review Advisory Committee.

No I would not like to be re-appointed at this time.

Lance Hale

LODGERS TAX COMMITTEE, LINCOLN COUNTY - 2 YEAR TERM (ORDINANCE NO. 2004-04)

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
336-4330	TOURIST RELATE- JAMES HOBBS GENERAL PUBLIC -	BOX 2505 RUIDOSO 88355	1	02/19/13	02/15
653-4609	LODGING INDUSTRY - DAVID VIGIL	BOX 15, LINCOLN 88338	5	06/12/12	06/14
937-2121	TOURIST RELATED- ALICE SEELY; ALICESEELY@PVTN.NET	BOX 166 HONDO, NM 88336	5	04/17/12	04/14
653-4300	LODGING INDUSTRY - VICTOR GARRISON	BOX 236, LINCOLN, 88338	5	07/26/12	7/14

NEW MEXICO COUNTY INSURANCE AUTHORITY - WORKERS' COMPENSATION

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	KATHRYN MINTER	104 SONTERRA DR, ALTO	4	01/22/2013	1/2014
	ALTERNATE - NITA TAYLOR	BOX 93, LINCOLN, NEW MEXICO	1	01/12/2013	1/2014

NEW MEXICO COUNTY INSURANCE AUTHORITY - MULTI-LINE POOL

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	KATHRYN MINTER	104 SONTERRA DR, ALTO	4	1/22/2013	01/14
	ALTERNATE - DALLAS DRAPER	113 ALPINE VILLAGE RUIDOSO	3	01/10/2012	01/14

PLANNING COMMISSION - 2 YEAR TERM (ORDINANCE NO. 2008-5)

DISTRICT NO.	MEMBER	ADDRESS	RECOMMENDED BY	DATE APPOINTED	TERM EXPIRATION
DIST 1	DENNIS RICH; DENANDYVONNE@NETSCAPE.NET	PO BOX 575, CAPITAN, NM 937-5996	COMM. POWELL	04/17/12	04/14
DIST 2	JENNIE DORGAN, Chair	BOX 359, ALTO 88312 (336-4312)	COMM. WILLIAMS	03/19/13	03/15
DIST 3	NORA MIDKIFF -336 2095/937 4317 noratmidkiff@gmail.com	175 EAGLE CREEK CANYON , RUID	COMM. DRAPER	01/22/13	01/15
DIST 4	MARY DOKIANOS	103 WINTER HAWK HEIGHTS, ALTO	COMM. MINTER	09/20/11	09/13
DIST 5	TOM MANN	BOX 77, LINCOLN NM (653-4272)	COMM. POWELL	07/26/12	07/14
	MEMBER-AT-LARGE - ELAINE ALLEN	PO BOX 74, LINCOLN		01/22/13	01/15
	MEMBER-AT-LARGE - KARYL WILLIAMS KARYL.WILLIAMS@MTG-TECH.COM	PO BOX 1707 CAPITAN (354-5300) 575-808-9776		01/22/13	01/15



County of Lincoln

P.O.Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (505) 648-2385

AGENDA ITEM NO. 30

June 7, 2013

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *nt*

SUBJECT: Bargaining Unit Renewal

Purpose: To obtain approval of the 3% pay increase for the bargaining unit agreement with the Deputy Sheriffs.

Discussion:

The President of the Deputy Sheriff's bargaining unit sent the letter at enclosure 1 opting for acceptance of a pay increase as indicated in Section 35 of the agreement.

Attached is a revised bargaining unit agreement incorporating the 3% pay increase effective July 1, 2013. This provision of the agreement is known generally as an evergreen provision... the bargaining unit accepts what the rest of the employees received.

Recommendation:

Approve the bargaining unit request for a 3% pay increase effective July 1, 2013 along with the rest of county employees and approve the agreement with this increase incorporated into the agreement.

RECEIVED

JUN 07 2013

ADMINISTRATION
LINCOLN COUNTY NM

Lincoln County Sheriffs' Association

300 Central Ave

Carrizozo, NM 88301-0278

June 7, 2013

Lincoln County Manager and Lincoln County Board of Commissioners

300 Central Ave

Carrizozo, NM 88301-0711

Re: 3% salary increase effective July 1, 2013

This letter is for the purpose of written notification to express the Association's intent to accept the general wage and benefit increase the Board of Commissioners awarded, effective July 1st, 2013. This letter is per the AGREEMENT between the County of Lincoln and the Lincoln County Deputy Sheriffs' Association, Section 40, subsection B.

Sincerely,

A handwritten signature in black ink, appearing to read 'Weston E. Hacker', with a long horizontal line extending to the right.

Weston E. Hacker

President of Lincoln County Deputy Sheriffs' Association

ENCL 1

AGREEMENT
BETWEEN
THE COUNTY OF LINCOLN
AND
THE LINCOLN COUNTY DEPUTY SHERIFFS' ASSOCIATION

SECTION 1. PARTIES TO THE AGREEMENT.

