

**COUNTY OF LINCOLN**  
**New Mexico**  
***Regular Meeting***  
**Board of County Commissioners**

**Preston Stone, Chairman**  
**Elaine Allen, Member**  
**Lynn Willard, Member**  
**Rhonda Burrows, Clerk**  
**Robert Shepperd, Sheriff**

**Dallas Draper, Vice Chairman**  
**Thomas F. Stewart, Member**  
**Paul Baca, Assessor**  
**Beverly Calaway, Treasurer**  
**Stirling Spencer, Probate Judge**

**Nita Taylor, County Manager**

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**AGENDA**

**Commission Chambers, Tuesday, February 17, 2015 @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-
  - a) January 13, 2015 Regular Commission Meeting
7. Approval of Consent Agenda
  - a. Payroll/Accounts Payable/Budget/ Expenditures
  - b. Treasurer’s Financial Report for the Month ending January 31, 2015
  - c. Annual Renewal Comprehensive Community DWI Prevention Program
8. Smokey Bear District Ranger Update
9. New Mexico Workforce Connection, Eastern Area: John Hemphill Director
10. Lincoln County Juvenile Justice Board – Summary and Update of Program: Ted Allen Program Coordinator

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

11. **9:00 A.M.:** **Tabled** - Consideration and Action on Lodger's Tax Applications with Backup Material:
  - a. Application A: Funding Request \$2,000  
Purpose: High Mesa Artist Studio Tour  
Date(s) of Event: April 25 & 26, 2015  
Presenter: Stephen Sabo, High Mesa Artist Studio Tour
  - b. Application B: Funding Request \$13,500  
Purpose: Smokey Bear Days  
Date(s) of Event: May 1 & 2, 2015  
Presenter: Bennie Long, Smokey Bear Hometown Association
12. **9:30 A.M.:** PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY OFFICIALS (Items are for discussion only – no action will be taken)
13. Southern New Mexico/El Paso Joint land Use Study(JLUS) implementation MOA
14. Resolution 2014-38 Amending Resolution 2014-33 Adjusting the 2014-2015 Budget
15. 2015 Annual Certified County Maintained Mileage by Resolution 2014-36
16. Resolution 2014-34 Authorizing VOR to Participate in the Local DWI Grant & Distribution Program
17. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims
18. Manager's Report
19. Water issues/Forest/Wildlife Health Programs/Land and Natural Resources Advisory Committee (LANRAC)
20. 2015/2016 Local Government Road Fund Projects/CAP/ COOP/School Bus Programs by Resolution 2014-37
21. Approval of Disposition of Surplus Inventory via Donation to the 12<sup>th</sup> Judicial District Court, Carrizozo by Resolution 2014-39
22. Resolution 2014-35 to Implement a Veterans Initiative Policy for the purpose of increasing opportunities for Veterans to obtain County Employment
23. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinance
  - a. Lincoln County Indigent Hospital/Healthcare 2014-06
  - b. Safety Net Care Pool Fund Ordinance 2014-03

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24. Consideration of Appointments and Removals from Boards/Commissioners/Committees:
  - c. Board of Registration
  - d. Land and Natural Resources Advisory Committee
  - e. Lodger's Tax Committee
  - f. Planning Commission
  - g. Senior Citizens Olympic Committee
  - h. Eastern Area Workforce Development Board
25. 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).
26. GSWA System Analysis Presentation – Operational Consultant Joe Lewandowski
27. Consideration of Options relating to Payment by Lincoln County to GSWA for Services Rendered to Lincoln County Citizens
28. Consideration of GSWA Petition Requesting Formation of the Lincoln County Special District Commission
29. Potential Action Regarding GSWA Litigation
30. Consideration of Options regarding Renovation of County Annex Building - Carrizozo
31. Signing of Official Documents
32. Next meetings:
  - a. March 17, 2015 Regular Commission Meeting
33. Adjourn

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

## Agenda Item 6

### SUBJECT

Approval of Minutes:

- a) January 13, 2015 Regular Commission Meeting

1 **COUNTY OF LINCOLN**

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

5  
6 **Preston Stone**, Chair  
7 **Dallas Draper**, Vice Chair

**Thomas F. Stewart**, Member  
**Elaine Allen**, Member  
**Lynn Willard**, Member

8  
9 **Minutes**  
10 **Tuesday, January 13, 2015**

11  
12 Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on January  
13 13, 2015 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New  
14 Mexico

15  
16 **1. Call to Order**

17  
18 Chair Stone called the Regular Meeting of the Board of County Commissioners to order at  
19 8:34:30 AM.

20  
21 **2. Roll Call**

22  
23 **Roll Call.**

24 **Present:** Commissioner Stewart, Commissioner Allen, Commissioner Stone, Commissioner  
25 Draper, Commissioner Willard.

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 Commissioner Stone.

33  
34 **4. Pledge of Allegiance**

- 35  
36 a. Pledge – US Flag  
37 b. Salute – NM Flag  
38

39 **5. Selection of Chairman and Vice-Chairman**

40  
41 Nita Taylor, County Manager informed as per Lincoln County Ordinance 1993-1; the Board of  
42 County Commissioners shall "at the first meeting of each year" choose a Chair and Vice-Chair.

43  
44 **Motion:** Nomination of Commissioner Stone for Chair, **Action:** Approve, **Moved by**  
45 Commissioner Draper, **Seconded by** Commissioner Stewart.

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

47 **Yes:** Commissioner Stewart, Commissioner Allen, Commissioner Stone, Commissioner  
48 Draper, Commissioner Willard.

49  
50 **Motion:** Nomination of Commissioner Draper for Vice Chair, **Action:** Approve, **Moved by**  
51 Commissioner Draper, **Seconded by** Commissioner Willard.

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

53 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
54 Commissioner Willard.

55  
56 **6. Approval of Agenda**

57  
58 **Motion:** Acceptance of the Agenda and authorized the Chair to move items as necessary,

59 **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Stewart.

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

61 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
62 Commissioner Willard.

63  
64 **7. Approval of Minutes**

65  
66 a. December 16, 2014 - Regular Commission Meeting

67 b. December 31, 2014 - Special Commission Meeting

68  
69 **Motion:** Approve the minutes of the December 16, 2014 Regular Commission Meeting and the  
70 December 31, 2014 Special Commission Meeting, **Action:** Approve, **Moved by** Commissioner  
71 Stewart, **Seconded by** Commissioner Draper.

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

73 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
74 Commissioner Willard.

75  
76 **8. Approval of Consent Agenda**

77  
78 a. Payroll/Accounts Payable/Budget/ Expenditures

79 b. Treasurer's Financial Report for the Month ending December 31, 2014

80 c. Children, Youth and Families Department Agreement, Amendment Number 1

81 d. Intergovernmental Services Agreement - Curry County

82  
83 **Motion:** Approval of Consent items as presented, **Action:** Approve, **Moved by** Commissioner  
84 Draper, **Seconded by** Commissioner Willard.

85  
86 Commissioner Draper questioned the how the County would meet the \$50,000 minimum match  
87 for the CYFD agreement as required by the State. Ms. Taylor explained this required match  
88 was historically met by in kind services of staff of the Juvenile Justice Board.

89  
90 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

91 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
92 Commissioner Willard.

93  
94 Beverly Calaway, Treasurer presented the final accounting of outgoing Treasurer Glenna  
95 Robbins for review and acknowledgement by the Board of County Commissioners.

96

97 **Motion:** Approve the financial reports prepared by outgoing Treasurer Glenna Robbins, **Action:**  
98 Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.  
99 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
100 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
101 Commissioner Draper.

102  
103 **SEE EXHIBIT A:** Copies of Consent Items are attached hereto in reference thereto made a part  
104 hereof.

105  
106 **9. Smokey Bear District Ranger Update**

107  
108 Ms. Taylor informed Ranger David Warnack was unable to attend today's meeting.  
109

110 **10. Discussion/Reconsideration of the Proposed Land Development Ordinance**

111  
112 Ms. Taylor reminded the Lincoln County Planning Commission (LCPC) provided an interim  
113 report at the July 15, 2014 Regular Meeting. Ms. Taylor stated the LCPC supported creation of  
114 an ordinance governing the development of vacant tracts of land and lots within the County to  
115 protect the health, safety and welfare of the residents of Lincoln County. The LCPC provided a  
116 list of nine items identified for potential inclusion in the proposed Ordinance. After  
117 reconsideration of the list at the September 2014 Regular Commission Meeting the item was  
118 tabled.

119  
120 Thomas Mann, Chair of the LCPC presented the list of nine items to the current Commissioners  
121 and reiterated belief there was sufficient need to implement an Ordinance.  
122

123 **Motion:** Remove the item from the table, **Action:** Approve, **Moved by** Commissioner Draper,  
124 **Seconded by** Commissioner Stewart.

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

126 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
127 Commissioner Draper.

128  
129 Commissioner Stewart voiced several concerns related to the proposed Ordinance including a  
130 recent decline in the County's population, the large number of built homes currently available for  
131 sale, and the potential cost of staffing related to enforcement.

132  
133 Commissioner Willard questioned the estimated costs related to the proposal to meter water  
134 wells. Mr. Mann explained the installation cost for metering was minimal.  
135

136 Chair Stone discussed how the proposed metering of domestic water wells might affect the  
137 agriculture and ranching industry. Mr. Mann suggested the introduction of metering of domestic  
138 wells would introduce the concept for all water users. Chair Stone objected to this concept and  
139 the potential of setting a precedence.  
140

141 Commissioner Allen expressed a desire for the Planning Commission to continue to refine the  
142 proposed Ordinance. Commissioner Allen stated support for the Ordinance as an effort to  
143 address the Claims of Exemption for parcel splits defined by the State.  
144

145 Commissioner Draper expressed concern about the potential for a litigation challenge to a Land  
146 Use Ordinance.  
147

148 **Motion:** Relieve the responsibility to review and develop a Land Use Ordinance from the  
149 Lincoln County Planning Commission, **Action:** Approve, **Moved by** Commissioner Stewart,  
150 **Seconded by** Commissioner Draper.  
151 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
152 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
153 Commissioner Draper.

154  
155 **12. Tabled-Request to lease portion of former Lincoln County Abstract & Title**  
156 **Company building for one year.**  
157

158 Ms. Taylor reminded Ms. Cecilia Grimes previously requested approval to lease a portion of the  
159 County owned property, formerly known as the Lincoln County Abstract & Title Company,  
160 building for one year. Ms. Taylor stated the request was tabled at the December Regular  
161 Meeting and subsequently the Cooperative Extension Services staff relocated to the site  
162 pending renovation of the Annex Building. Ms. Taylor informed the District Attorney's office  
163 was also utilizing space at the site for storage during the renovation.  
164

165 **Motion:** Remove the item from the table, **Action:** Approve, **Moved by** Commissioner Stewart,  
166 **Seconded by** Commissioner Willard  
167 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
168 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
169 Commissioner Draper.

170  
171 **Motion:** Decline the request from Ms. Grimes to lease space, **Action:** Adjourn, **Moved by**  
172 Commissioner Stewart, **Seconded by** Commissioner Willard.  
173 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
174 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
175 Commissioner Draper.  
176

177 **13. Consideration of Approval or Disapproval of Indigent Health Care Claims**  
178

179 Scott Annala, IHC Administrator presented the Sole Community Provider/Safety Net Care  
180 Provider Pool claims for approval. Mr. Annala processed 11 claims with 11 recommended for  
181 approval and none recommended for disapproval for a monthly authorization of \$37,400. Mr.  
182 Annala stated the total approval for SCP/SNCP claims for Fiscal Year 2014-2015 to date was  
183 \$174,214 with a monthly average of \$24,888.  
184

185 Mr. Annala presented the Indigent Health Care Payments request for the month and stated he  
186 processed 11 claims with 11 claims recommended for approval and none for disapproval for a  
187 total payment this month of \$3,902.52. Mr. Annala stated, pending approval, the total  
188 expenditure for IHC claims for Fiscal Year 2014-2015 to date was \$36,415.49 for an average  
189 monthly indigent claims payment of \$5,202. Mr. Annala anticipated expenditure of  
190 approximately \$62,424 of a budgeted \$363,000 this fiscal year.  
191

192 **Motion:** Approval and denial of the claims as indicated for SCP/SNCP and Indigent Health Care  
193 as recommended, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by**  
194 Commissioner Willard.  
195

196 Commissioner Stewart noted the beginning balance of the IHC fund combined with anticipated  
197 revenues and a decline in claims would result in a large roll over balance for the next fiscal year.

198 Commissioner Stewart reminded the Hospital Mill Levy was implemented by voter referendum  
199 and the Indigent Health Care GRT 1/8<sup>th</sup> was enacted by the Board of Commissioners.  
200 Commissioner Stewart suggested expanding expenditure of the IHC funds to draw down the  
201 balance. Commissioner Stewart also suggested reviewing the IHC Ordinance to expand the  
202 permitted use of funds for payment of the County's State Medicaid and Safety Net Care Pool  
203 obligations.  
204

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

206 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
207 Commissioner Draper.  
208

209 **SEE EXHIBIT B:** Copies of the Safety Net Care Pool Approvals and Indigent Health Care  
210 Payments are attached hereto in reference thereto made a part hereof.  
211

## 212 **15. Approval of Agreement for eDispatch Services**

213  
214 Ms. Taylor presented the request for Lincoln County to enter into agreement with the  
215 municipalities of Capitan, Carrizozo and Corona to provide secondary notification services. Ms.  
216 Taylor stated the system would provide a secondary notification of a primary dispatch or  
217 notification issued from the County Sheriff's office.  
218

219 Joe Kenmore, OES Director explained the system would provide for pages to be provided to the  
220 appropriate department and would send a secondary notice to cell phones. Mr. Kenmore stated  
221 recipients of "page outs" would have the ability to replay the page to obtain critical information.  
222 Mr. Kenmore stated this redundant page would particularly benefit the County's volunteer  
223 firefighters.  
224

225 Allen Morel, Attorney stated the agreement was prepared to provide for collection of costs and  
226 for providing service to the other entities.  
227

228 **Motion:** Approve the Agreement with minor typographical corrections, **Action:** Approve, **Moved**  
229 **by** Commissioner Stewart, **Seconded by** Commissioner Draper.

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

231 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
232 Commissioner Draper.  
233

## 234 **16. Manager's Report**

235  
236 **1. Lincoln County Legislative Capital Outlay Hearing:** The Manager reported on the  
237 Capital Outlay Hearing held in Carrizozo on December 30, 2014 with legislative  
238 members Senator Bill Burt and Representative Zach Cook attending. The Manager  
239 presented Lincoln County's top three priorities for a total capital outlay request of  
240 \$1,042,000. The Manager reminded the top priorities as set by the Commission  
241 were:

- 242 a) Construction of Hondo Fire Station - \$275,000 (\$25,000 awarded in  
243 2014)
- 244 b) Construction/expansion of White Oaks Fire Station - \$230,000 (\$20,000  
245 awarded in 2014);
- 246 c) Construction/expansion of Lincoln County Detention Center - \$537,000  
247 (\$163,000 awarded in 2014).  
248

249 The Manager stated other entities and agencies within Lincoln County presented  
250 requests for various projects totaling \$3,629,375.  
251

252 **2. New Mexico Association of Counties (NMAC) Legislative Conference:** The  
253 Manager reminded the NMAC Conference was set for January 20 – 22, 2015 to  
254 coincide with the opening week of the New Mexico legislative session in Santa Fe.  
255 The Manager stated a number of Elected Officials and County employees were  
256 registered to attend and participate in various Affiliate meetings and also to attend  
257 certified training classes. The Manager provided a legislative update from Tasia  
258 Young, NMAC Lobbyist and a copy of NMAC's legislative priorities.  
259

260 **3. Building Project Update:** The move of various County offices and the Office of the  
261 District Attorney from the Annex building was completed on January 7, 2015. The  
262 Manager stated the Cooperative Extension Services staff moved to the former  
263 Lincoln County Title and Abstract building and the Deputy Clerk for Historic Records  
264 relocated to the conference room next to the Sheriff's Complex. The Manager stated  
265 remediation efforts by Keers Environmental had commenced and estimated ten days  
266 to complete the remediation. The Manager stated once remediation was complete  
267 FacilityBuild would begin the reconstruction/remodel effort with an estimated  
268 completion by mid-May.  
269

270 **4. Fort Stanton:** The Manager reported the site remains on the priority list to become a  
271 New Mexico National State Veterans' Cemetery location. The Manager reported she  
272 and Commissioner Stewart met with representatives from both the State and Federal  
273 Departments of Veterans' Services on January 8, 2015. Those present included the  
274 newly appointed Jack R. Fox the New Mexico Cabinet Secretary for Veterans  
275 Services; the Director of the National Cemetery Grants Program; and the Project  
276 Manager/Landscape Architect assigned to Fort Stanton. The Manager discussed the  
277 design plans but noted while the Fort Stanton site was moving up on the priority list  
278 to become a National State Veterans' Cemetery, the timeline would likely take  
279 several years.  
280

281 **5. GSWA Billing Update:** The Manager introduced Linda Phillips as the new Solid  
282 Waste Billing Clerk. The Manager stated Ms. Phillips was busy fielding calls from  
283 residents as well as receipting payments received. The Manager stated after the  
284 initial billing on January 5, 2015 hundreds of calls were received from residents  
285 regarding whether or not they were appropriately billed and staff continued to  
286 research these questions. The Manager reported most residents were pleased their  
287 bills were less; some residents had never received a bill and therefore were not  
288 pleased; and there were multiple requests for the County to help resolve problems  
289 with past GSWA billings.  
290

291 Linda Phillips, Solid Waste Billing Clerk reported while there were problems there  
292 was a lot of positive feedback from customers regarding the County billing for Solid  
293 Waste Services. Ms. Phillips discussed GSWA's current policy of informing  
294 residents they should continue to pay GSWA or incur a late fee. Ms. Phillips  
295 reported on inquiries as to whether the County would allow an exemption from billing  
296 for large landowners who provide their own dumpsite for waste disposal. The  
297 Manager stated environmental regulations related to these exemptions had changed  
298 since the County enacted the Solid Waste Ordinance and this question would need  
299 further research.