- A. This Agreement is entered into by and between the County of Lincoln, hereinafter referred to as the "County", and the Lincoln County Deputy Sheriffs' Association, hereinafter referred to as the "Association."
- B. The County of Lincoln recognizes the Lincoln County Deputy Sheriffs' Association as the exclusive collective bargaining representative for the regular full-time non-probationary, non-supervisory, non-confidential sworn officers of the Lincoln County Sheriffs' Department.
- C. The parties shall not discriminate against any member of the bargaining unit based on race, color, sex, creed, religion, age, national origin, membership or non-membership in the Association.
- D. For the purposes of this agreement and any subsequent Memorandum of Understanding, Lincoln County shall be referred to as the County; the Lincoln County Sheriffs' Department shall be referred to as the Department; the Sheriff shall be referred to as the Sheriff; the Lincoln County Deputy Sheriffs' Association shall be referred to as the Association, and any reference to Deputy shall be referred to as employee.

SECTION 2. ASSOCIATION REPRESENTATIVE.

The Association and the County will attempt to resolve issues and grievances in an atmosphere of professionalism and mutual respect. Should the Association president need to conduct Association business during normal working hours the president will be allowed, subject to staffing requirements, to request the use of accrued comp time, annual leave, or leave without pay. If the assistance of the Association President or designee is requested by the County in the resolution of a labor/management relations problem and the problem is handled during the president's or designee's regular work time such time will be on paid status.

SECTION 3. SEXUAL HARASSMENT.

The parties agree and recognize that sexual harassment is a violation of County regulations, state law and federal law, is demeaning to employees subjected to such conditions and is destructive to the work environment. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature shall constitute sexual harassment. Sexual harassment by any employee, representative or other person who works subject to the control of either party is forbidden. The parties will abide by all appropriate rules, regulations, and laws prohibiting sexual harassment.

SECTION 4. LEAVE TO VOTE.

Employees who are registered and eligible to vote will be scheduled and allowed time to vote as required by state law. Such time may not be used for any other purpose. The County may verify if the time was used to vote.

SECTION 5. MATERNITY LEAVE.

Maternity leave will be handled in accordance with the Family Medical Leave Act.

SECTION 6. MILITARY LEAVE.

If an employee is or becomes a member of any component of the United States Armed Forces or the New Mexico National Guard they will be granted military leave in accordance with state or federal laws.

SECTION 7. LEAVES OF ABSENCE WITHOUT PAY.

When a regular full-time employee has demonstrated a need for time off the County Manager may grant a regular employee leave without pay for a period not to exceed one (1) year.

During such leaves, the employee's position may be filled by another employee. At the expiration of a leave without pay, the employee may be reinstated in the position vacated. If not reinstated to the same position, the employee may be offered another vacant position provided he/she is qualified to perform the work. If there are no positions available, the employee shall be on layoff status with recall rights. Approved leave without pay shall not constitute a break in service but all time off in excess of thirty (30) days will not be counted as seniority.

The employee must provide a written notice of his/her desire to return to work at least two weeks prior to the expiration date of the leave without pay. Failure to provide such notice may be cause for refusal to reinstate or terminate the employee. This applies to leaves of thirty (30) days or more.

SECTION 8. EMPLOYEE SAFETY AND HEALTH.

The parties believe that the safety and health of the employees are of prime considerations in every phase of their activities. The parties are concerned for the human value of life, health and physical well being, and they are convinced that good safety and health practices are essential to the efficient delivery of service to the public.

The parties and the employees will work toward providing and maintaining safe and healthful working conditions. The parties will instill in the employees an awareness of the need for safe and healthful working habits. The parties will identify, report, and work toward the elimination of safety hazards in the workplace and the parties will comply with applicable health and safety laws.

SECTION 9. SICK, ANNUAL AND HOLIDAY LEAVE.

9.1 SICK LEAVE.

- A. Sick Leave is accrued at the rate of 6.67 hours per month.
- B. Sick Leave may be approved for the sickness, illness, injury or treatment of an employee. Sick Leave may also be approved as per the conditions of the FMLA for the care of family members. Sick Leave may not be donated to another employee. All sick leave pay is subject to the approval of the employee's supervisor.
- C. If management suspects the abuse of sick leave, management may require documentation prior to the payment of sick leave. Management may conduct whatever investigation it feels is necessary to determine whether sick leave is being abused. Failure to cooperate in an investigation of abuse of sick leave will result in the denial of pay for such time and may result in disciplinary action.
- D. Patterns of sick leave usage such as repeated use of the day before or day after an employee's days off or holidays shall be considered an abuse of sick leave and cause for denial of payment and disciplinary action including dismissal.
- E. Accrued sick leave will not be paid at termination of employment, except for deputies who have completed at least fifteen (15) years of County consecutive service and who retire under P.E.R.A.. Such deputies may convert 50% of their accrued sick leave to a lump sum pay or paid leave. No accrual of sick leave or vacation will occur during the use of such converted paid leave.

9.2 VACATION AND VACATION ACCRUAL.

- A. Deputies will accrue vacation as follows:
 - 1 to 24 months of service - 3.077 hrs. accrual per pay period
 - 24 mos. +1 day to 120 mos. of service - 4.615 hrs. accrual per pay period
 - 120 mos. + 1 day and over of service - 6.154 hrs. accrual per pay period
- B. Subject to the staffing requirements of the Department, the Sheriff or his designee may allow more than one deputy to be off on vacation on any one day. In normal situations only one deputy will be allowed vacation on any one day. All requests for vacation will be considered on a first come first served basis. All requests will be time stamped by the employee when submitted to the Sheriff.

9.3 HOLIDAYS

- A. The following holidays will be observed by employees in this bargaining unit:

1.	New Years Day	January 1
2.	Martin Luther King Jr. Birthday	January 18 (As Designated)
3.	President's Day	February (As Designated)
4.	Memorial Day	May (As Designated)
5.	Independence Day	July 4
6.	Labor Day	First Monday in September
7.	Veteran's Day	November 11
8.	Thanksgiving Day	4 th Thursday in November
9.	Christmas Day	December 25
10.	Personal Holiday	(Selected by Mutual
11.	Personal Holiday	Agreement of the Deputy
12.	Personal Holiday	and the Sheriff/Designee within a 12 month period.)
- B. Deputies who do not work on a holiday will be paid eight (8) hours of holiday pay at the employee's regular rate of pay.
- C. Deputies required to work on a holiday will receive eight (8) hours of holiday pay at straight time pay plus pay at the employee's regular rate of pay for the actual hours worked. All time worked on a holiday is counted as time worked for the purpose of computing overtime compensation as per the overtime provision of this Agreement.

SECTION 10. THE SAFETY AND HEALTH COMMITTEE.

The County Safety Committee meets periodically for the purpose of reviewing

appropriate safety and health matters. The Committee may be asked to visit the various work places, to investigate serious accidents, to recommend new rules and procedures, to recommend preventative measures, and to provide instructions to employees.

If the Association has a safety concern the issue will be brought to the attention of the Department in an attempt to resolve the issue. If the issue is not resolved at the Department level the President of the Association or his designee may bring the issue before the County Safety Committee.

SECTION 11. SENIORITY.

- A. Except for sections which contain specific different definitions in this agreement, seniority is defined as follows:

- B. Higher ranks have seniority on junior ranks. The employee with the most continuous service within rank is senior within that given rank. For the purposes of breaking a tie in seniority, the first criteria to be applied shall be continuous service with the Department, with the employee with the most continuous time being senior. Should the continuous service with the Department be identical, then the tie will be broken by the use of employee numbers or lottery numbers, whichever is applicable. The employee with the lowest number is senior. The term continuous service shall be interpreted to mean total service from the date of last hire as an employee of the Department.

- C. When cut backs occur, the mandatory transfers between units shall be made in such a way as to maximize the efficiency and effectiveness of the Department. In making such transfer decisions, the following facts shall be considered:
 - a. The needs of the department.
 - b. The needs of the county.
 - c. The qualifications of the employee.
 - d. The demonstrated abilities of the employee.
 - e. All things being equal seniority will be considered.

SECTION 12. EXTRA DUTY ASSIGNMENTS.

- A. The County will post extra duty assignments, except in emergency situations, and deputies will be allowed to sign up for such assignments. In situations where an insufficient number of deputies sign up for such assignments, the assignments will be made in reverse order of seniority. It is recognized that posting of extra duty assignments is not always possible in case of emergencies, such as forest fires.

- B. Extra duty assignments paid from County funds will be compensated as per regular County policy and procedure or this contract whichever is appropriate. Extra duty assignments performed for other agencies is addressed in Subsection C. below.

- C. Extra duty assignments performed for other agencies will identify on the posting the compensation paid by that agency for the given assignments. This time is not County work time and shall not be counted towards overtime compensation.

SECTION 13. OUTSIDE EMPLOYMENT.

Employees shall consider the County of Lincoln as their primary employer. Employees may request approval to participate in outside employment. Outside employment is subject to recommendation of the Undersheriff or designee and the approval of the Sheriff. The factors considered in reviewing requests for outside employment are the employee's performance, attendance, and number of hours to be worked in outside employment and whether a conflict of interest exists. Approvals for outside employment are for a period of 12 months. Approval of outside employment may be rescinded at anytime if any of the four factors considered for approval become an issue.

SECTION 14. RETIREMENT.

The County will continue the current PERA retirement program.

SECTION 15. HOURS OF WORK AND OVERTIME.

- A. The normal workweek will be forty (40) hours. The normal workday will be eight (8) hours for five (5) days.
- B. Deputies will be paid overtime in accordance with the FLSA Section 207-K. Overtime at 1-1/2 time the regular rate of pay will be paid for all hours worked in excess of 80 hours in a fourteen (14) day cycle.
- C. Compensatory time at 1-1/2 the time worked may be paid in lieu of monetary compensation subject to the approval of the County Commission as part of the department budget.
- D. Paid leave is not and will not be counted as time worked for the purpose of computing overtime compensation. Deputies who are on their regular days off during a Holiday and are called in to work within that Holiday shall be paid eight (8) hours of Holiday Pay at straight time, plus time and one half for actual hours worked on the Holiday. This time worked will not be pyramided in the calculation of overtime compensation.
- E. Under normal circumstances management will assign consecutive days off.
- F. Management will identify when deputies may take their rest and lunch breaks. Deputies shall not congregate at one place for rest breaks.