300  
301 **11. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY**  
302 **OFFICIALS**  
303

304 Commissioner Draper reported on his attendance at the most recent SNMEDD meeting.  
305 Commissioner Draper stated topics discussed included the hold harmless GRT issue, lapel  
306 cameras for law enforcement, and the impact of insurance limitations on the ability of Counties  
307 to lend equipment and assistance for emergency situations.  
308

309 Beverly Calaway, Treasurer provided a snapshot of Total Property Taxes billed and collected in  
310 2014. Ms. Calaway noted the collection rate was currently 65% for this fiscal year. Ms.  
311 Calaway introduced recently appointed Sherri Huddleston as the new Chief Deputy Treasurer.  
312 Ms. Calaway requested the Board of Finance be convened during the next regular meeting.  
313

314 Rick Rotert, Chair of the Nogal Water Association provided an update on the water project in the  
315 Nogal Community. Mr. Rotert stated the Association was working to install new water meters  
316 for residents along with additional fire hydrants. Mr. Rotert anticipated final completion of the  
317 \$2,000,000 project by the end of 2015.  
318

319 Commissioner Draper questioned if the Nogal Water Association resolved the issues associated  
320 with audits for grant recipients. Mr. Rotert stated a process by which the State directly pays  
321 contractors eliminated the need for the Association to establish a separate account subject to  
322 audit. Mr. Rotert stated the Association continued to look for assistance with the \$7000 audit  
323 costs incurred prior to understanding of the direct pay option.  
324

325 AnnElla Hatter, resident of White Oaks requested her name be considered for an appointment  
326 to fill the Planning Commission seat vacated by Commissioner Allen.  
327

328 Nancy Baker of the NM State Economic Development Department (EDD) discussed services  
329 provided by the EDD and noted most monetary incentives were associated with manufacturing.  
330 Ms. Baker stated there were State programs available to assist businesses and communities  
331 including Collateral Support Programs.  
332

333 **16. Manager's Report (continued)**  
334

335 **6. Departmental Updates:**  
336

337 a) Curt Temple, Planning Director stated his office recently learned the NM  
338 Department of Transportation (DOT) had replaced County signage with State signs  
339 along Highway 70 in the Hondo Valley. Mr. Temple stated the State signs were  
340 inferior in quality and lacked sufficient reflectivity. Mr. Temple stated he would work  
341 with DOT Region II to resolve the issue. Mr. Temple reported after a recent meeting  
342 regarding the FEMA grant application for mitigation he was conducting a rework of  
343 the Cost Benefit Analysis utilizing newly developed software preferred by FEMA.  
344

345 b) Punkin Schlarb, Finance Director reported 1099's for County vendors and W-2  
346 forms for tax reporting were prepared. Ms. Schlarb stated staff assisted NMAC  
347 conference attendees with registration, hotel accommodations, and other  
348 arrangements.  
349

350 c) Carl Palmer, Road Superintendent reported the extension request approved at  
351 the last Regular Meeting for CAP/COOP funding was approved by the State but work  
352 was delayed due to recent weather conditions. Mr. Palmer discussed the shortage  
353 of local salt suppliers but explained additional providers were available but with an  
354 associated cost increase.  
355

356 d) Billie Jo Guevara, Human Resources reported on new employee enrollments in  
357 various benefit programs.  
358

359 e) Joe Kenmore, Director of the Office of Emergency Services discussed the  
360 beneficial use of the SIMS table for demonstrations conducted during the FEMA  
361 grant Education and Outreach meetings. Mr. Kenmore stated OES also hosted a  
362 "Train the Trainer" emergency driving training session at the Copper Ridge facility  
363 with three County employees participating. Mr. Kenmore stated his office was  
364 working to develop the new Risk Awareness Program for the year. Mr. Kenmore  
365 discussed the benefit to the County of having a number of staff who were previously  
366 trained and qualified as a Type 4 response team for Emergency Situations.  
367

368 **14. Approval of Lease Agreement with ZOZO Properties for the District Attorney's**  
369 **Office Space**  
370

371 Ms. Taylor reminded of the approval during the previous Regular Meeting to begin the  
372 remediation and renovation of the Annex Building. Ms. Taylor stated the work necessitated the  
373 temporary relocation of the District Attorney's office and other County offices. Ms. Taylor stated  
374 the Commissioners deferred the matter of leasing additional space or conducting additional  
375 renovation to meet the needs of the District Attorney until the new Commissioners were installed  
376 in January of this year.  
377

378 Ms. Taylor anticipated the renovation of the Annex building would take three to four months.  
379 Ms. Taylor stated the Cooperative Extension Services offices and other County employees were  
380 relocated to existing County facilities but the District Attorney did not currently have office space  
381 in Carrizozo. Ms. Taylor stated adequate space was located in the NRCS building on 13<sup>th</sup>  
382 Street in Carrizozo for a lease cost of \$1,775.05 per month.  
383

384 **Motion:** Authorize the Manager to enter into a lease agreement for space in the NRCS building,  
385 **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.  
386

387 Diana Martwick, 12<sup>th</sup> Judicial District Attorney informed the Public Defender planned to open an  
388 office in Ruidoso. Ms. Martwick clarified the District Attorney's office had not agreed to  
389 eventually return to the upper level of the Annex building due to the stairs and the lack of  
390 consistent internet service. Ms. Martwick suggested the space presented to lease was  
391 insufficient but remarked it was "better than no space at all in Carrizozo". Ms. Martwick  
392 reminded the County was required to provide space for the District Attorney pursuant to NM  
393 State Statute.  
394

395 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
396

397 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
398 Commissioner Draper.  
399

400 **20. Consideration/action on Lincoln County State Audit Report**

401 Ms. Taylor stated the County received an exit conference with auditors on November 6, 2014  
402 and the audit report was submitted to the NM State Auditor on November 17, 2014, meeting the  
403 required deadline. Ms. Taylor reminded once the State Auditor provided notice the audit  
404 becomes a public document within five days at which time the audit is also released to the NM  
405 Department of Finance and Administration and the Legislative Finance Committee. Ms. Taylor  
406 further reminded of the requirement to present the audit at a public meeting.  
407

408 Alan Bowers, CPA and Supervisor for the Accounting & Consulting Group, LLP presented a  
409 summary of audit findings telephonically due to weather conditions. Mr. Bowers noted the  
410 "Type of Auditors' Report Issued" was "Unmodified". Mr. Bowers stated the unmodified opinion  
411 was a positive one and represented the fact that financial statements complied with applicable  
412 financial reporting requirements.  
413

414 Mr. Bowers stated Lincoln County corrected three of the prior year's findings and discussed  
415 actions and changes by the County to address other audit findings. Mr. Bowers commented on  
416 additional audit requirements anticipated for 2015 including a requirement to report as an  
417 unfunded liability the County portion of Public Employee Retirement Association (PERA).  
418

419 **Motion:** Approve the Audit as presented by the Accounting and Consulting Group, LLP. **Action:**  
420 Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

422 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
423 Commissioner Draper.  
424

425 **18. Status and danger of the operation of El Capitan PMI mining company. - Lee**  
426 **Arnone**  
427

428 Lee Arnone, resident of Lincoln County provided a detailed history of the last eleven years of  
429 actions related to the El Capitan Mine. Mr. Arnone discussed the company's activities in 2006  
430 or 2007 which led to an investigation by the US Forest Service and the NM Department of  
431 Minerals. Mr. Arnone noted the investigating agencies directed the company to cease activity  
432 on public lands and also levied fines. Mr. Arnone stated the actions of the mining company led  
433 to a citizens group retaining legal counsel and eventually to the adoption by the Board of County  
434 Commissioners of Ordinance 2009-01.  
435

436 Mr. Arnone reported in July of 2014 residents of the area near the mine received a letter  
437 announcing El Capitan Mining Company's intent to apply for an air quality permit to the State of  
438 NM. Mr. Arnone noted the proposed area of activity, including heavy equipment noise and  
439 frequent truck traffic, was less than one mile from existing homes. Mr. Arnone discussed the  
440 potential impact of mining activity on nearby property values and the local water supply. Mr.  
441 Arnone contended by altering the definition of the "scope" of activities the company was  
442 avoiding the requirement to conduct an Environmental Impact Study.  
443

444 On behalf of the nearby residents, Mr. Arnone requested the Commissioners review the Mining  
445 Ordinance and provide an equitable solution to the problems.  
446

447 Ms. Kathleen Phillips-Hellman of Capitan voiced concerns about potential damage to County  
448 roads from heavy truck traffic.  
449

450 Attorney Morel explained the process by which Lincoln County adopted Ordinance 2009-01 to  
451 help regulate mining in the County. Mr. Morel reminded there was both a Federal Mining Act

452 and State of NM Mining Regulations in place and stated the County Ordinance was necessarily  
453 narrow to avoid overstepping those regulations. Mr. Morel explained the original permit for the  
454 El Capitan Mine was issued prior to enactment of the Ordinance and therefore the County  
455 Ordinance was not retroactively enforceable. Attorney Morel stated he and the County Manager  
456 planned to meet with staff from the NM Department of Mining and Minerals to review the nature  
457 and timing of the original permit.  
458

459 Chair Stone recessed the Regular Meeting at 10:59:09 AM and reconvened at 11:13:55 PM.  
460

461 **17. Water issues/Forest/Wildlife Health Programs/Land and Natural Resources**  
462 **Advisory Committee (LANRAC)**  
463

464 **Water Rights Notices:** Ms. Taylor reported no new water right applications were posted to the  
465 State Engineer's website.  
466

467 **Hazard Mitigation Grant Program:** Ms. Taylor reported on the efforts associated with the  
468 Education and Outreach Grant funded by FEMA including community meetings schedule  
469 monthly through April 2015. Ms. Taylor reminded these efforts were associated with the larger  
470 grant application to FEMA for funding of actual thinning projects  
471

472 **Land and Natural Resources Advisory Committee (LANRAC)** – Ms. Taylor discussed the  
473 past history of this committee and presented a request from the public and committee members  
474 for the Board of Commissioners to rely more on this committee for information and advice  
475 related to land and natural resource issues.  
476

477 **South Central Mountain – RC and D Rural Forester** - Rick Merrick, Rural Community  
478 Forester reported on various grant activities related to forest health in the County. Mr. Merrick  
479 commented on the benefits of thinning and reminded of the economic benefits of utilizing grant  
480 funding to employee local contractors. Mr. Merrick discussed the ongoing need for public  
481 outreach and education as effects of the Little Bear Fire fade from the forefront.  
482

483 Commissioner Draper questioned if the County might utilized FEMA funds for Education and  
484 Outreach to purchase notification signage for placement on the Billy Kid Scenic Byway. Ms.  
485 Taylor stated she would review the request with the NM Department of Homeland Security to  
486 determine if this was an appropriate use of funding. Mr. Merrick expressed support for the  
487 concept of a digital sign to provide information on the East Side of the County.  
488

489 **19. Community Development Block Grant (CDBG) Annual Requirements**  
490

- 491 1. Resolution 2014-32 CDBG Policies & Certifications  
492 2. Citizen Participation Plan  
493 3. Fair Housing Resolution/Fair Housing Self-Assessment  
494 4. Section 3 Plan  
495 5. Residential Anti-displacement and Relocation Assistance Plan  
496 6. Resolution 2014-31 Purchasing Policy amending Resolution 2013-18 Purchasing  
497 Policy  
498

499 Ms. Taylor explained as a recipient of CDBG block grants the County was subject to several  
500 requirements including the annual re-adoption of the Purchasing policies affirming that New  
501 Mexico Procurement and Purchasing laws were followed or exceeded.  
502

503 **Motion:** Adopt Resolution 2014-31 and Resolution 2014-32, **Action:** Adopt, **Moved by**  
504 Commissioner Stewart, **Seconded by** Commissioner Willard.

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

506 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
507 Commissioner Draper.

508  
509 **SEE EXHIBIT C:** Copies of Resolution 2014-31 and Resolution 2014-32 are attached hereto in  
510 reference thereto made a part hereof.

511  
512 **22. Authorization to Schedule Public Hearing to Consider Other Outdated or New**  
513 **Lincoln County Ordinance**

514  
515 Commissioner Stewart requested a review of the IHC Ordinance in the near future for potential  
516 adjustments to the approved expenditure of funds. Commissioner Stewart suggested a Public  
517 Hearing be scheduled in March for a formal review of the Ordinance.

518  
519 Chair Stone recessed the Regular Meeting at 11:57:18 PM and reconvened at 12:55:50 PM.

520  
521 Chair Stone recessed the Regular Meeting and convened the Public Hearing at 1:09:10 PM.

522  
523 **21. 1:00 P.M.: Public Hearing to consider the following Ordinances:**

- 524  
525 a) Consideration of the adoption of an ordinance providing a low income tax rebate  
526 pursuant to NMSA 7-2-14.3G on a County by County option basis.

527  
528 Attorney Morel informed the County was required by State Statute to hold a public hearing to  
529 consider adoption of an ordinance providing for a low income tax rebate. Attorney Morel  
530 reminded Lincoln County considered adoption of an ordinance as required in prior years and  
531 had declined to adopt an Ordinance for this rebate. Attorney Morel stated should the County  
532 adopt an Ordinance to provide a rebate to low income residents, the County would assume the  
533 tax liability to offset any approved rebates.

534  
535 Paul Baca, Assessor noted this rebate was separate from and not the same as the County's low  
536 income property tax exemption. Mr. Baca stated he contacted Santa Fe County regarding the  
537 impact of this particular rebate and reported the cost to Santa Fe County this last year was  
538 approximately \$500,000.

539  
540 Commissioner Willard questioned the terms of the County's low income property tax exemption.  
541 Mr. Baca clarified residents of Lincoln County aged 65 and over, or disabled, with an income of  
542 less than \$22,000 per year could apply for an exemption. Mr. Baca stated if approved the  
543 Assessor's office would freeze the assessed value for that particular property. Mr. Baca stated  
544 there were approximately 75 of these County exemptions.

545  
546 Chair Stone requested additional public comment and receiving none recessed the Public  
547 Hearing and reconvened the Regular Meeting at 1:05:00 PM.

548  
549 **Motion:** Decline to adopt ordinance providing a low income tax rebate, **Action:** Approve,  
550 **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

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

552 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
553 Commissioner Draper.

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**23. Consideration of Appointments and Removals from Boards/Commissioners/ Committees:**

a) **Tabled-Senior Citizens Olympic Committee**

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

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

**Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard, Commissioner Draper.

**Motion:** Reappoint Lucy Servies to the Senior Citizens Olympic Committee, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Allen.

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

**Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard, Commissioner Draper.

b) **Coalition of Counties**

**Motion:** Appoint Chair Stone as County Member for the Coalition of Counties and appoint County Manager Taylor as the Alternate, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.

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

**Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard, Commissioner Draper.

c) **Cooperative Weed Management**

**Motion:** Appoint Commissioner Willard as County Member for the Cooperative Weed Management Counsel and Commissioner Allen as the Alternate, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Stewart.

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

**Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard, Commissioner Draper.

d) **Chaves County Community Action Program**

**Motion:** Appoint Chair Stone as County Member for the Chaves County Community Action Program, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Allen.