SECTION 16. DEPUTY'S LIABILITY PROTECTION.

- A. Pursuant to 41-41 et seq., N.M.S.A. (1978), as amended, the New Mexico Tort Claims

Act, the County shall provide protection to Deputies from liability arising out of acts committed during the performance of their activities in the conduct of their office and within the scope of their duties.

- B. Adequate legal counsel will be provided as set forth in the New Mexico Tort Claims Act, Section 41-41 et seq., N.M.S.A. (1978), as amended.

SECTION 17. GROUP MEDIAL AND HOSPITALIZATION INSURANCE.

Deputies may apply to participate in the County's group medical and hospitalization insurance plan. Eligible employees, their spouse, and eligible children may opt to participate in the plan. The County will continue to pay its current rate of contribution of the premium for the duration of this Agreement.

SECTION 18. PHYSICAL EXAMINATIONS.

Employees may be required to take and pass a medical examination at any time to determine their mental or physical capabilities to perform their assignments satisfactorily. Written documentation will be provided to the employee. Such examinations will be at no cost to the employee and will be performed by medical personnel selected by the County. Employees may take a medical examination with a physician of their choice at their expense. If it is determined by the County that an employee cannot perform duties and the employee is eligible the employee will be afforded all rights under the American Disabilities Act. Employees may voluntarily request a mental test.

All employees of the Lincoln County Sheriff's Department shall be required to pass a job related pre-employment mental and physical examination. The County may require the employee to submit to drug and/or alcohol testing as permitted by law.

SECTION 19. CREDIT UNION.

Employees may join the State Employees Credit Union and/or the Otero Federal Credit Union by completing a membership and payroll deduction card. The County will make payroll deductions for the County sponsored Credit Unions.

SECTION 20. WORKERS COMPENSATION.

The County will continue to provide Workers Compensation coverage for employees as required by state law.

SECTION 21. JURY DUTY AND WITNESS PAY.

Deputies required to serve on jury duty will be compensated as required by law. Other compensation received (other than meal and travel allowance) shall be turned over to the County.

Deputies will be compensated when appearing as a witness on behalf of the County or when appearing in their official capacity representing the County.

SECTION 22. ON-CALL AND CALL BACK.

- A. Deputies “on-call” will be provided pagers or radios and will not be required to remain at home for the purpose of “On-Call Status”.
- B. Deputies called in to work will be compensated for the time actually worked.
- C. The determination as to the need for the use of on-call status and how many deputies are required will be made by the Sheriff or his designee.
- D. Deputies assigned to on-call status with a pager or radio will be compensated an additional \$10.00 per assignment per 24 hour period.

SECTION 23. TRAINING AND EDUCATION.

The County will provide the training that is required by State and Federal laws. It is recognized by the parties that the County can change a deputy’s work schedule for the purpose of providing required training and certification.

The County also offers specialized training. Any deputy interested in such training should consult with his/her immediate supervisor.

The pursuit of a college education must be done during the employee’s time off. Any and all educational development or training is subject to the recommendation of the Under Sheriff and the approval of the Sheriff.

SECTION 24. LAY OFF AND RECALL.

- A. In the event that a reduction in force is necessary, the County shall provide the Association an opportunity to suggest alternatives.
- B. When it is necessary to have a reduction in work force, employees will be laid off in reverse order of seniority.
- C. Employees laid off due to a reduction in force will be called back to work in their seniority order.
- D. The term “seniority” for the purposes of this section shall mean time in rank. In situations where officers are required to bump into a lower rank, the officer moving to the lower rank shall be considered senior in that rank. As officers are called back, the

officers assigned to lower ranks will be returned to the former rank, in order of seniority as vacancies become available.

- E. The employee may remain on lay off status for a total of twelve (12) calendar months. If the employee is not recalled within twelve (12) months or if the employee rejects a position offered to the employee, the County shall have no further employment obligation to the laid off employee and the employee will be terminated. Employees must provide and maintain a correct mailing address. Failure to provide a correct address shall result in a forfeiture of any recall right.

SECTION 25. INTERNAL AFFAIRS.