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

**Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard, Commissioner Draper.

e) **Joint Municipal-County Zoning Authority – City of Ruidoso Downs**

No action was taken.

f) **Interstate Stream Commission**

605 **Motion:** Appoint Chair Stone as County Member for the Interstate Stream Commission, **Action:**  
606 Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Stewart.  
607 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
608 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
609 Commissioner Draper.

610  
611 g) Land and Natural Resources Advisory Committee  
612

613 **Motion:** Reappoint Bob Johnson to the Land and Natural Resources Advisory Committee,  
614 **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Chair Stone.  
615 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
616 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
617 Commissioner Draper.

618  
619 **Motion:** Reappoint Duane Frost to the Land and Natural Resources Advisory Committee,  
620 **Action:** Approve, **Moved by** Chair Stone, **Seconded by** Commissioner Stewart.  
621 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
622 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
623 Commissioner Draper.

624  
625 h) Lincoln Historic Preservation Board  
626

627 **Motion:** Appoint Lee Abbot as the District 2 Member for the Lincoln Historic Preservation Board,  
628 **Action:** Approve, **Moved by** Commissioner Allen, **Seconded by** Commissioner Draper.  
629 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
630 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
631 Commissioner Draper.

632  
633 i) New Mexico County Insurance Authority – Worker's Compensation  
634

635 **Motion:** Appoint Commissioner Stewart as the County Member for the NM County Insurance  
636 Authority Worker's Compensation Board, **Action:** Approve, **Moved by** Chair Stone, **Seconded**  
637 **by** Commissioner Draper.  
638 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
639 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
640 Commissioner Draper.

641  
642 **Motion:** Appoint Manager Taylor as the County Alternate to the NM County Insurance Authority  
643 Worker's Compensation Board, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded**  
644 **by** Commissioner Stewart.  
645 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
646 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
647 Commissioner Draper.

648  
649 j) New Mexico County Insurance Authority – Multi-line Pool  
650

651 **Motion:** Appoint Commissioner Draper as County Member to the NM County Insurance  
652 Authority Multi-line Pool Board, **Action:** Approve, **Moved by** Chair Stone, **Seconded by**  
653 Commissioner Allen.  
654 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

655 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
656 Commissioner Draper.

657  
658 **Motion:** Commissioner Stewart as the County Alternate to the NM County Insurance Authority  
659 Multi-line Pool Board, **Action:** Approve, **Moved by** Chair Stone, **Seconded by** Commissioner  
660 Draper.

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

662 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
663 Commissioner Draper.

664

665 k) Planning Commission – Member-at Large

666

667 **Motion:** Reappoint Karyl Williams as a Member at Large to the Planning Commission, **Action:**  
668 Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Stewart.

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

670 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
671 Commissioner Draper.

672

673 **Motion:** Appoint AnnElla Hatter as a Member at Large to the Planning Commission, **Action:**  
674 Approve, **Moved by** Commissioner Willard, **Seconded by** Chair Stone.

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

676 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
677 Commissioner Draper.

678

679 l) Road Review Advisory Committee

680

681 **Motion:** Reappoint J. Bryan White as the District 4 Member for the Road Review Advisory  
682 Committee, **Action:** Adjourn, **Moved by** Commissioner Willard, **Seconded by** Commissioner  
683 Draper.

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

685 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
686 Commissioner Draper.

687

688 m) Southeastern New Mexico Economic Development District (SNMEDD)

689

690 **Motion:** Reappoint Commissioner Draper as the County Member for SNMEDD, **Action:**  
691 Approve, **Moved by** Chair Stone, **Seconded by** Commissioner Stewart.

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

693 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
694 Commissioner Draper.

695

696 **Motion:** Appoint Commissioner Willard as the County Alternate for SNMEDD, **Action:** Approve,  
697 **Moved by** Chair Stone, **Seconded by** Commissioner Allen.

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

699 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
700 Commissioner Draper.

701

702 n) Solid Waste Authority

703

704 **Motion:** Appoint Commissioner Stewart as a County Member for the Solid Waste Authority,  
705 **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Willard.

706 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
707 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
708 Commissioner Draper.

709  
710 o) Eastern Area Workforce Development  
711

712 **Motion:** Table the item, **Action:** Approve, **Moved by** Chair Stone, **Seconded by** Commissioner  
713 Willard.

714 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
715 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
716 Commissioner Draper.

717  
718 **24. Consideration / Action on Resolution 2014-33: Midyear Budget Adjustments**  
719

720 Ms. Taylor presented the requests for line item adjustments and three additional requests  
721 including: a 3% cost of living increase for all employees; a request from the Road Department  
722 for two additional rollers for \$44,464; and a request from the Assessor to change a part-time  
723 Appraiser position to full time.

724  
725 Ms. Taylor also discussed the remediation and renovation of the Annex Building and reminded  
726 the related expense was previously approved and encumbered for a total authorization of  
727 \$270,000.

728  
729 Ms. Taylor noted the remaining line item adjustments were proposed to accommodate the  
730 normal course of business within County Departments.  
731

732 Ms. Taylor discussed the cost and budget implications of the requested 3% COLA salary  
733 increase. Ms. Taylor reminded the budget process in Lincoln County was conservative with a  
734 very conservative anticipation of revenues and an over-estimation of expenses. Ms. Taylor  
735 stated staff including the Financial Director and the Treasurer's Department believed the current  
736 budget would accommodate the cost-of-living increase for employees.

737  
738 Commissioner Stewart expressed concerns about budgeted expenses exceeding revenues and  
739 the impact of increasing operational expenses over the next few years.

740  
741 Paul Baca, Assessor informed property valuation in the County had increased this year by  
742 approximately \$31 million dollars and opined the increase would provide additional revenue.  
743 Beverly Calaway, Treasurer and Rhonda Burrows, County Clerk expressed support for a 3%  
744 COLA increase for employees.

745  
746 Commissioner Willard requested the County Manager provide an analysis of revenues and  
747 expenses over the past several years.

748  
749 **Motion:** Approve the budget adjustments as recommended by the County Manager, **Action:**  
750 Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Draper.

751  
752 Commissioner Stewart reminded salary increases were a reoccurring expense.  
753

754 **Vote:** Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).  
755 **Yes:** Chair Stone, Commissioner Allen, Commissioner Willard, Commissioner Draper.  
756 **No:** Commissioner Stewart.

757  
758 **25. Consideration / Action to Transfer Obsolete Communications Tower to the Town**  
759 **of Carrizozo**  
760

761 Attorney Morel explained an obsolete communications tower with a current estimated value of  
762 \$917 was recently removed and replaced. Attorney Morel relayed a request from the Town of  
763 Carrizozo to obtain the tower and provided supporting statute reference for the deletion of  
764 inventory under \$5000 and of no use other than scrap metal.  
765

766 **Motion:** Transfer possession of obsolete tower to the Town of Carrizozo, **Action:** Approve,  
767 **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

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

769 **Yes:** Chair Stone, Commissioner Allen, Commissioner Draper, Commissioner Stewart,  
770 Commissioner Willard.  
771

772 **26. Executive Session Pursuant to the Open Meetings Act: Discussion of all**  
773 **Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7); and**  
774 **Discussion of the purchase, acquisition or disposal of real property or water**  
775 **rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).**  
776

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

781 **New or Updated Matters since last report =**  
782

783 1. *Cooper, Gale and DeBaca County News v. County of Lincoln, Sheriff of Lincoln County,*  
784 *et al.* D-1329-CV-200701364. Suit filed: October 15, 2007. Verified Complaint for Declaratory  
785 Judgment Ordering Production of Certain Records and Information. Hearing took place Dec. 18,  
786 2013, and Conclusion of Law/Order was filed May 15, 2014 entered in favor of Ms. Cooper. Ms.  
787 Cooper filed an appeal June 10, 2014, and Judge John F. Davis was assigned Aug. 3, 2014.

788 \*2. *Coble Constructors, LLC, et al v Carl Kelley Construction Ltd. Co, et al.* D-1226-CV-  
789 2012-00003. Suit filed January 15, 2012. Complaint to Foreclose Mechanic's Lien. Motion for  
790 Summary Judgment filed Jan. 29, 2014. Motion for Grant of Summary Judgment filed July 18,  
791 2014. Judgment, Decree of Foreclosure, Order of Sale filed Dec. 16, 2014. Master Sale is  
792 scheduled for Feb. 2, 2015.

793 \*3. *J. Robert Beauvais and Greentree Solid Waste Authority v. Judge Jerry Ritter and the*  
794 *County of Lincoln in the State of New Mexico Supreme Court No. 35,053:* Verified Emergency  
795 Petition for Writ of Prohibition; Alternatively, Superintending Control; Request for Stay received  
796 Dec. 24, 2014 and Order Denying Writ of Prohibition filed by the Supreme Court Dec. 24, 2014.  
797 GSWA filed its Motion for Clarification Jan. 6, 2015.

798 \*4. *Greentree Solid Waste Authority v. Lincoln County D-1226-CV-2014-00095.* Suit filed  
799 May 1, 2014 Verified Petition for Declaratory and Supplemental Relief: Injunction, Motion to  
800 Waive Time to Reassign District Judge (Judge Karen Parsons was disqualified). County was  
801 served May 14, 2014. Mr. Paul Melendres has been retained by the County and filed Answer,  
802 Motion to Disqualify Mr. Beauvais and Change of Venue. Motion to Join the New Mexico  
803 Finance Authority as an Indispensable Party filed July 22, 2014. GSWA filed its Motion for  
804 Summary Judgment on Sept. 26, 2014. County filed its Response to GSWA's Motion for  
805 Summary Judgment on Oct. 13, 2014. Scheduling Conference and Hearing on All Pending  
806 Motions was Nov. 20 both with Judge Ritter, who found Mr. Beauvais had a conflict of interest

807 and was disqualified from representing GSWA. Stipulated Partial Dismissal was entered and  
808 GSWA's Motion to Reconsider was filed Dec. 5, 2014. GSWA has retained Robert Doughty as  
809 new counsel, who filed a Limited Entry of Appearance Dec. 13, 2014. Preliminary Injunction  
810 Hearing was scheduled Dec. 17, 2014 with Judge Ritter. Lincoln County's Response to  
811 Plaintiff's Motion to Reconsider was filed Dec. 19, 2014. GSWA filed its Reply of the Motion to  
812 Reconsider Jan. 5, 2015.

813 5. *Greentree Solid Waste Authority v. Lincoln County, et. al. D-0101-CV-2013-00104.* Suit  
814 filed January 9, 2013. Petition for Declaratory Judgment; Preliminary and Permanent Injunction.  
815 Mr. Beauvais filed an appeal Feb. 27, 2014. Ruling on Reconsidering Stay denied by Judge  
816 Singleton June 11, 2014. GSWA's Brief in Chief filed Sept. 9, 2014. Record Proper was filed  
817 Sept. 25, 2014. Alto Lakes Water and Sanitation District's and Lincoln County's Joint Response  
818 Brief was filed with the Court of Appeals Oct. 24, 2014. GSWA filed its Reply Brief Dec. 1, 2014.

819 6. *Barbara Diane Latham, et al v. Neal Cox, Ben Hazen, Lincoln County Sheriff's*  
820 *Department and the County of Lincoln. D-1226-CV-2013-00191 to Federal No: 2:13-CV-00822-*  
821 *RB-SMV.* Suit filed July 19, 2013. Complaint for Violation of Civil Rights, Wrongful Death and  
822 Damages by Attorney Gary Mitchell. Tort Claim Notice was filed on October 27, 2011. LCSO  
823 and LC Manager were served on August 5, 2013. Advised NMAC assigned the case to  
824 Brennan and Sullivan Law Firm Sept. 5, 2013. Case was moved to Federal Court August 30,  
825 2013. Plaintiffs and Defendants Agreed Motion to Modify Scheduling Order filed Aug. 5, 2014.  
826 Motion for Qualified Immunity still pending as of Oct. 4, 2014. Ms. Latham filed a new action in  
827 federal court against Village of Capitan and Police Officer Kevin Kennedy filed July 25, 2014.  
828 The court Sua Sponte consolidated both cases via Order from Judge Brack filed Sept. 29, 2014.  
829 The trial date has been vacated until further notice in an order entered by Judge Brack on Nov.  
830 5, 2014.

831 7. *Bank of America, N.A. v. Howard D. Schafer, et. al. (County of Lincoln through LCSWA)*  
832 *D-1226-CV2014-00162* County was served Sept. 2, 2014. Complaint for Foreclosure filed Aug.  
833 19, 2014 Lincoln County filed an Alarm Ordinance Lien and a LCSWA Lien. Mr. Morel entered  
834 his appearance on behalf of the County Sept. 23, 2014. Disclaimer of Interest has been filed by  
835 Lincoln County.

836 8. *Water Rights Protests: New Mexico State Engineer Hearing Numbers: 14-039 and 14-*  
837 *041.* Protests of Applications 01300-1, 01300-2, 01300-3, 0826-2 into 0275 et. al. and H-272 et  
838 al (T) and H-50-1 into H-272 et. al. (T) filed July 15, 2013 pertaining to movement / transfer of  
839 water rights from the Hondo Valley to the Village of Ruidoso and the City of Ruidoso Downs.  
840 Docketing Order filed Sept. 18, 2014. Kelly Cassels/Sanders, Bruin, Coll & Worley, P.A. has  
841 been retained by the County, entered his appearance Sept. 22, 2014 and has responded in  
842 behalf of the County.

843 9. *Wesmax, Ltd. V. Paul Baca, Lincoln County Assessor D-1226-CV-201400188* Appeal of  
844 the Final Order from Lincoln County Valuation Protest Board. Appeal filed Oct. 8, 2014. Case  
845 assigned to Basham & Basham/Dwyer. Record of Appeal and Transcript of Proceedings was  
846 filed Oct. 23, 2014.

#### Tort Claims Notices Received or Threatened

##### 2015

850 **Cherry, Doris** – Tort Claim Notice posted in Lincoln County News Jan. 1, 2015 stating  
851 possible Civil Rights Violation lawsuits regarding alleged Americans with Disabilities Act non-  
852 compliance in remodeling the Lincoln County Courthouse buildings.

##### 2014

854 **Ramos, Aaron** – Tort Claim Notice received from Mr. Ramos March 18, 2014 alleging  
855 his rights were violated during incarceration at Lincoln County Detention Center. Mr. Ramos  
856 alleges damages by not being granted detainee to detainee correspondence.

857 **Millerden, Kenneth and Anita** – Tort Claim Notice received May 9, 2014 alleging  
858 negligence from staff at Lincoln County Medical Center during prepartum care for their infant  
859 son.

860 **Ogden, John D** – Tort Claim Notice received May 26, 2014 alleging mistreatment while  
861 incarcerated at LCDC on March 11, 2014.

862 **Rounds, Christopher** – Tort Claim Notice received June 4, 2014 alleging being held in  
863 LCDC without being advised of his charges.

864 **Herbert, Crystal** – Tort Claim Notice received June 23, 2014 alleging false  
865 imprisonment, due process violations, unlawful detention of a minor, emotional distress.

866 **Class Action** – Tort Claim Notice received June 23, 2014 alleging false imprisonment,  
867 false arrest, deprivation of rights at LCDC that arise with Immigration and Customs Enforcement  
868 charges.

869 **Atwell, Stacey** – Tort Claim Notice received June 25, 2014 alleging unlawful seizure of  
870 her two minor children during a request for a deputy to assist in keeping the peace.

871 **McGarry, Sean** – Tort Claim Notice received July 25, 2014 alleging wrongful arrest,  
872 false imprisonment, malicious prosecution, intentional or negligent infliction of emotional  
873 distress, abuse of process, wrongful termination and retaliatory discharge regarding discharge  
874 from the Capitan Police Department.

875 **Ramos, Aaron** – Tort Claim Notice received August 7, 2014 alleging lack of Due  
876 Process for inmates at LCDC.

877 **Lambert, David and Bonnie** – Tort Claim Notice received Sept. 8, 2014 by attorney W.  
878 Chris Nedbalek alleging damage to Lambert property due to Mr. Rodney Bunsen using his own  
879 equipment to alter a platted County right of way without the authorization or knowledge of the  
880 County.

881 **Rider, Edward Allen and Moorhead, Brennon** – Tort Claim Notice received Oct. 20,  
882 2014 by attorney W. Chris Nedbalek alleging Lincoln County Narcotics Enforcement Unit  
883 officers destroyed items in a home.

884 **Caughron, Brittany and Anderson, Amie** – Tort Claim Notice received Oct. 24, 2014  
885 by attorney W. Chris Nedbalek alleging overcrowding of Lincoln County Detention Center as a  
886 violation of 8<sup>th</sup> Amendment Rights.