- A. The Internal Affairs Unit is established as a staff investigative body responsible to the Sheriff.
- B. This section establishes the guidelines for conduct of Internal Affairs interrogations. The existence of the Internal Affairs Unit does not lessen a commanding officer's authority or responsibility.
 - 1. The interrogation of a police officer will normally be conducted when the officer is on duty or during the officer's normal working hours, unless the urgency of the investigation requires otherwise;
 - 2. Interrogations will take place normally at the Sheriff's administrative offices, unless the urgency of the investigation requires otherwise.
 - 3. If an officer is directed to leave his/her post and report for an interview, the officer shall immediately notify his/her supervisor.
 - 4. The officer under investigation will be informed of the name and rank of the person in charge of the interrogation and all other persons who will be present during the interrogation.
 - 5. An officer will be informed of the nature of the investigation, and the names of all known complainants shall be disclosed to the officer unless the chief administrator of the officer's employer determines that the identification of the complainant shall not be disclosed because it is necessary for the protection of an informant or because disclosure would jeopardize or compromise the integrity or security of the investigation. In the event that disciplinary action is taken against an employee and that the employee files a grievance the complainant will be made known.
 - 6. Each interrogation session shall not exceed two (2) hours unless the parties mutually consent to continuation of the session and there shall not be more than

two (2) interrogation sessions within any twenty-four (24) hour period, unless the parties mutually consent to additional sessions or if the urgency of the investigation requires otherwise, provided there shall be at least one (1) hour rest period between the sessions.

An officer shall be allowed to attend to physical necessities during the course of an interrogation session. The combined duration of an officer's work shift and any interrogation session shall not exceed fourteen (14) hours within a twenty-four (24) hour period, unless the urgency of the investigation requires otherwise.

7. An officer shall not be subjected to offensive language or illegal coercion by his interrogator in the course of an interrogation session;
 8. Any interrogation of an officer shall be recorded, either mechanically or by a stenographer, and the complete interrogation will be published as a transcript. Any recesses called during the interrogation shall be noted in the transcript.
 9. After reviewing all the information collected in the course of the investigation of a peace officer, the chief administrator of the officer's employer may order the officer to submit to a polygraph examination administered by a licensed polygraph examiner, provided that all other reasonable investigative means have been exhausted and the officer has been advised of the administrator's reasons for ordering the polygraph examination.
 10. A peace officer may file a written response to any document containing adverse comments entered into the officer's personnel file and the response shall be filed with the officer's employer within thirty (30) days after the document was entered in the officer's personnel file. A peace officer's written response shall be attached to the document.
 11. When any peace officer is under administrative investigation and a determination has been made to commence a criminal investigation, the officer shall be notified.
 12. Any officer who knowingly withholds evidence or information pertaining to an investigation will have provided just cause for disciplinary action including dismissal.
 13. All files and reports of investigations by the Internal Affairs Unit are confidential. Such records are intended for the exclusive use of the Sheriff, County Attorney and County Manager.
- C. A copy of the State of New Mexico "Peace Officer's Employer-Employee Relations Act" will be attached as Appendix A to this agreement.

- D. The department may contract for services with an experienced individual or organization to conduct an internal investigation.

SECTION 26. DISCIPLINARY ACTION.

- A. In the event that an investigation results in the implementation of disciplinary action, if the investigated employee so requests, the Association may designate a representative to participate at all stages of the grievance process. The employee will be provided copies of the written charges and the disciplinary action proposed.
- B. In notifying employees of disciplinary actions an attempt will be made to notify an employee in every-day language. The language need only be specific enough to notify the employee of the alleged misconduct and action proposed.
- C. Disciplinary actions shall include written reprimands, suspensions, demotions and dismissal.
- D. The County will use progressive discipline when the County believes such approach is appropriate. This shall not limit the County's right to take whatever action the County feels is appropriate based on the seriousness of the infraction including dismissal on the first or subsequent infraction or misconduct.
- E. Prior to taking any disciplinary action the employee will be presented with the charges and afforded the opportunity to respond to the charges. It is recognized by the parties that it is the prerogative of management to identify the specific time that the discipline will be carried out.
- F. Disciplinary actions that are grieved shall be processed through the grievance procedure identified in this Agreement.

SECTION 27. GRIEVANCE PROCEDURE.

- A. This is the grievance procedure available to bargaining unit employees. Grievance is defined as a dispute pertaining to the employment terms, conditions and related personnel matters or a contested disciplinary action taken by management.
- B. Association staff, bargaining unit employees, or management staff shall not coerce or retaliate against any grievant, grievant witness, management witness, or any party in interest who is identified as a participant in a grievance hearing.
- C. The Association and/or the grievant shall attempt to resolve the issue with the supervisor. If a satisfactory solution cannot be reached with the supervisor, and the grievant wishes to pursue the grievance, the written grievance is filed with the Sheriff.

- D. The written grievance must be filed with the Sheriff within ten (10) days of the date the grievant knew or should have known of the issue that generated the grievance. The Sheriff or his designee shall schedule a meeting with the grievant and/or the Association within ten (10) days of the receipt of the grievance. Within ten (10) days of the meeting the Sheriff or the designee will render a written decision. Failure to render a decision within the required time limit shall cause the grievance to be advanced to the next level of the grievance procedure.
- E. If the grievant is not satisfied with the Sheriff's decision, the Association and the grievant may within ten (10) days of the Sheriff's decision give written notice to the County that the issue is being submitted to arbitration. The arbitration will be conducted by an arbitrator to be selected from a list of seven (7) names supplied by the Federal Mediation and Conciliation Service. The flip of a coin will determine who will strike the first name on the list. The parties will alternate the striking of names until one name is left. That individual shall be the arbitrator. The decision of the arbitrator is final and binding on the parties. The cost of the arbitrator shall be borne equally by the parties.