887 **Ryen, Allen** – Tort Claim Notice received Oct. 27, 2014 by attorney W. Chris Nedbalek  
888 alleging Mr. Ryen was exposed to unsanitary conditions at Lincoln County Detention Center.

889 **Inmate Group** – Tort Claim Notice received Oct. 27, 2014 by attorney W. Chris  
890 Nedbalek alleging overcrowding and unsanitary conditions at Lincoln County Detention Center.

891 **McMurray, Cody** – Tort Claim Notice received Nov. 6, 2014 by attorney W. Chris  
892 Nedbalek alleging lack of adequate medical care at Lincoln County Detention Center.

893 **Caughron, Brittany and Anderson, Amie** – Tort Claim Notice received Nov. 14, 2014  
894 by attorney W. Chris Nedbalek alleging inadequate medical care and overcrowding at Lincoln  
895 County Detention Center.

896 **Inmate Group** – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris  
897 Nedbalek alleging overcrowding and unsanitary conditions at Lincoln County Detention Center.

898 **Long, Cameron** – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris  
899 Nedbalek alleging mistreatment by an Officer with Adult Probation and Parole.

900 **McClarnon, Brian** – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris  
901 Nedbalek alleging violations of U.S. Constitutional Amendment rights.

902 **Diana Martwick, 12<sup>th</sup> Judicial District Attorney** – Tort Claim Notice received Nov. 25,  
903 2014 alleging lack of adequate office space provided by the County of Lincoln.

904 **\*Inmate Group** – Tort Claim Notice received Dec. Dec. 22, 2014 by attorney W. Chris  
905 Nedbalek alleging inmates were mistreated at Lincoln County Detention Center.

906  
907 **2013**

908 **Allen, Katherine Elizabeth-** Notice of Tort Claim received Sept. 12, 2013 from  
909 Katherine Allen against Lincoln County Detention Center for alleged injuries sustained during  
910 transport.

911 **Borrego, Albert** - Tort Claim Notice received from attorney Gary Mitchell on June 14,  
912 2013, alleging continued harassment to Albert G. Borrego by police while responding to a noise  
913 complaint at Mr. Borrego's residence on February 28, 2013, and a separate incident resulting in  
914 Mr. Borrego's arrest on March 5, 2013, due to an outstanding warrant, during which Mr. Borrego  
915 allegedly sustained injuries while in custody due to an existing broken back injury. Claim has  
916 been denied by NMAC.

917 **Espinoza, Robert-**Tort Claim Notice received from Robert Espinoza on June 4, 2013,  
918 alleging property damage from vehicle accident while Linda Mullins, driving the LC Senior  
919 Center meal delivery van ran off road hitting chain link fence, poles and railroad ties.

920 **Harrisburg Documents-** Attempts to recover Lincoln County documents illegally taken  
921 from the county. County Clerk Rhonda Burrows has been in contact with Harrisburg, PA in  
922 recovery efforts.

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

926 **Ramos, Aaron** - Tort Claim Notice received by attorney Robert J. Beauvais on April 18,  
927 2013, (correspondence dated September 13, 2011) alleging concerns about Mr. Ramos' safety  
928 and welfare and violation of his U.S. Constitutional rights.

929 **Silva, Elmo** -Tort Claim Notice received from attorney Richard Marquez November 6,  
930 2013. Alleges false imprisonment for Mr. Silva who was sentenced in the 12<sup>th</sup> Judicial District  
931 Court to 38 years filed on July 3, 1990.

932  
933 **Action:** Approve. **Moved by** Commissioner Draper. **Seconded by** Commissioner Willard.

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

935 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
936 Commissioner Draper.

937  
938 Chair Stone recessed the Regular Meeting and convened the Closed Session at 1:51:35 PM.

939  
940 Chair Stone adjourned the Closed Session and reconvened the Regular Meeting at 2:57:09 PM.

941  
942 Commissioner Draper attested that matters discussed in the closed meeting were limited to  
943 those specified in the motion for closure or in the notice of separate closed meeting

944  
945 **27. Potential Action regarding Case No. D-1126-CV-2014-00095**

946  
947 **28. Signing of Official Documents**

948  
949 **29. Next meetings:**

950  
951 February 17, 2015 - Regular Commission Meeting

952  
953 **20. Adjourn**

954  
955 There being no further business to come before the Board of County Commissioners, Chair  
956 Stone adjourned the meeting at 2:57:46 PM.

957

958 Respectfully submitted by,  
959 Rhonda B. Burrows  
960 Lincoln County Clerk

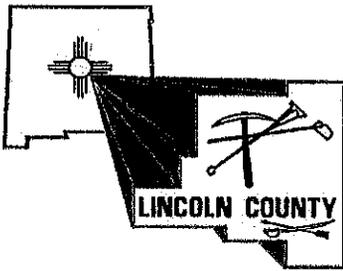
**DRAFT**

## **Agenda Item 7**

### **SUBJECT**

Approval of Consent Agenda:

- a. Payroll/Accounts Payable/Budget/Expenditures
- b. Treasurer's Financial Report for the Month ending January 31, 2015
- c. Comprehensive Community DWI Prevention Program



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# County of Lincoln

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## 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 January 1 through January 31, 2015 in the amount of \$1,669,423.89.

**NOW, THEREFORE**, the above bills are hereby approved.

**ADOPTED, PASSED AND SIGNED** the 17th day of February 2015.

### BOARD OF COMMISSIONERS LINCOLN COUNTY, NEW MEXICO

\_\_\_\_\_  
Preston Stone, Chairman

\_\_\_\_\_  
Dallas Draper, Vice-Chairman

\_\_\_\_\_  
Elaine Allen, Member

\_\_\_\_\_  
Dr. Lynn Willard, Member

\_\_\_\_\_  
Thomas F Stewart, Member

ATTEST:

\_\_\_\_\_  
Rhonda B Burrows, County Clerk

**MEMORANDUM OF AGREEMENT**

This comprehensive Community DWI Prevention Program is between the County of Lincoln and the Village of Ruidoso.

This agreement is effective on the May 1, 2015, but is not a valid and binding agreement until executed by all parties thereto. The parties agree as follow:

To file a joint application to the New Mexico State Highway and Transportation Department, Traffic Safety Bureau for funding of a comprehensive Community DWI Program that reflects an integrated approach to our mutual problem of driving while intoxicated.

The County of Lincoln and the Village of Ruidoso agree to combine our funds and resources in achieving a common goal of removing the DWI from the streets and highways of Lincoln County thus reducing our highway traffic accidents that are alcohol related.

We will establish a joint Task Force as provided for and described in the CDWI Program Manual.

The Village of Ruidoso agrees to be the fiscal agent to apply for the grant funds and The County of Lincoln and the Village of Ruidoso agree to this arrangement.

**There is no requirement for matching funds for this program funding.**

BY: \_\_\_\_\_

Date: \_\_\_\_\_

County Commission Chairperson  
Lincoln County, New Mexico

Attest:

BY: \_\_\_\_\_

Date: \_\_\_\_\_

Rhonda Burrows, Lincoln County Clerk

BY: \_\_\_\_\_

Date: \_\_\_\_\_

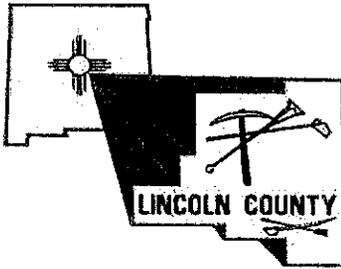
Tom Battin, Mayor  
Villager of Ruidoso

Attest:

BY: \_\_\_\_\_

Date: \_\_\_\_\_

Irma Devine, Clerk  
Village of Ruidoso



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# County of Lincoln

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## Agenda Item 8

February 11, 2015

### 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:**

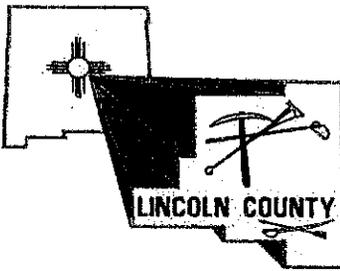
David Warnack is present to update Commissioners and the public on activities in the District. His briefing is at enclosure 1.

**Recommendation:** None – information only at this time.

**Smokey Bear RD, Lincoln National Forest, Briefing Paper for  
Lincoln County Commissioners Meeting  
February, 2015**

**Critical Updates**

- North Fork Eagle Creek Wells Special Use Authorization
  - The formal comment period for the Supplemental Draft Environmental Impact Statement ended on January 28, 2015.
  - We received 23 individual responses, with each response containing multiple comments. In total, we have over 280 distinct comments to analyze and respond to.
  - Our interdisciplinary team now has the task of analyzing all of the public comments in order to develop a formal response to those comments. The team, along with Forest Supervisor Travis Moseley, will then decide if and how to change the analysis based on the public comments received. After analyzing and responding to the public comments, and making any warranted changes to the analysis as a result of public comments, we will issue a Final Environmental Impact Statement (FEIS) and a draft Record of Decision (ROD). The FEIS and draft ROD will then be subject to a formal 45-day Objection Period, during which time stakeholders that submitted comments during the initial 45-day comment period will be able to formally object to specific elements of the FEIS and draft ROD. After the Objection Period closes, our Regional Office will help to evaluate the objections and has the option of setting up an objection resolution meeting with all objectors in order to attempt to find resolution to issues. After that interface, the Regional Office will issue a formal response to objections including instructions to the Lincoln National Forest on what needs to change in the FEIS or the draft ROD in response to the objections and the outcomes of the resolution meeting with objectors, if applicable.
  - Bottom line – there is still a lot of process to go before we get to the end of this complex project.
- Forest Plan Revision
  - The Lincoln National Forest is currently beginning a process to revise our Forest Plan, which was first published in 1987. The National Forest Management Act (NFMA) of 1976 requires every national forest or grassland managed by the Forest Service to develop and maintain an effective Land Management Plan (also known as a Forest Plan). Plainly speaking, the Forest Plan is a document that provides guidance for the management of all resources and activities on the forest – and our current plan is acutely out of date. Starting right now, we are embarking on a 4 year process of revising this plan.
  - This is going to be a very complex and very important endeavor – and I invite this Commission and the staff of Lincoln County to be an important part of it. I also invite the public – either as individuals or as organized groups, to get involved in this process. To kick things off, we will be hosting an initial meeting with the community on March 25 from 6-9pm in Ruidoso. More information about this meeting will be shared as we get closer to the date. This is only the first of many opportunities for people to be a part of this effort – but it's an important one because it will lay the foundation for how we are going to work together through this process. I hope to see you all there.



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## AGENDA Item No. 9

February 12, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** New Mexico Workforce Connection, Eastern Area

**Purpose:** To Consider Presentation by John Hemphill, Executive Director

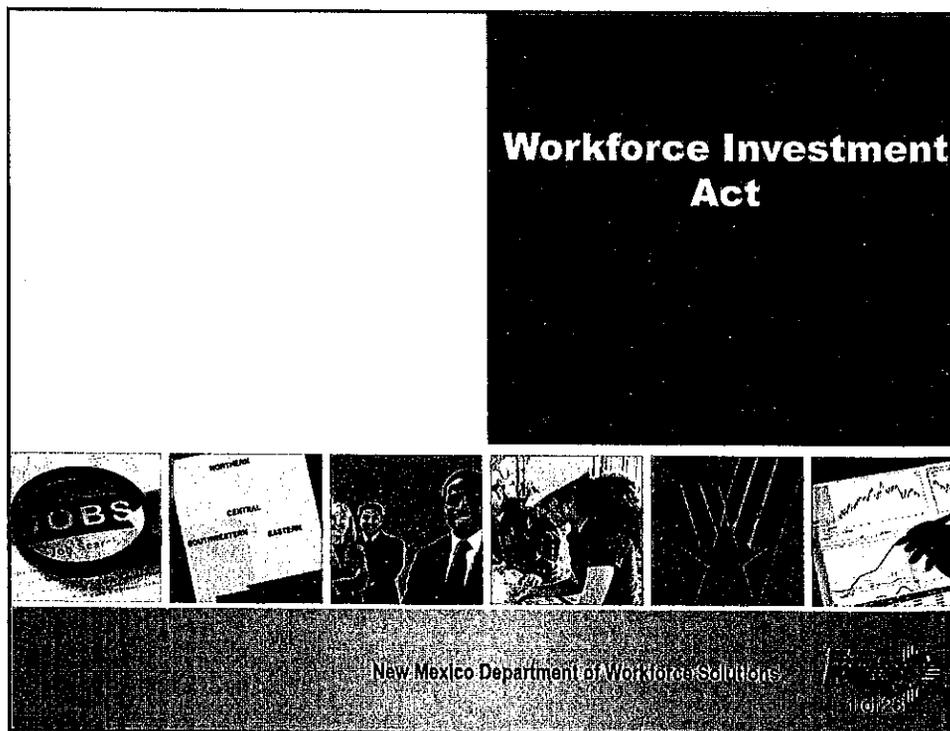
**Discussion:** The Workforce Investment Act of 1998 mandated a federally funded employment and training program. The New Mexico Workforce Investment Act – Local Governance was subsequently enacted into law. Mr. John Hemphill will provide information relating to the purpose of the Act and what it means to the State of New Mexico and the County of Lincoln.

See **Enclosure 1** for an Overview of the Workforce Investment Act, including definitions of the roles of the Chief Elected Officials and the Local Workforce Development Boards.

See **Enclosure 2** for 11.2.4 NMAC – Workforce Investment Act Local Governance.

Mr. Hemphill will be requesting Lincoln County participation and representation.

**Recommendation:** Consider recommended level of participation requested by Mr. Hemphill, and appoint membership accordingly.



**Workforce Investment Act**

**The Workforce Investment Act of 1998 (WIA) is a federally funded employment and training program.**

- **Purpose:**
  - Enhance **Business Productivity and Competitiveness**
  - Improve the **Employability** of Job Seekers
  - **Direct, Guide and Oversee** the Public Workforce System

The block has a dark header with the title "Workforce Investment Act". The main content is on a white background. At the bottom, there is a dark footer area with some small, illegible icons.

## Workforce Investment Act

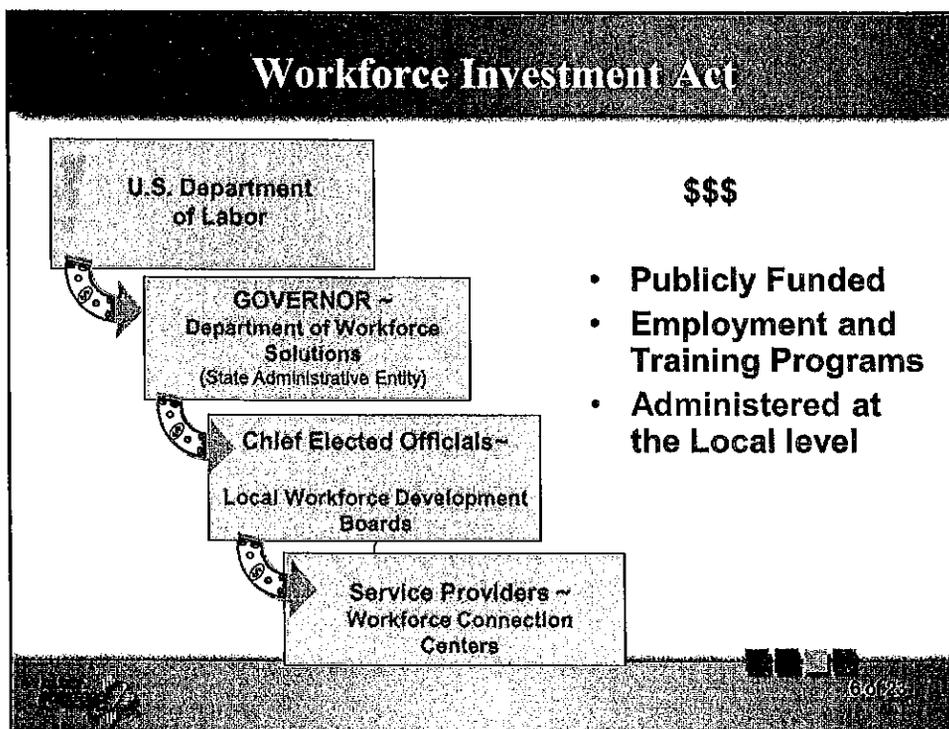
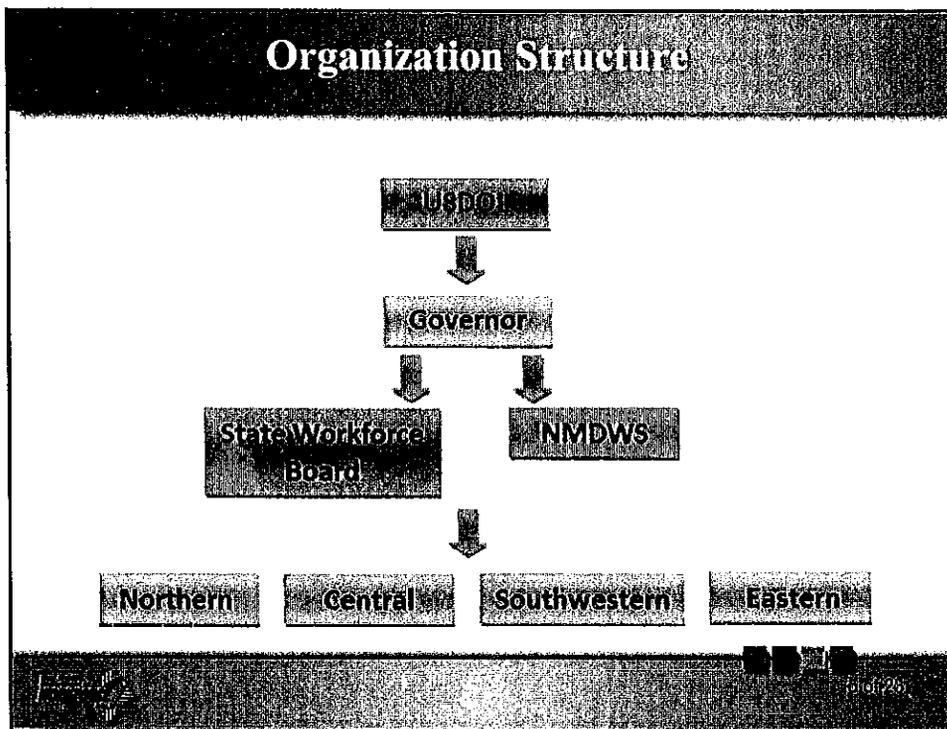
The Workforce Investment Act of 1998 reformed the publicly funded employment and training delivery system:

- **Streamline services** through the creation of a One-Stop Delivery System
- Provide **universal access** to employment-related services
- **Empower individuals** through access to information, service and training
- **Increase accountability** by instituting comprehensive performance measures

## Workforce Investment Act

The Workforce Investment Act incorporated the following:

- Authorized the nation's **One Stop** service delivery system
- Ensured a strong role for **Local Workforce Boards**
- Established a **formula** by which funds for Youth, Adult, and Dislocated Worker programs flow from the federal, through the states and to the local level
- Established **performance metrics**



## State and Local Elected Officials

### GOVERNOR:

- **Liabile for the funds** that flow into the state
- Designates a state department to serve as **State Administrative Entity** to receive and disperse the money; carry-out and oversee fiscal, administrative, and programmatic functions
- Appoints and serves on the **State Workforce Development Board** which provides the vision and direction for the public workforce system

7/01/28

## State Workforce Development Board Responsibilities

- **Vision and Direction:**
  - Develop strategies and initiatives for the workforce system based on the Governor's vision
  - Ensure the state plan and local plans are consistent with established vision
- **Evaluate and continuously improve** the state workforce system
- **Ensure coordination and non-duplication** among state workforce development programs and activities
- Assist in **negotiating state and local performance measures** and outcomes

## **Workforce Investment Act**

**The State Administrative Entity conducts the following consistent with the vision of the Governor and State Workforce Development Board:**

- Develop State Plan
- Develop policy
- Workforce system evaluation and continuous improvement
- Ensure coordination and non-duplication among programs
- Review local plans
- Negotiate performance measures
- Prepare the annual report
- Develop statewide employment statistics system
- Develop applications for incentive grants

9 of 26

## **Workforce Investment Act**

### **Chief Elected Officials**

- Local Grant Recipient
- Liable for local WIA grant funds
- Appoint Local Workforce Development Board Members
- Select a Fiscal Agent
- Approve Local Board Budget
- Develop a CEO Agreement- defining roles and responsibilities

10 of 26

## Workforce Investment Act

### Chief Elected Officials and Local Workforce Development Board:

- Appointment of a Youth Council
- Develop Local Plan
- Develop Local Board Policy
- Designate Workforce System Operator
- Negotiate local Performance Measures
- Monitoring and oversight

## Workforce Investment Act

### Local Board Membership

- Business representatives must comprise a majority of membership
- Board membership includes: education; organized labor; community based organizations; economic development; and the mandated one-stop partners
- Individuals can represent more than one category of membership
- Local Workforce Development Board chairperson must be a business representative
- Local Workforce Development Board chairperson is elected by the membership

## Workforce Investment Act

### Local Workforce Development Board Responsibilities:

- Develop Local Plans
- Select Adult, Dislocated Worker and Youth Providers
- Oversee service delivery
- Negotiate performance measures
- Assist with a statewide employment statistics system
- Coordinate WIA funded activities with economic development
- Promote the participation of private employers in the public workforce system

## Workforce Investment Act

### Service Delivery Structure

The cornerstone of the workforce investment system is the One-Stop Center service delivery structure.

Local Workforce Investment Boards plan and oversee One-Stop Centers. In New Mexico, the One-Stop Career Centers are referred to as **Workforce Connection Centers**.

### Features:

- Integration of programs, services and governance structures

## Workforce Investment Act

### Mandated One-Stop Partners:

- WIA Adult, Dislocated Worker, & Youth;
  - Wagner Peyser;
  - Adult Education & Literacy;
  - Postsecondary Vocational Education;
  - Vocational Rehabilitation;
  - Title V of the Older Americans Act;
  - Trade Adjustment Assistance;
  - Veterans Title 38 Employment and Training Programs;
  - Unemployment Insurance
- (Additionally, when present in the local area)
- Community Services Block Grant;
  - Housing and Urban Development Employment & Training;
  - Native American Programs;
  - Migrant & Seasonal Farmworker Programs;
  - Job Corps
  - Apprenticeship Organization

## Workforce Investment Act

### Service Delivery System

- The Workforce Investment Act mandated the transformation of a service delivery system that was characterized by fragmentation, duplication and frustration with a bureaucratic maze of programs and services.

### Transformation through:

- Integration
- Universal Access
- Customer Choice
- Performance driven
- Outcome-Based

## Workforce Investment Act

### System Transformation

#### Silos

- Every agency does its own thing independent of others

#### Integration

- Merging of many functions
- Historically, a sometimes hostile takeover by one partner over another

#### Seamless

- Maintain agency identity but work together to create a seamless approach to service delivery

## Workforce Investment Act

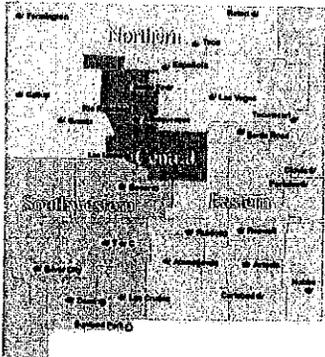
### One Stop Partner Requirements

- Each One Stop Partner must enter into a Memorandum of Understanding (MOU) with the local board
  - Services to be provided at the One-Stop Center
  - Cost of operating the system
  - Methods of referral of individuals between the One-Stop and the One-Stop partners
  - Duration of the MOU, and procedures for amending the MOU

## Workforce Investment Act

**Four local boards:**

- Northern
- Central
- Eastern
- Southwest



● NM Workforce Connection Centers  
 ○ NM Workforce Connection Office (Invariant Service)  
 ■ Central Area Workforce Development Board  
 □ Eastern Area Workforce Development Board  
 ▨ Northern Area Workforce Development Board  
 ▩ Southwestern Area Workforce Development Board

## Workforce Investment Act

**One-Stop Services**

WIA provides for three levels of services:

- Core Services
- Intensive Services
- Training Services

More extensive levels of services are provided based on the need of individual to obtain or retain employment.

## Workforce Investment Act

### Examples of Core Services:

- Outreach, intake and orientation to the One-Stop Center
- Initial assessment
- Job search and placement assistance and career counseling
- Labor market information
- Information on:
  - Eligible training providers
  - Local performance outcomes
  - Activities at the One-Stop Center
  - Filing claims for unemployment insurance
  - Supportive services
- Assistance in establishing eligibility for financial aid assistance
- Follow-up service.

## Workforce Investment Act

### Examples of Intensive Services:

- Comprehensive and specialized assessment of skill levels (i.e., diagnostic testing)
- Development of an individual employment plan
- Career counseling
- Case management
- Short-term prevocational services

## Workforce Investment Act

### Examples of Training Services:

- Occupational Skills Training
- On-the-Job Training
- Customized Training

Training services must be directly linked to occupations that are in demand in the local area, or in another area to which the individual receiving services is willing to relocate.

2/10/20

**TITLE 11      LABOR AND WORKERS' COMPENSATION**  
**CHAPTER 2    JOB TRAINING**  
**PART 4        WORKFORCE INVESTMENT ACT LOCAL GOVERNANCE**

**11.2.4.1      ISSUING AGENCY:** New Mexico Department of Workforce Solutions (DWS)  
[11.2.4.1 NMAC - Rp, 11.2.14.1 NMAC, 8-15-2012]

**11.2.4.2      SCOPE:** State workforce development board (state board), state administrative entity (SAE), chief elected officials (CEOs), local workforce development boards (local boards), local workforce system administrative entities (local administrative entities), workforce system sub-recipients and workforce system partners.  
[11.2.4.2 NMAC - Rp, 11.2.14.2 NMAC, 8-15-2012]

**11.2.4.3      STATUTORY AUTHORITY:** Title I of the WIA of 1998, as amended (29 U.S.C. 2801 et seq.); WIA Regulations, 20 CFR Part 652 et al, 29 CFR Part 95-97; Office of Management and Budget (OMB) circulars applicable to the entity, such as OMB Circulars A-21, A-87, or A-122; NMSA 1978, Section 50-14-1 *et seq.*  
[11.2.4.3 NMAC - Rp, 11.2.14.3 NMAC, 8-15-2012]

**11.2.4.4      DURATION:** Permanent.  
[11.2.4.4 NMAC - Rp, 11.2.14.4 NMAC, 8-15-2012]

**11.2.4.5      EFFECTIVE DATE:** August 15, 2012, unless a later date is cited at the end of a section.  
[11.2.4.5 NMAC - Rp, 11.2.14.5 NMAC, 8-15-2012]

**11.2.4.6      OBJECTIVE:** This policy provides guidance on the appointment of local boards and outlines the roles, responsibilities and authority of the chief elected officials and the local boards in regard to the local workforce system.  
[11.2.4.6 NMAC - Rp, 11.2.14.6 NMAC, 8-15-2012]

**11.2.4.7      DEFINITIONS:**

**A.      Chief elected official** is the chief elected executive officer of a unit of general local government in a local area, which is the mayor or county commission chair.

**B.      Lead chief elected official** is the individual selected by the participating chief elected officials who may act on behalf of the other chief elected officials in a given local workforce development area (local area).  
[11.2.4.7 NMAC - Rp, 11.2.14.7 NMAC, 8-15-2012]

**11.2.4.8      CHIEF ELECTED OFFICIAL AGREEMENT:** As noted in 20 CFR Part 667.705, when a local area includes more than one unit of government, the chief elected officials of each unit shall execute a written agreement that specifies the respective roles and liability of the individual chief elected officials. The DWS, as the designated representative of the governor, provides the following guidance on this agreement.

**A.      Required inclusions.** Chief elected officials shall enter into an agreement with each other that, at a minimum, includes the following sections.

**(1)      Liability of funds.** Acknowledge financial liability as noted in WIA 117(d)(3)(B)(i)(I) and outline the process for determining each chief elected officials' share of responsibility as required in 20 CFR Part 667.705. This determination could be based on allocation, population, expenditures, or other criteria determined by the chief elected officials.

**(2)      Grant recipient and signatory.** Acknowledgement that the chief elected officials are the grant recipient for all local WIA funds as outlined in WIA 117(d)(3)(B)(i) or have designated grant recipient authority to the local board. If the chief elected officials will serve as the grant recipient, they shall outline the process they will use to sign contracts and enter into agreements related to the WIA. This may be accomplished by designating signatory authority to a lead chief elected official. If a lead chief elected official is used in this capacity, chief elected officials shall include the information outlined in the recommend inclusions Subsection B of 11.2.4.8 NMAC.

**(3)      Fiscal agent designation.** To assist in the administration of the grant funds, the chief elected officials may designate an entity to serve as a local fiscal agent as outlined in WIA 117(d)(3)(B)(i) and describe the

process for designating a local fiscal agent within the guidelines required by state and local procurement laws and policies.

(4) **Local board budget approval.** Describe the process for reviewing and approving the local board annual budget as required in WIA 117(d)(3)(A) and 20 CFR Part 661.305(a)(4).

(5) **Participating chief elected officials.** The agreement shall contain the name, representation, contact information, and signature of each participating chief elected official in the local area.

(6) **Election of a new chief elected official.** Within 120 days of when a new chief elected official is elected within the local area, either participating as a signatory on the agreement or as a participating chief elected official, the local board shall ensure the individual submits to the local board a written statement acknowledging that he or she:

(a) has read, understands, and will comply with the current chief elected official agreement;

and  
(b) reserves the option to request negotiations to amend the chief elected official agreement at any time during the official's tenure as a chief elected official.

(7) **Amendment or change to the chief elected official agreement.** Outline the process that will be used for amendments or changes to the chief elected official agreement. All amendments or changes shall be maintained at the local administrative entity office and available for monitoring by the state administrative entity.

**B. Recommended inclusions.** In order to improve the coordination and functionality of the local workforce system, chief elected officials should also address the following items in their agreement.

(1) **Designation of a lead chief elected official.** Chief elected officials are liable for all WIA funds in the local area and are required by the WIA to approve or provide guidance on a number of local board activities, the SAE encourages chief elected officials to select a lead chief elected official (lead) who will act on behalf of the other chief elected officials. If a lead is appointed, the following information shall be sent to the local administrative entity and kept on file for review by the SAE.

(a) Appointment process and term of the lead.

(b) Designate the lead to serve as the signatory for the chief elected officials.

(c) Outline decisions that may be made by the lead on behalf of the chief elected officials.

(d) Include name, title, and contact information of the appointed lead.

(2) **Local board member representation.** Outline how chief elected officials will ensure local board representation is fair and equitable across the local area.

(3) **Communication.** Describe how the chief elected officials will communicate with each other regarding local board activities. Determine how many times a year the chief elected officials will meet and how often a joint meeting with the local board will be held. The state encourages chief elected officials to meet at least once a year just as chief elected officials and once a year with the local board.

[11.2.4.8 NMAC - N, 8-15-2012]

**11.2.4.9 CHIEF ELECTED OFFICIAL AND LOCAL BOARD PARTNERSHIP AGREEMENT:** In accordance with WIA 117(b), the state shall establish criteria for the appointment of local board members by the chief elected officials. To ensure the criteria established by the state are acknowledged by both the chief elected officials and the members of the local board, a partnership agreement is required. The DWS, as the designated representative of the governor, provides the following guidance on this agreement.

**A. Required inclusions.** The local board and chief elected officials shall enter into a partnership agreement that, at a minimum, addresses the following sections.

(1) **Local board membership.** The WIA Section 117(c)(1) authorizes chief elected officials to appoint the members of the local board in accordance with the criteria established under Section 117(b) of the WIA and the guidelines in this policy. Chief elected officials shall appoint business representatives that meet the criteria established by the state on behalf of the governor in partnership with the state board. Authority to appoint members to the local board lies solely with the chief elected officials.

(a) Outline the terms of local board member appointments and ensure that the terms are staggered so that only a portion of membership expires in a given year.

(b) For each local board member position that requires a nomination, the nominating organization shall submit to the appointing chief elected officials of the local area a document or letter signed by the chief executive officer or designee identifying the individual being nominated. The document or letter shall also acknowledge the nominee's optimum policy making authority and include documentation of curriculum vitae, resume or work history supporting the qualifications of the nomination.

(c) Local board member appointments shall be signed by the appointing chief elected official and submitted to the local administrative entity.

(d) Local board acknowledgement that members who no longer hold the position or status that made them eligible local board members shall resign or be removed by the chief elected officials immediately as a representative of that entity.

(e) Local board members replacing out-going members in the middle of a term will serve the remainder of the out-going member term.

(f) Local board vacancies shall be filled within 120 days of the vacancy. The chief elected officials in a local area are authorized to make all reappointments of members. Reappointments shall be made within 120 days of the term expiration. Any action taken by a local board, with a vacancy or term expiration beyond the 120 day period is void unless the local board has an approved waiver from the state administrative entity prior to the local board meeting. Waivers are to be requested in writing with an explanation of why a vacancy was not filled in the 120 day timeframe and a description of the process underway to fill the vacancy.