SECTION 28. PROBATION PERIOD.

It is understood and agreed by both parties to this Agreement that the probationary period for new Deputies includes the period of time from the date of hire as a permanent full-time employee through a period of twelve (12) months. After six (6) months probationary deputies will be allowed to request utilization of their accrued leave, both vacation and sick leave upon approval of the Sheriff or his designee. Deputies will remain on probation for twelve (12) months from date of hire.

SECTION 29. FILLING VACANCIES.

- A. A vacancy is a vacant bargaining unit position that the department decides to fill.
- B. Promotional opportunities/vacancies within the bargaining unit will be posted in departmental bulletin boards for a period of seven (7) calendar days. Qualified employees interested in being considered for the vacancies will submit a written request prior to the application deadline. If an employee is on approved leave during the posting period the employee will be allowed to apply immediately upon return to duty if done prior to the testing date.
- C. Qualified employees who submit a timely application may compete in the promotional process.
- D. The process will consist of a written examination, a structured oral examination and/or practical examination. The written examination will require a passing score of 70%. Employees who pass the written examination may proceed to the structured oral and/or practical examination. The oral examination shall include a review of the employee's

performance evaluation.

- E. Should less than two employees attain a score of 70% or higher, the Sheriff may waive the passing score and allow the two (2) individuals with the highest grades to proceed to the oral examination.
- F. Employees who participate in the written and oral examinations will be ranked in order of combined scores, the selection for promotion will be made from the top two (2) deputies on the promotional list.
- G. The written examination will be a validated examination.
- H. Employees that are promoted will perform all of the duties and fulfill all the responsibilities of the position of Sergeant and will not be able to hold an office in the Association.
- I. The promotional list will remain in effect for twelve (12) months.

SECTION 30. STAFFING.

It is recognized that it is the right of the Employer to determine the number of employees to be employed in each job classification. The Association supports attempts to insure that sufficient personnel and resources are available to accomplish the delivery of timely and safe services to the citizens of Lincoln County.

SECTION 31. LINCOLN COUNTY AND SHERIFF DEPARTMENT RULES AND REGULATIONS.

The County and the Department may amend or expand the current rules and regulations which directly affect or may affect bargaining unit employees provided provisions of this contract or any Memorandum of Understanding are not violated.

The County and the Department will provide a written copy (only one set) of the current or amended rules and regulations, or policies and procedures to each employee. The Association President shall be provided a written copy of any and all anticipated amendments to regulations and will be provided with the opportunity to respond in writing within five (5) days prior to implementation unless the change is due to an emergency situation.

SECTION 32. PERSONNEL FILE.

Personnel files are the property of the County. Personnel files represent the employment history of the employees and shall not be purged except by order or decision of a court or arbitrator of competent jurisdiction.

SECTION 33. UNIFORMS.

It is understood by the parties to this Agreement that the Sheriff establishes uniform regulation of the Department. All Deputies will be paid a uniform allowance of \$50.00 per month, payable quarterly by Lincoln County. The Deputies will be responsible for purchasing the assigned uniform and its upkeep. Should the Deputies uniform appearance become unacceptable the Sheriff or his designee may take disciplinary action on the Deputy.

Lincoln County will provide bullet resistant vests to deputies as needed. Deputy will be responsible for: handcuffs, leather gear, jacket, hats or caps (Sheriff or his designee will designate color and type). The Sheriff will set the standards for firearms and uniforms.

SECTION 34. FIREARMS.

Firearms regulations of the Department prescribed in the Standard Operating Procedures Manual or General Order, effective July 1, 1996, shall remain in full force and effect for the term of this agreement. Employees who carry a firearm shall be required to remain certified as required by the New Mexico Law Enforcement Academy. The County shall furnish ammunition for required certification and training two (2) times a year.

SECTION 35. COMPENSATION.

A. Sheriff's Deputies Pay Plan:

<u>Non-Probationary</u>	
<u>Min. Rate</u>	<u>Max. Rate</u>
\$20.1812	\$26.1936

- DEPUTY I. Uncertified Deputy or certified with 100 hours of advanced training - \$20.1812 per hour.
- DEPUTY II. Certified with 0-24 months experience Law Enforcement and 100 hours of advance training - \$21.6745 per hour.
- DEPUTY III. Certified with 24 to 60 months experience in Law Enforcement and 200 hours of advanced training - \$23.1804 per hour.
- DEPUTY IV. Certified with 60 to 120 months Law Enforcement experience and over 400 hours of advanced training - \$24.6791 per hour.
- DEPUTY V. Certified with 120 months experience in Law Enforcement and over 500 hours of advanced training - \$26.1936 per hour.

All advanced training must be recognized by the New Mexico Law Enforcement Academy.