(g) Local board members shall be removed by the chief elected officials if any of the following occurs: documented violation of conflict of interest; failure to meet local board member representation requirements defined in the WIA and this policy; or documented proof of fraud or abuse. Local board members may be removed for other reasons outlined in the local board bylaws such as lack of attendance. Local boards shall define the specific criteria that will be used to establish just cause and the process for such removal. The state reserves the right to conduct an investigation regarding allegations of wrong doing that result in the removal of a board member. Chief elected officials will be formally notified of the results of any investigation.

(2) **Relationship between chief elected officials and the local board.** Establish roles and responsibilities of the chief elected officials and the local board along with a description of the partnership and specific responsibilities.

(a) Describe how the local plan will be developed in partnership between the chief elected officials and the local board.

(b) As referenced in WIA 117(d)(3)(A), describe how the local board will develop the local area budget and the process for obtaining the chief elected officials' approval.

(c) Establish the guidelines that will be followed by the local board for selection of a local workforce system operator in accordance with WIA and 11.2.5 NMAC, One Stop Deliver System, including the process for getting chief elected official agreement on the selection.

(d) Establish youth council and appointment procedures consistent with WIA 117(h).

(e) Describe the process for approving local workforce policy.

(f) Describe process for demonstrating chief elected official agreement on the memorandum of understanding between workforce system partners and the local board.

(3) The partnership agreement shall be signed by the current chief elected officials that have been identified as participating in the chief elected official agreement and by the local board chair at the time of the signing.

(4) Any amendment or change to the partnership agreement, notice of an election of a new chief elected official, or notice of an election of a new local board chair shall be maintained at the local administrative entity office and available for monitoring by the state administrative entity. If a new chief elected official or local board chair is elected within the local area, the newly elected individual shall submit to the local board a written statement acknowledging the following.

(a) Read, understands, and will comply with the current partnership agreement.

(b) Reserves the option to request negotiations to amend the partnership agreement at any time during the individual's tenure.

**B. Recommended inclusions and communication.** Establish requirements for informing the chief elected officials on a regular basis regarding activities, performance outcomes, and budgets with at least one joint meeting held annually between the chief elected officials and the local board.

[11.2.4.9 NMAC - N, 8-15-2012]

**11.2.4.10 LOCAL BOARD MEMBERSHIP:** A majority, defined as greater than 50%, of the local board membership shall be comprised of business representatives. An individual may be appointed as a representative of more than one category or represent more than one workforce system partner if the individual meets all criteria for representation. Individuals representing more than one category shall have optimum policy making authority within each of the entities they are representing. Each local board is required to have the following representation.

**A. Business representatives.** All business representatives shall be owners of a business, chief executives, operating officers, or other business executives or individuals with optimum policy making or hiring authority; represent business with employment opportunities that reflect the employment opportunities of the local area; and appointed from among individuals nominated by local business organizations and business trade associations.

**B. Labor organization representatives.** The local board shall have at least two representatives of labor organizations with optimum policy making authority within their organization, agency or entity and nominated by a local labor federation.

**C. Local educational entity representatives.** The local board shall have at least two representatives from local educational entities. These may be representatives of local educational agencies, local school boards, adult education and literacy providers, and post-secondary educational institutions and community colleges. Educational representatives will be nominated by regional or local educational agencies, institutions or organizations representing such local educational entities.

**D. Community-based organization representatives.** The local board shall have at least two representatives of community-based organizations, including but not limited to, organizations representing individuals with disabilities and veterans and nominated by the community based organization.

**E. Economic development agency representatives.** The local board shall have at least two representatives of economic development agencies, including but not limited to, private sector economic development entities, regional planning commissions, or county economic development organizations and nominated by the economic development agency.

**F. New Mexico workforce system partners.** The local board shall have at least one member representing each of the following programs if they are present in the local area. As noted above, an individual may be appointed as a representative of more than one workforce system partner if the individual meets all criteria for representation. They are nominated by the partner agency.

- (1) Workforce Investment Act Title I (adult, dislocated worker, and youth).
- (2) Wagner-Peyser Act.
- (3) Adult education and literacy.
- (4) TANF/food stamp employment and training program.
- (5) Vocational rehabilitation.
- (6) Title V Older Americans Act.
- (7) Postsecondary Vocational Education/Perkins Act.
- (8) Trade Act.
- (9) Veterans Title 38.
- (10) Unemployment insurance.
- (11) Community service block grant employment and training.
- (12) Housing and urban development employment and training.
- (13) Native American programs.
- (14) Migrant and seasonal farmworker programs.
- (15) Job corps.
- (16) Veterans workforce programs.

[11.2.4.10 NMAC - Rp, 11.2.14.8 NMAC, 8-15-2012]

**11.2.4.11 LOCAL BOARD ROLES AND RESPONSIBILITIES:** The local board shall have the following roles and responsibilities outlined in the agreement with the chief elected officials describing how the requirement for agreement, approval, or partnership is accomplished.

**A. Partnership.** Carry out the following in partnership with the chief elected officials and the local board.

- (1) Develop the local workforce development plan consistent with WIA, state plan and other state administrative entity requirements.
- (2) Select the local workforce system operator according to 11.2.5 NMAC, one stop delivery system.
- (3) Select eligible youth service providers consistent with federal, state, and local procurement requirements.
- (4) Select eligible providers of adult and dislocated worker intensive and training services.
- (5) Maintain a list of eligible training providers including cost and performance data.
- (6) Conduct oversight of the one stop delivery system including all WIA activities.
- (7) Negotiate local performance measures.

- (8) Appoint a youth council to advise the local board on youth activities.
- B. Budget approval.** Develop a budget for carrying out the duties of the local board with the approval of the chief elected officials.
- C. Other local board roles and responsibilities.**
  - (1) Elect a private-sector business representative as local board chair.
  - (2) Produce an annual report that shall be submitted to the state administrative entity as per guidelines established by the state administrative entity.
  - (3) Promote workforce connection center programs and activities.
  - (4) Assist the DWS in developing the statewide employment statistics system under the Wagner-Peyser Act.
  - (5) Coordinate with economic development strategies and establish employer linkages with workforce development activities.
  - (6) Carry out regional planning responsibilities as required by the state administrative entity, Section WIA 116 (c).
  - (7) Conduct business in an open manner by making available to the public information about the activities of the local board; this includes the local plan before submission, membership, designation of the local workforce system operator, the awards of grants or contracts, and minutes of local board meetings. [11.2.4.11 NMAC - Rp, 11.2.14.8 NMAC, 8-15-2012]

**11.2.4.12 BYLAWS:** The local board shall establish bylaws that include, at a minimum, the following sections.

- A. Establishment.** Acknowledge that the local board is established in accordance with WIA Section 117 and New Mexico Workforce Development Act Section 5.
- B. Name.** Identify the name of the local board.
- C. Purpose.** Acknowledge the establishment of the local board consistent with WIA sections 117(a) and (b).
- D. Duties and responsibilities.** Acknowledge the duties and responsibilities as outlined in the WIA, NMSA 1978, Section 50-14-1 *et seq.*, and in the partnership agreement between the chief elected officials and the local board.
- E. Membership.** Include a description of membership as outlined in WIA 117(b) and in the chief elected official agreement.
- F. Local board chair election.** Describe the process used to elect a local board chair, including term details.
- G. Election of officers.** Outline officer positions, the process used to elect officers, officer terms, removal of officers, and specific officer roles and responsibilities.
- H. Meetings.**
  - (1) Information on how often local board and committee meetings will be held.
  - (2) Acknowledgement of open meeting requirements and compliance.
  - (3) Description of the process of announcing regular and special meetings.
  - (4) Acknowledgement that a quorum shall consist of at least a simple majority of the currently appointed membership.
  - (5) Clarification as to whether phone and web-based meetings will be permitted.
- I. Delegation of local board duties.** Acknowledge that local board members will not be permitted to delegate any local board duties to proxies or alternates.
- J. Committees.** Include a list of standing committees including the descriptions for each and composition, and description of the process for having ad hoc committees.
- K. Conflict of interest.** Acknowledge that local board members shall adhere to the following in regard to conflict of interest.
  - (1) A local board member may not vote on any matter that would provide direct financial benefit to the member or the member's immediate family, or on matters of the provision of services by the member or the entity the member represents.
  - (2) A local board member shall avoid even the appearance of a conflict of interest. Prior to taking office, local board members shall provide to the local board chair a written declaration of all substantial business interests or relationships they, or their immediate families, have with all businesses or organizations that have received, currently receive, or are likely to receive contracts or funding from the local board. Such declarations shall be updated annually or within 30 days to reflect any changes in such business interests or relationships. The local

board shall appoint an individual to timely review the disclosure information and advise the local board chair and appropriate members of potential conflicts.

(3) Prior to a discussion, vote, or decision on any matter before a local board, if a member, or a person in the immediate family of such member, has a substantial interest in or relationship to a business entity, organization, or property that would be affected by any official local board action, the member shall disclose the nature and extent of the interest or relationship and shall abstain from discussion and voting on or in any other way participating in the decision on the matter. All abstentions shall be recorded in the minutes of the local board meeting and be maintained as part of the official record.

(4) It is the responsibility of the local board members to monitor potential conflict of interest and bring it to the local board's attention in the event a member does not make a self-declaration.

(5) In order to avoid a conflict of interest, a local board shall ensure that the local board's workforce service providers shall not employ or otherwise compensate a current or former local board member or local board employee who was employed or compensated by the local board or its administrative entity, fiscal agent, or grant recipient anytime during the previous 12 months.

(6) Local board members or their organizations may receive services as a customer of a local workforce service provider or workforce system partner. To avoid conflict of interest, a local board shall ensure that the local board, its members, or its administrative staff do not directly control the daily activities of its workforce service providers, workforce system partners or contractors.

**L. Compensation and reimbursement of expenses.** A description of the policy on compensating local board members and reimbursing expenses shall be included.

**M. Amendment.** Include a description of the process for amending the bylaws.

**N. Compliance with law.**

(1) Acknowledgement stating, in execution of its business, the local board shall comply with all applicable New Mexico statutes and regulations including, but not limited to, the state Procurement Code, the state Open Meetings Act, as provided in Section 10-15-1, NMSA 1978 Compilation, and the state Mileage and Per Diem Act.

(2) Acknowledgement stating, in execution of its business, the local board shall comply with the WIA and regulations as well as state policies and directives.  
[11.2.4.12 NMAC - Rp, 11.2.14.8 NMAC, 8-15-2012]

#### **11.2.4.13 LOCAL BOARD CERTIFICATION:**

**A. Local board initial certification.** The state administrative entity will certify that the composition of each local board, including the appointment process, complies with the criteria outlined in Section 117 of the WIA and with this policy. The composition of each local board will be evaluated on the following.

- (1) State membership criteria.
- (2) Federal membership requirements.

**B. Local board recertification.**

(1) Recertification will be conducted by the state once every two years to: ensure that the local workforce system activities support meeting local performance measures and any prescribed outcomes as outlined in the local grant agreement; and the local board composition requirements have been maintained. If a local board meets all membership requirements, but fails to meet all performance measures and outcomes, certification will be granted for only a one-year review period, instead of a two-year period. At the end of the one-year review period, the recertification process will be repeated with an updated review of performance and membership composition. If this review shows the local board is meeting all performance measures and outcomes, a two-year certification will be granted.

(2) During the two-year certification period, if more than 10% of the local board membership is removed for cause, a recertification shall occur to ensure membership compliance and board stability.

**C. Decertification.**

(1) **Conditions for decertification.** A local board is subject to decertification under the following conditions.

- (a) Failure to meet all local board certification requirements.
- (b) Failure to carry out required functions of the local board.
- (c) Fraud.
- (d) Abuse.

(2) **Performance and decertification.** If a local board has already been placed on a one-year review period due to a lack of meeting all performance measures and outcomes, and fails to meet performance measures and outcomes for a second-year, the local board may be decertified.

(3) **Notice and comment.** A written notice and opportunity for comment will be provided prior to decertification.

(4) **Reorganization plan.** In accordance with WIA section 117(c)(3), if a local board is decertified, the state administrative entity acting on behalf of the governor, may require a new local board be appointed for the local area pursuant to a reorganization plan developed by the state administrative entity, in consultation with the chief elected officials.

[11.2.4.13 NMAC - N, 8-15-2012]

**11.2.4.14 RESCISSIONS: [RESERVED]**

[11.2.4.14 NMAC - Rp, 11.2.14.9 NMAC, 8-15-2012]

**11.2.4.15 CONTACT ENTITY:** Inquiries regarding this rule should be directed to the New Mexico DWS/state administrative entity.

[11.2.4.15 NMAC - Rp, 11.2.14.10 NMAC, 8-15-2012]

**11.2.4.16 DISTRIBUTION:** State board chair, DWS/state administrative entity, local board chairs, local administrative entities, local board sub-recipients, DWS/state administrative legal counsel, United States department of labor employment and training administration federal representative, and the New Mexico commission on public records.

[11.2.4.16 NMAC - Rp, 11.2.14.11 NMAC, 8-15-2012]

**11.2.4.17 ATTACHMENTS:** None.

[11.2.4.17 NMAC - Rp, 11.2.14.12 NMAC, 8-15-2012]

**HISTORY OF 11.2.4 NMAC:**

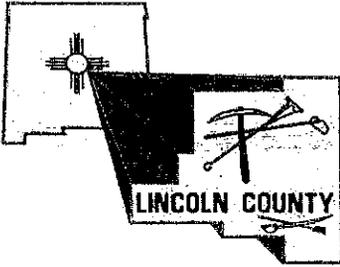
**History of Repealed Material:**

11.2.4 NMAC, Workforce Investment Act (WIA) Policy/Program Issuance and State Information Notice (SIN) System, filed 6-16-2000 - Repealed effective 7-1-2003.

11.2.4 NMAC, Workforce Investment Act (WIA) Program Policies and State Technical Assistance Guide (STAG) System, filed 6-13-2003 - Repealed effective 12-31-2005.

11.2.4 NMAC, Workforce Investment Act (WIA) Rulemaking Procedures, filed 12-15-2005 - Repealed effective 7-1-2012.

11.2.14 NMAC, Workforce Investment (WIA) Act Local Boards, filed 6-16-2000 - Repealed effective 8-15-2012.



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

February 12, 2015

### MEMORANDUM

**TO:** County Commissioners

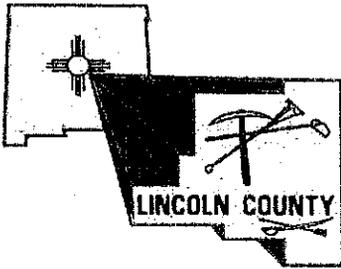
**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Lincoln County Juvenile Justice Board

**Purpose:** Provide Opportunity for Ted Allen, newly appointed Program Manager, to summarize the LCJJB program for the Commission

**Discussion:** The LCJJB works directly with State, County and Local governments, judicial entities and law enforcement agencies, to identify critically needed, cost-effective, proven "best practice" programs and services needed to address the needs of juvenile offenders within the County. This Board was formed in July 2004 by an agreement between Lincoln County and the New Mexico Children Youth and Families Department. County representation to this Board includes Sheriff Shepperd and Manager Taylor. Program Manager Ted Allen will summarize goals and accomplishments of the Board.

**Recommendation:** Consider presentation and determine if action is required.



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# County of Lincoln

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## AGENDA Item No. 11

February 12, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Lodger's Tax Application

**Purpose:** To Consider and take action on Lodger's Tax Applications

**Discussion:** This month there are two requests for Lodger's Tax funding that have received recommendation for approval by the Lodgers Tax Committee:

1. **Application A**

**Amount of Request:** \$2,000

**Purpose:** High Mesa Artist Studio Tour

**Date(s) of Event:** April 25 & 26, 2015

**Presenter:** Stephen Sabo, High Mesa Artist Studio Tour

2. **Application B**

**Amount of Request:** \$13,500

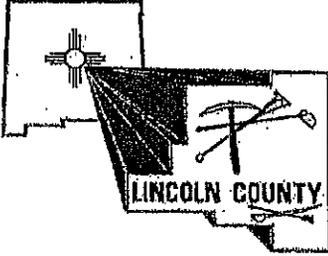
**Purpose:** Smokey Bear Days

**Date(s) of Event:** May 1 & 2, 2015

**Presenter:** Bennie Long, Smokey Bear Hometown Association

The Lodgers Tax Committee also considered applications to fund AspenCash (May event) and Aspen Rally (September event), but was tabled until next month to provide the requester time to provide background documentation.