- B. The Sergeants' \$2,400.00 annual compensation will be converted to \$1.1538 per hour and included in the Sergeants regular hourly rate.

SECTION 36. DUES CHECK OFF.

- A. There shall be no solicitation of Association membership during County paid time.
- B. The County will, for the duration of this agreement, make dues deductions from bargaining unit employees who sign voluntary dues deduction authorization forms. Such deduction will be made each pay period in the amount identified by the President of the Association and must be submitted to the County payroll office at least ten (10) days prior to the effective date of the deduction. The County will forward the dues withheld to the Association.
- C. The Association shall indemnify and save the County harmless against any and all claims, demands, suits or other forms of liability that shall arise out of or as a result of any conduct taken by the County for the purpose of complying with this section.

SECTION 37. COPIES OF THE AGREEMENT.

An original hand executed master copy of the Agreement will be provided to each party and each party is responsible for reproducing and distributing copies to their constituents.

SECTION 38. CONTRACT INCLUDES ENTIRE AGREEMENT.

The parties agree that they have had the opportunity to negotiate on all issues introduced for negotiations and it is understood and agreed by and between the parties, hereto, that this Agreement is the complete agreement between the parties and replaces any and all previous agreements. The County and the Association may upon mutual agreement negotiate a Memorandum of Understanding (MOU) which may change the provisions of this contract.

SECTION 39. SAVINGS CLAUSE.

Should any part of this agreement or any provision contained herein be declared invalid by a District Court of competent jurisdiction, the validity of the remaining portions shall not be affected. Should this occur, the parties may meet to negotiate suitable provision or replace the provision held invalid.

SECTION 40. TERM OF THE AGREEMENT.

- A. This agreement shall be effective the 1st full pay period following ratification/approval of the bargaining unit membership and the County Commission and the signature of the Agreement by the President of the Association; the County Manager; and the Chairman of the Board of Commissioners. This Agreement shall remain in full force and effect through June 30, 2014.

- B. The Association shall provide written notification of the Association's intent to either accept the general wage and benefit increase provided to non-bargaining unit employees or to open negotiations for the following year. This shall be done between the dates of May 31, 2013, and June 30, 2014. If the choice is to open negotiations the Association and the County will be limited to negotiating on wages and three (3) non-economic issues each. If the choice is to accept the general increase granted to non-bargaining unit employees the collective bargaining agreement expiration date shall be extended for an additional twelve (12) months.

SECTION 41. SIGNATURES.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this _____ day of _____, 2013.

**LINCOLN COUNTY DEPUTY
SHERIFF'S ASSOCIATION**

**BOARD OF COMMISSIONERS OF
LINCOLN COUNTY, NEW MEXICO**

**WESTON HACKER
ASSOCIATION PRESIDENT**

JACKIE POWELL, CHAIRWOMAN

**NITA TAYLOR
COUNTY MANAGER**

ATTEST:

**RHONDA BURROWS
COUNTY CLERK**

Agenda Item No. 34
June 25, 2013

SUBJECT

Executive Session Pursuant to the Open Meetings Act: Discussion of all Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7); and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).

See attached list.

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Jira Plaza
Telephone (575) 257-3556
Facsimile (575) 257-3558

June 12, 2013

LINCOLN COUNTY EXECUTIVE SESSION PURSUANT TO THE OPEN MEETINGS ACT: DISCUSSION OF ALL THREATENED AND/OR PENDING LITIGATION SECTION 10-15-1, SUBPARAGRAPH H.(7); AND DISCUSSION OF THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY OR WATER RIGHTS BY THE PUBLIC BODY, SECTION 10-15-1, SUBPARAGRAPH H.(8)

New or Updated Matters since last report =

1. Solid Waste Ordinance Violation – Steve and Cecilia Gore
2. *Cooper, Gale and DeBaca County News v. County of Lincoln, Sheriff of Lincoln County, et al.* D-1329-CV-200701364. Suit filed: October 15, 2007. Verified Complaint for Declaratory Judgment Ordering Production of Certain Records and Information.
3. *Green Tree Servicing, LLC v. William T. Joiner, Lincoln County, et. al.* D-1226-CV-2010-394. Suit filed November 17, 2010. Complaint for Enforcement of Contract and Foreclosure of Security Interest and Mortgage.
4. *Luis Grife as Personal Representative of The Estate of Arturo Grife, Jr., and Lizeth Grife v. County of Lincoln.* D-1226-CV-201100148. Complaint for Wrongful Death and Negligence, Jury Demand.
5. *New Mexico Ranch Sales v Mary T. Greene, LC Treasurer, et. al.* D-1226-CV-2011-00226. Suit filed August 1, 2011. Complaint In Rem to Foreclosure Mortgage Upon Real Property.
6. *Michael Wheaton v Paul F. Baca, Lincoln County Assessor, et. al.* D-1226-CV- 2011-00341. Suit filed October 18, 2011. Notice of Appeal of Final Order of the Lincoln County Valuation Protests Board.
7. *New Mexico Ranch Sales v Marianne Clark, LC Treasurer, et. al.* D-1226-CV-2011-00409. Suit filed November 17, 2011. Complaint to Enforce and Collect Upon Promissory Note and to Foreclose Mortgage Upon Real Property.

8. *Bank of Clovis v Mona Bryant as Personal Representative of Marjorie Bryant (deceased), Village of Ruidoso, Lincoln County, et al. D-1226-CV-2011-00429.* Suit Filed February 10, 2012. Complaint for Foreclosure.
9. *New Mexico Ranch Sales v Tammy Palombi-Cade, LC Treasurer, et al. D-1226-CV-2012-00042.* Suit filed February 13, 2012. Complaint to Enforce and Collect Upon Promissory Note and to Foreclose Mortgage Upon Real Property.
10. *Coble Constructors, LLC, et al v Carl Kelley Construction Ltd. Co, et al. D-1226-CV-2012-00003.* Suit filed January 15, 2012. Complaint to Foreclose Mechanic's Lien.
11. *Alto Lakes Golf & Country Club, Inc. v. Barbara Fleming, and Jesus and Maria Guardiola, et al. D-1226-CV-2011-00044.* Suit filed February 18, 2011. Complaint to Foreclose Lien. Counterclaim and Crossclaim suit filed by Washington Federal Savings on September 21, 2012 naming Board of Commissioners of Lincoln County and Lincoln County Solid Waste Authority.
12. *Johnathan Warren v. Lincoln County Detention Center, Emerald Healthcare Systems, et al. 2:12-CV-01086-CG-LAM.* Suit filed October 19, 2012. Complaint for the Recovery of Damages Caused by the Deprivation of Civil Rights.
13. *Greentree Solid Waste Authority v. Lincoln County, et. al. D-0101-CV-2013-00104.* Suit filed January 9, 2013. Petition for Declaratory Judgment; Preliminary and Permanent Injunction.
14. *Rio Grande-Alameda, Ltd., v Paul Baca, Lincoln County Assessor D-1226-CV-2013-00005.* Suit filed January 9, 2013. Complaint for Refund of Taxes Paid.
15. *New Mexico Ranch Sales v. Villalba, LC Treasurer, et al. D-1226-CV-2013-00046.* Suit Filed February 15, 2013. Complaint to Enforce and Collect Upon Promissory Note and to Foreclose Mortgage Upon Real Property.
16. *Washington Federal Savings v. Timothy Rose; Chanda Rose; and Lincoln County D-1226-CV-2013-00105.* Suit filed April 15, 2013. Complaint for Foreclosure.
17. *Wells Fargo Bank, NA, et al V. Jerry Turner, Board of County Commissioners of the County of Lincoln, New Mexico, et al. D-1226-CV-2013-00129.* Suit filed May 6, 2013. First Amended Complaint for Foreclosure.

Tort Claims Notices Received or Threatened

2013

Montoya, Emilia L. - Tort Claim Notice received by attorney Freda Howard McSwane on April 23, 2013, alleging injuries sustained by Ms. Montoya when a physical altercation took place at the LCDC.

Ramos, Aaron - Tort Claim Notice received by attorney Robert J. Beauvais on April 18, 2013, (correspondence dated September 13, 2011) alleging concerns about Mr. Ramos' safety and welfare and violation of his U.S. Constitution Fifth and Sixth Amendment rights.

2012

Cathy and Steve Altstatt – Telephone conference with Cathy Altstatt on April 19, 2012 concerning their unbuildable and unsellable Deer Park Valley lot due to lot size, septic tank set back requirements, and an easement granted to Alto Lakes Water & Sanitation District for a water well.

Riordan, J.T. – Correspondence received from Theresa Riordan on March 28, 2012 concerning her son's treatment and detention conditions while being held in LCDC.

Sheridan, Michael – Tort Claim Notice received from Attorney, Jennifer Burrill on February 21, 2012, claiming the Lincoln County Sheriff's Department forced him to register as a sex offender when he did not meet the requirements.

Biggs, M. Jolene – Tort Claim Notice received from Attorney, Adam Rafkin on February 6, 2012, claiming liability by the County of Lincoln by failing to maintain the surface of the parking lot across from the Lincoln County Courthouse in Carrizozo, NM.

2011

Latham, Diana –Tort Claim Notice received from Attorney, Gary C. Mitchell on October 27, 2011, claiming violation of the late James Latham's constitutional rights resulting from his shooting death by the Lincoln County Sheriff's Department.

Miller, Peggy and Steven - Tort Claim Notice received from Attorney, Gary C. Mitchell on September 26, 2011, claiming negligence by State Forestry and Lincoln County during Donaldson Complex Fire.

Justice, Charles – Tort Claim Notice received from Builders Trust Insurance Company on July 13, 2011 alleging liability by Lincoln County as a result of an auto accident on State Road #368.

Verschueren, Ronald and Constance M. – Tort Claim Notice received by attorney Robert J. Beauvais on June 13, 2011 alleging wrongful arrest by the LCSO.