**Recommendation:** Approve funding as recommended by the Lodgers Tax Committee.



# County of Lincoln

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

www.lincolncountynm.net

NAME OF EVENT: HIGH MESA ARTIST STUDIO TOUR DATE(S) OF EVENT: APRIL 25 & 26, 2015  
NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: HIGH MESA ARTIST STUDIO TOUR  
AMOUNT REQUESTED: \$ 2,000.00

DESCRIBE EVENT BACKGROUND & RATIONALE: SEE ATTACHED

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? SEE ATTACHED

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? 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? SEE ATTACHED

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 30%  
WILL YOU HAVE A WEBSITE FOR YOUR EVENT?  YES  NO

FUNDS WILL BE USED FOR:	
NEWSPAPER ADVERTISING:	\$ <u>1400.00</u>
RADIO:	\$ <u>370.00</u>
MAGAZINE:	\$ _____
INTERNET:	\$ <u>100.00</u>
PRINTING:	\$ <u>350.00</u>
OTHER: <input checked="" type="checkbox"/>	\$ <u>200.00</u>
TOTAL:	\$ <u>2,420.00</u>

\* BROCHURE DESIGN

OTHER FUNDING SOURCE & AMOUNT ARTIST REGISTRATION FEES \$780.00

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>STEPHEN SABO</u>
SIGNATURE OF APPLICANT: <u>[Signature]</u>
ADDRESS/CITY/ZIP: <u>130 JUNIPER SPRINGS RD. NOGAL, NM 88341</u>
PHONE: <u>575-254-0201</u> EMAIL ADDRESS: <u>PLBYMAD@VALORNET.COM</u>
DATE SUBMITTED: <u>12/29/14</u> PRESENTED AT MEETING ON:

Attach any previous year's budget and proposed budget for event. Mail or deliver to Bille-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

# Lincoln County Lodgers Tax

## Lodgers Tax Request Information

**Describe Event Rationale:** 2015 will mark the 11th year the High Mesa Artist Studio Tour has been in operation. Our goal is to draw people from outside the county and state to our area and to make them aware of our local artists and their talents. The Tour will have 7 studio sights with 14 local artists participating.

By bringing in outsiders, we increase the number of beds occupied at local hotels and bed & breakfasts as well as revenue during a quiet time (April) for restaurants, stores and shops. All guests increase the tax revenue collected which in turn benefits everyone in Lincoln County.

### **How Will You Advertise and Market the Event:**

- We will advertise in newspapers (local, eastern NM, Texas).
- Print flyers and posters to be displayed around town in Hotels, restaurants, RV Parks and other public places.
- Radio ads both paid and free will be utilized.
- Tour announcements will be submitted to NPR, AAA, New Mexico Magazine and Enchantment Magazine.
- We work with the Chamber of Commerce / Ruidoso Tourism who generously list the High Mesa Artist Studio Tour on their rack cards which are prominently displayed around town.
- The High Mesa Artist Studio Tour web site [www.Highmesatour.com](http://www.Highmesatour.com) is active and will list all participating artists with links to their respective web sites. The site will also link to local Hotels who offer "specials" to visiting guests.
- We display our banner over Sudderth Drive across from McDonalds advertising the event for all those entering Ruidoso to see.
- A Face book page will again be established.

**How Will Attendance and Origin Be Measured:** As in the past, each location will conduct a survey to determine where the attendee is from and how he or she heard about the High Mesa Artist Studio Tour. As an incentive to complete this form, we offer the opportunity to win gift certificates / credits for a specified amount to be cashed in with any participating artist. Because people like the chance of winning something, they are more willing to complete a questioner. This has been very successful in the past, providing direction as to what media was most successful.

We had over 340 people come to the High Mesa Artist Studio Tour in 2014 with approximately 30% coming from out of State i.e. Texas, Arizona, California, Colorado, Alaska and Montana.

**Special Room Packages / Reporting – Tracking:** Several Hotels in the area will again be offering special packages for visitors staying in their respective establishments and who will be visiting the High Mesa Artist Studio Tour. These hotels will be listed on our website with a link to that particular hotel. 2014 participating hotels can be viewed on the following link: <http://www.highmesatour.com/hotel-discounts.html>

Upon completion of the High Mesa Artist Studio Tour, tallies of attendees taking advantage of the hotel offers will be compiled and evaluated. In 2014 thirteen (13) families took advantage of discounts offered by local lodgers.

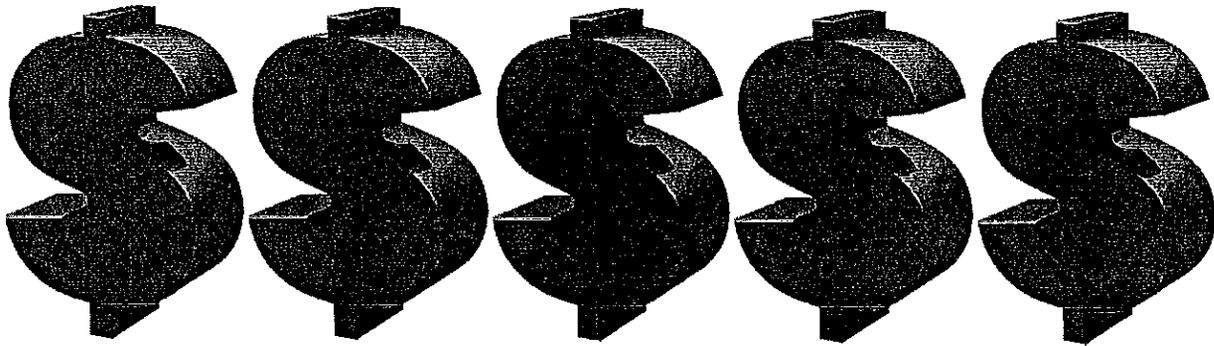
High Mesa Artist Studio Tour 2015

Stephen Sabo

130 Juniper Springs Road

Nogal, NM 88341

575-354-0201



# ARE YOU FEELING LUCKY?

---

*Win a \$50.00 voucher for merchandise from  
any artist on this year's High Mesa Artist Studio  
Tour!!*

*Simply sign up today and become eligible to win  
1 of 2 \$50.00 vouchers for the artist of your  
choice*

*Contest Rules:*

- *Voucher good for one artist – cannot be used for several artists*
- *Good for merchandise only. No cash refunds*
- *Drawing to be held May 5, 2014.*
- *Multiple entries are encouraged*
- *Voucher expires September 2, 2014*

## High Mesa Artist Studio Tour Contest / Survey 2014

Thank you for taking time to visit our Studio Tour.

To enter the HMAST contest and for us to better understand where our advertising dollars are best spent, we ask you to please fill out our survey.

Name \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_

State & Zip \_\_\_\_\_

How did you hear about the 2014 High Mesa Artist Studio Tour?

The Ink ____	Radio ____	Flyer ____
Ruidoso News ____	Brochure ____	Other ____
Roswell Journal ____	Lubbock Avalanche-Journal ____	
Las Cruces Bulletin ____	Vamonos ____	

## High Mesa Artist Studio Contest / Tour Survey 2014

Thank you for taking time to visit our Studio Tour.

To enter the HMAST contest and for us to better understand where our advertising dollars are best spent, we ask you to please fill out our survey.

Name \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_

State & Zip \_\_\_\_\_

How did you hear about the 2014 High Mesa Artist Studio Tour?

The Ink ____	Radio ____	Flyer ____
Ruidoso News ____	Brochure ____	Other ____
Roswell Journal ____	Lubbock Avalanche-Journal ____	
Las Cruces Bulletin ____	Vamonos ____	

# THE PERFORMING ARTS



**OLDIES  
NOSTALGIA  
LEGEND!**

The  
ays  
7:28PM



**CLASSICAL  
MIDDLE EASTERN  
NATIVE AMERICAN  
AND WORLD  
MUSIC**

7PM

EVENTS.COM (575) 336-4800



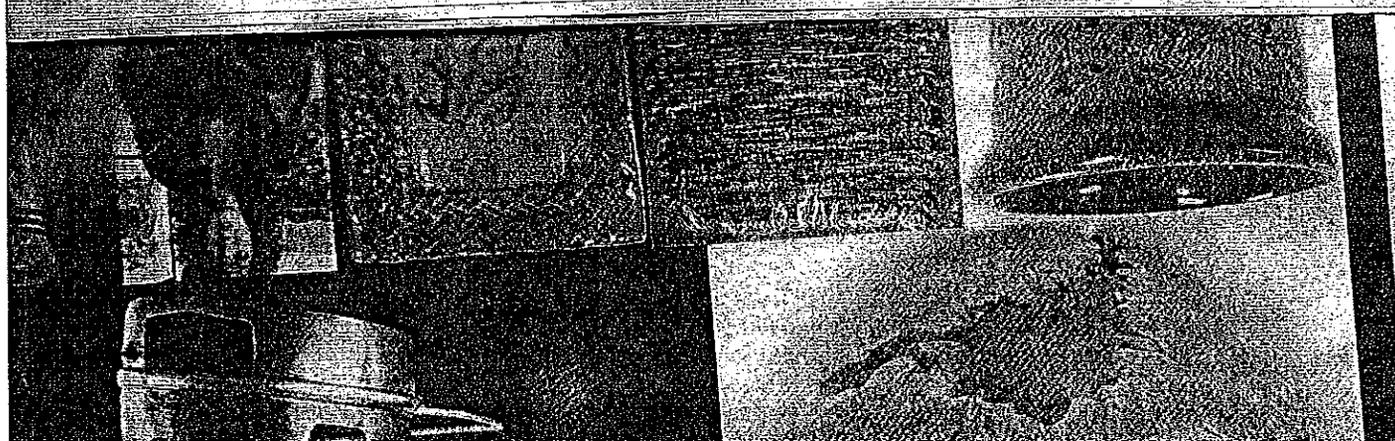
## ARTISTS STUDIO TOUR NOGAL, NM - ROUTE 37

Saturday, April 26  
Sunday, April 27  
10 a.m. until 5:00 p.m.

Each spring the High Mesa Artists Studio Tour is held in Nogal, New Mexico. This year 15 local artists will present their works at 7 different studios along the tour route. Studios begin at the intersection of NM Highways 48 and 37 and continue along NM Hwy. 37 to Nogal. Please join us on this self-guided tour for a relaxing day on the scenic high mesa just minutes north of Ruidoso, NM.

For more information, contact  
Madeleine Sabo at 575-354-0201

Paid in part by the Lincoln County Lodgers Tax



# Some boundaries while California Dreamin'

at least a few hours every now and then and feel very independent.

On a recent Today show they were interviewing a young driver about the dangers of distracted driving. Not only is texting, talking cell phones, eating emails and driving a danger, in my personal opinion, and for me, I have certainly been distracted while driving. When I think about myself, I don't have the need to make a phone call to someone for me, a life coach in Ruidoso, New Mexico, is compared to the safety of the family in the car in front of me. It makes me ashamed. Really, my son Ryan's future should be cut short because I need change my dental appointment?

What does that have to do with decompressing and breathing? Absolutely everything. The idea that the world can't revolve without

our immediate input is why we get so wound up in to circles. It's why that little purple pill is such a big seller for acid reflux. It's why we can't remember where our car keys are or our best friend's birthday. We are over committed, over stimulated to the point of not being able to respond to normal everyday situations. These feelings would let us know when enough was enough.

How do we get back in touch with what is truly important?

Start small today with one healthy boundary. Set it, share it with those around you then commit. To get into the habit living with healthy boundaries, set the morning intention with this quick one minute exercise. Close your eyes. Put the tip of your tongue where your two front teeth meet the roof of your mouth. Breathe in through your nose; out through your mouth three times, mentally committing to your bound-

ary today.

I'm thinking California sand feels good between my toes. How about you?

Debbie Holmes-Nix is a retirement life coach at Sanctuary on the River, Inspired Living Center, 207 Eagle Drive,

Ruidoso. She can be reached at (575) 630-1111, www.SanctuaryOnTheRiver.com



**Ann Dodson Realty**  
Your Vacation Home Expert

*I know the questions to ask. Let me help you find the home and location that is perfect for you and your family.*

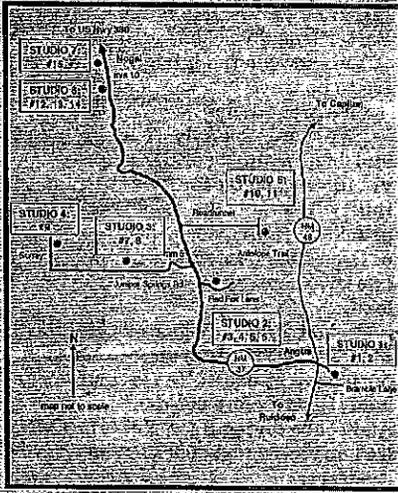
Ann Dodson, Realtor  
One HomeProves  
(575) 808-1701  
www.HomeSalesRuidoso.com

[www.HomeSalesRuidoso.com](http://www.HomeSalesRuidoso.com)



## High Mesa Artists Studio Tour 2014

Saturday, April 26  
Sunday, April 27  
10 a.m. until 5:00 p.m.



**THE ARTISTS**

- STUDIO 1: 1300 NM Hwy 48 at intersection of NM Hwy 37  
#1 Zoe de Negri - silver jewelry  
#2 Misha Malpica - mixed media
- STUDIO 2: 109 Red Fox Lane off NM Hwy 37  
#3 Nancie Ferguson - fiber, clay  
#4 Janet Alexander - gold & silver jewelry  
#5 Karen McCort - stoneware pottery  
#6 Renne Bradley - functional & decorative pottery
- STUDIO 3: 130 Juniper Springs Road off NM Hwy 37  
#7 Madeleine Sabo - wood turning, ceramics  
#8 Steve Sabo - wood turning
- STUDIO 4: 122 Surrey Lane off Juniper Springs Road  
#9 Betty Day - gourd art
- STUDIO 5: 194 Antelope Trail off Roadrunner  
#10 Lynn Eckman - jewelry  
#11 John Soden - color & black & white photography
- STUDIO 6: Dry Gulch Gallery 1121 NM Hwy 37  
#12 Linda Caperton - fiber art, paintings  
#13 Robin Riggio - clay pottery  
#14 Suzy Goza - acrylic, oil, mixed media
- STUDIO 7: 1125 NM Hwy 37  
#15 Leroy Anderson - jewelry, beadwork, rattles, sculpture

organization to apply their talents, vision, and potential betterment of themselves and the world. There are more than 100 Society members in over 160 states. NSHSS provides scholarship opportunities for deserving people.

For more information about NSHSS, visit [www.nshss.org](http://www.nshss.org).

A former Las Cruces police detective has pleaded guilty to sexually assaulting a teenage intern while on duty.

Prosecutors say Michael Garcia entered his plea Thursday in federal court and is facing a nine-year prison sentence.

Court documents show Garcia worked with students in a Las Cruces High School program.

Authorities say Garcia took the teenager on a ride along in his department issued vehicle to visit a crime scene in May 2011.

ment officers.

The department is only a few officers short, but the department is confident that the department's diligence in recruiting, as well as positive contacts made through our various law enforcement academies, will allow for the hiring of recruits in order for the RPD to be fully staffed.

Any person interested in becoming a law enforcement officer with the City of Roswell is encouraged to apply, especially individuals from New Mexico communities.

For additional information regarding the recruiting process, please visit the RPD website [roswellpolice.com](http://roswellpolice.com) or contact Training and Recruiting Officer Lisa Brackeen at 622-6770 ext. 108.

### LOTTERY NUMBERS

Roadrunner Cash  
04-11-28 34 35  
Pick 3  
125

SUPPORT  
ROSWELL  
RECYCLE



Modims Resource Center  
Your source of information on pregnancy and birth defects.  
Toll-free: 888-MODIMS (888-663-4437)  
TTY: 914-997-4764  
Fax: 914-997-4763  
URL: <http://www.modims.org>  
E-mail: [resourcecenter@modims.org](mailto:resourcecenter@modims.org)  
*Saving babies together.*

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Published daily except Mondays at 2301 N. Main St., Roswell, NM 88201  
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# HIGH MESA

## Artists Studio Tour

Saturday, April 26  
Sunday, April 27  
10 a.m. until 5:00 p.m.

15 Artists • 7 Locations

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For more information contact:  
Marilynne 565-871-5754 or  
575-354-0201  
[www.highmesatour.com](http://www.highmesatour.com)  
Paid in Part by  
Lincoln County Lodgers Tax

8 p.m.  
**Our Lady of Guadalupe** — 705 S. Fourth St. in Slaton. Easter Vigil at 9 p.m. 828-5108.

**Raintree Christian Church** — 3601 82nd St. Easter extravaganza for families with young and elementary-aged children from 9:30-11 a.m. 797-3097.

**St. Andrew Greek Orthodox Church** — 6001 81st St. Vespers and Liturgy for the Emptying of Shroud (St. Basil) at 10 a.m. including reception of John Paul II into Holy Orthodoxy, chanting of the book of Acts at 10:30 p.m., Nocturns at 11:30 p.m., procession with New Light at midnight, Paschal Orthodox at 12:15 a.m., Paschal Divine Liturgy at 1 a.m. followed by Blessing of Baskets and fellowship meal in Parish Hall at 2 a.m. 798-1828.

**Victory Life Baptist Church** — 12401 County Road 1900. Easter extravaganza with over 15,000 eggs at 1 p.m. 698-6553.

### EASTER SUNDAY

**Christ Lutheran Church** —

7801 Indiana Ave. celebrating the Risen Lord at 7 a.m. and 10:15 a.m. worship services. Sunday School at 9 a.m. 799-0162.

**Christ the King Cathedral** — 4011 54th Street. Live-streamed Easter Masses at 8:00 a.m. and 11 a.m. 792-6168.

**Community Christian Church** — 3417 96th St. Sunrise service at breakfast at 7 a.m. Service and cantata at 10:45 a.m. 792-0500.

**Covenant Presbyterian Church** — 4600 48th St. Lord's Day Worship at 11 a.m. Easter egg hunt for all kids after worship service. Easter Vespers service with Holy Communion at 7 p.m. 792-6124.

**Cumberland Presbyterian Church** — 7702 Indiana Ave. Youth-led Sunrise Service in Estes Center at 8 a.m. Easter breakfast in Estes Center at 9 a.m. and Resurrection Sunday worship in Sanctuary at 10 a.m. 792-3553.

**First United Methodist Church** — 1411 Broadway. Sunrise Service at 7:30 a.m. in Christian Life Center. Traditional worship 8:30-9:30 a.m. and 11 a.m.-noon with

Special by the FUMC Festival Orchestra in sanctuary chapel. Service with communion 9 a.m.-9:30 a.m. in Bowman Chapel and contemporary worship 9:30-10:30 a.m. and 11 a.m.-noon in Christian Life Center. 783-4607.

**Forrest Heights United Methodist Church** — 3007 33rd St. Pancake breakfast at 9 a.m. Easter activities and egg hunt for children at 10:15 a.m. and worship service at 11:30 a.m. 795-0621.

**Holy Spirit Catholic Church** — 9821 Frankford Ave. Resurrection of the Lord services at 8 and 10:30 a.m. no 7 p.m. Mass. 698-6400.

**Monterey Baptist Church** — 3601 50th St. Easter worship at 10 a.m. 799-5291.

**Our Lady of Grace** — 3111 Eskine St. Mass at 9 and 11 a.m. No 5 p.m. Mass.

**Our Lady of Guadalupe Church** — 705 S. Fourth St. in Slaton. Easter service at 9 a.m. 828-5108.

**Raintree Christian Church** — 3601 82nd St. Identical services at 8:15 and 9:45 a.m. with children's program during both services. 797-3097.

**Resthaven Funeral Home & Cemetery** — 5740 W. 19th St. Easter Sunrise Service and celebration at 6:45 a.m. at the empty tomb. 791-6200.

**Second Baptist Church** — 6109 Chicago Ave. Services at 8:30 and 10:45 a.m. 783-0202.

**St. Andrew Greek Orthodox Church** — 6001 81st St. Vespers service where the Holy Gospel is proclaimed in various languages at 1 p.m. Agape Meal at 2 p.m. 798-1828.

**St. Pauls on the Plains Episcopal Church** — 1510 Ave. X. Spoken Easter Eucharist with choir and hymns at 8 a.m. full choral Easter Eucharist followed by Easter Egg hunt at 10:30 a.m. 762-2893.

**Victory Life Baptist Church** — 12401 County Road 1900. Services at 8:15 and 10:45 a.m. 698-6553.

**Westmont Christian Church** — 4808 Utica Ave. Easter brunch at 9:30 a.m., Easter egg hunt at 10 a.m. and worship at 10:40 a.m. 795-2555.

# HIGH MESA



Artists Studio Tour

**Saturday, April 26, 2014**  
 10 am to 5 pm  
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 10 am to 5 pm

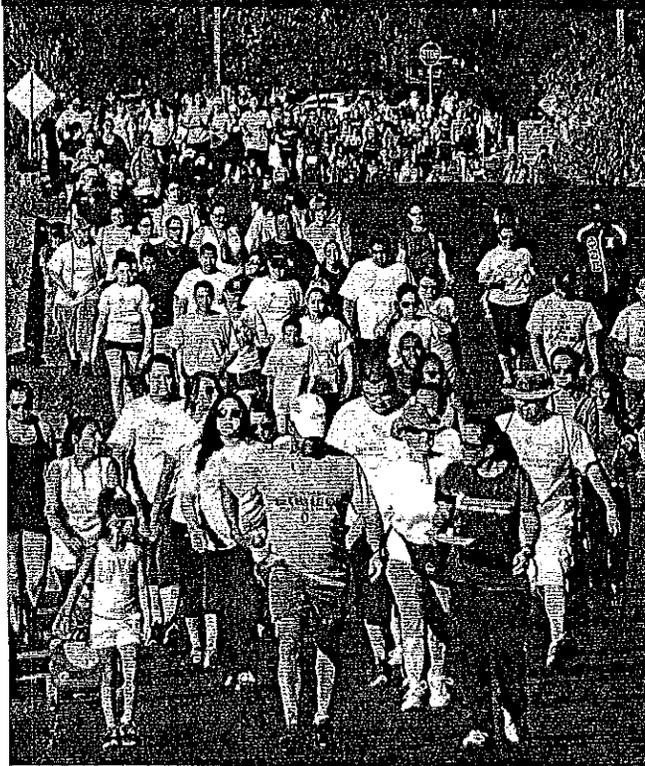
15 Artists at 7 Locations  
 Highway 37 and 48 to Mile Marker 10  
 Nogal, New Mexico North of Ruidoso, NM

[www.highmesatour.com](http://www.highmesatour.com)

Contact: Madeleine Sabo 575-354-0201

Paid for in part by Lincoln County Lodgers Tax

# March for Babies on Saturday



Saturday, April 26, is this year's March of Dimes March For Babies. The walk, presented by Mountain View Regional Medical Center, takes place at Young Park, 1905 E. Nevada Ave. Check-in and opening ceremonies will be 7:30 to 8 a.m. and the walk begins at 8 a.m. For more information, call 523-2627.

# HIGH SCHOOL Graduation schedule

<b>Centennial High School</b>	Monday, May 19	CHS gymnasium	6 p.m.
<b>Las Cruces High School</b>	Thursday, May 22	Pan American Center	6 p.m.
<b>Mayfield High School</b>	Wednesday, May 21	Pan American Center	6 p.m.
<b>Onate High School</b>	Tuesday, May 20	Pan American Center	6 p.m.
<b>Arrowhead Park Early College HS</b>	Saturday, May 17	Las Cruces Convention Center	6 p.m.
<b>Rio Grande Preparatory Institute</b>	Friday, May 16	Mesa Middle School	6 p.m.
<b>Mesilla Valley Christian Schools</b>	Friday, May 23	MVCS	7 p.m.
<b>Las Montañas Charter High School</b>	Friday, May 16	Las Cruces Convention Center	6:30 p.m.
<b>St. Mary's (Holy Cross)</b>	Friday, May 15	Holy Cross Church	5 p.m.
<b>Alma d'arte High School</b>	Thursday, May 29	Alma d'arte High School	7 p.m.
<b>New America School</b>	Saturday, May 31	Las Cruces Convention Center	7 p.m.



**Artists Studio Tour 2014**

**Sat., April 26 • Sun., April 27**  
**10 a.m. until 5 p.m.**  
**15 Artists • 7 Locations**  
*Featuring pottery, textile, glass, jewelry, beadwork painting, sculpture, photography, wood and more!*  
 Begin at Route 48 & 37, thru Mile Marker 10 in Nogal, NM  
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**STUDIO 1:** 1300 NM Hwy 48 at Intersection of NM Hwy 37  
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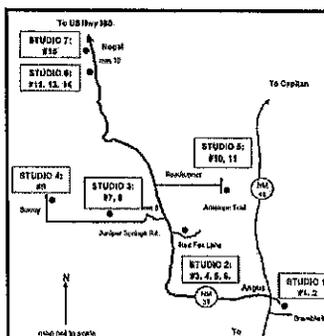
**STUDIO 3:** 130 Juniper Springs Road off NM Hwy 37  
 #7 Madeleine Sabo #8 Steve Sabo

**STUDIO 4:** 122 Surrey Lane off Juniper Springs Road  
 #9 Betsy Day

**STUDIO 5:** 194 Antelope Trail off Roadrunner  
 #10 Lynn Eckman #11 John Soden

**STUDIO 6:** Dry Gulch Gallery 1121 NM Hwy 37  
 #12 Unda Caperton #13 Robin Riggle  
 #14 Suzy Gaza

**STUDIO 7:** 1125 NM Hwy 37  
 #15 Leroy Anderson



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# The art of giving back

## Border Artists team with local homebuilders to stage art benefit

By David Salcido  
Las Cruces Bulletin

They say home is where the heart is, but what of those who have no homes?

This is a question encountered every day at Mesilla Valley Community of Hope, 999 W. Amador Ave., and its tent city annex, Camp Hope. It's also an ever-present specter in the minds of caring individuals within the community at large, which is why this year, the Border Artists and Soledad Canyon Earth Builders are teaming up to create a unique art event addressing this very issue, called The Art of Giving. What better way to call attention to the plight of the homeless than to create a benefit event within the framework of the annual Las Cruces Home Builders Association Spring Showcase of Homes?

For Pat Bellestri-Martinez, owner of Soledad Canyon Earth Builders and chair of this year's LCHBA Spring Showcase of Homes - which takes place over two weekends, April 25-27 and May 2-4 - it all started with a conversation.

"I was talking with photographer David Shaw," she said. "He started a project about nine months ago where he's photographing people living in a tent at Camp Hope, then again when they are transitioning into their new permanent homes. I thought that was fascinating."

One thing led to another and soon Bellestri-Martinez was cooking up an idea. According to her, the year before last, the Border Artists had been invited to hang their art in Soledad Canyon's showcase house. It was such a success, she was interested in doing it again. This time, however, since Shaw is a member of the group, she thought about making his work a focus of the show. She talked to the Border Artists and they agreed.

"It just came together after that," she said. "It's going to take everything we have to pull it off, but I'm excited. David's work is so compelling. He will have 100 photographs displayed in our garage gallery. What he has captured in those photos is a story of the strength of the human spirit. He brings a close up view of life at Camp Hope, in every weather condition. It's a view Las Cruces usually only see as they drive by on Amador or Valley Drive."

For his part, Shaw calls the experience of putting his 30-plus years as a photographer to work on this universal issue a humbling experience.

home located at 4396 Isleta Court will serve as a showcase gallery for the event, featuring the works of several Border Artists, on display and available for purchase throughout the house.

Sharing the spotlight with Shaw are such local luminaries as Carolyn Bunch, Sherry Doil-Carter, Rosemary McLaughlin, Winfrey Hearst, Amanda Jaffe, Cassandra Lockwood, Jo Rango, Jeanne Rundell, Jo-an Smith, Scott Weaver and Jean Reece Wilkey exhibiting in a variety of mediums, including acrylics, etchings, abstracts, landscapes, pottery, photography and portraits.

Live music and refreshments will also be featured on opening night. The artwork will be available throughout both weekends of the Spring Showcase of Homes and a portion of all proceeds will benefit Camp Hope.

For more information on The Art of Giving, call 527-9897. To learn more about the Mesilla Valley Community of Hope, or to volunteer, call 523-2219 or visit [www.mvcommunityofhope.org](http://www.mvcommunityofhope.org).

### Details

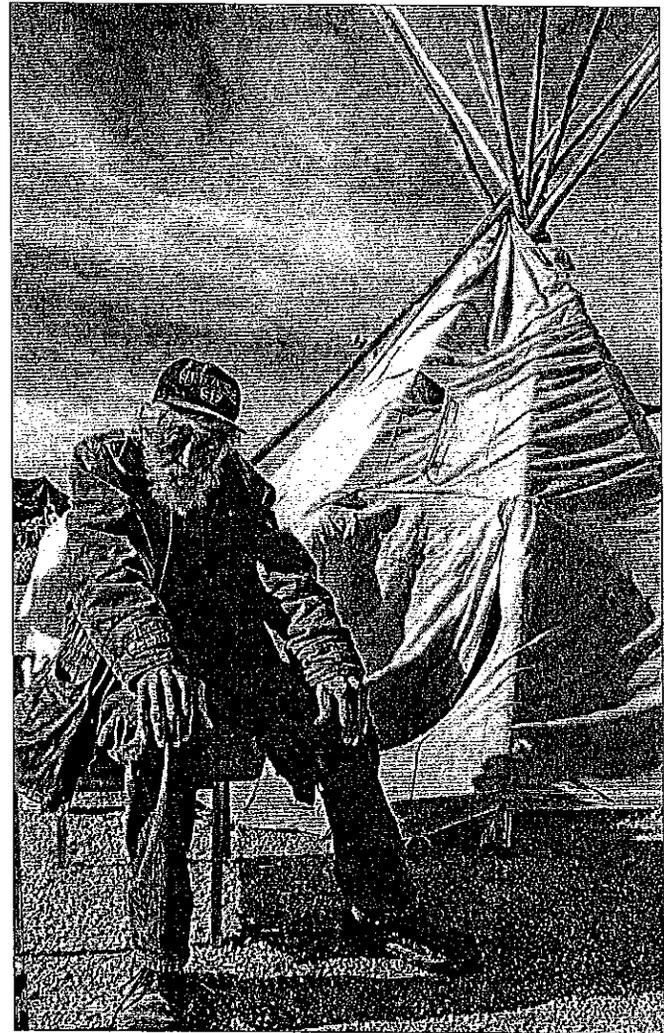
#### The Art of Giving

**When**  
5 to 8 p.m. Friday, April 25

**Where**  
4398 Isleta Court

**Cost**  
Free

**Contact**  
527-9897



Umberto Bustamante, whose picture graced promotional materials for the Art of Giving show, recently passed away at the age of 84 years old. A Korean War veteran, he was the oldest member of the Camp Hope community. The Border Artists will hold a memorial for him during the event Friday, April 25.

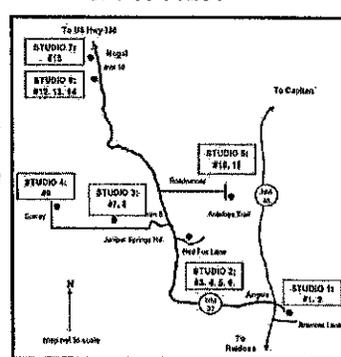


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#14 Suzy Gaza  
STUDIO 7: 1125 NM Hwy 37  
#15 Leroy Anderson

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COWGIRL SASS & SAVVY

# Breaking in the new hands on the

Nothing smells better to a cowboy than a sweaty horse as long as it's his favorite. Well, except maybe a pretty girl, as long as she's his favorite.

A quality horse worthy of a cowboy's love and respect doesn't just happen. There are many hours and countless miles invested between

a pretty little colt and a good finished horse.

Starting colts is part of the normal operation on most ranches. The young cowboys look forward to it and a new crop of colts will keep them busy.



Julie Carter  
Cowgirl Sassy & Savvy

Sometimes extra hands are hired to help and occasionally there's a twister who likes nothing better than to ride a horse that likes to buck. The horses will get in the spirit of this and

some will pitch every time a rider swings up just because both the rider and the horse like to show off.

Billy was such a horse. With this reputation, he was known as the "initiation horse," saved for the new hires.

Initiations provide a little fun with newcomers to see if they were worth their salt. They would rope Billy out of the horse herd, and he would stand quietly while he was saddled and the cowboy got topside.

Once the new twister was aboard, Billy would swallow his head. If the twister made a ride, he was accepted as an equal. He was thrown high enough for the birds to build a nest in his hat, times would be hard for him for a while.

If a new hand didn't strike the old hands just right, they would skip the initiation for fun part and Billy would be on a temporary vacation. Such was the case with the story that follows.

A new twister showed up at the ranch late one evening. He allowed that he had come to help the ranch boys out a little. He had recently been working at the feed store in town, but was ready to outpunch anybody around — assured that he was loaded up with cowboy skill.

The regular cowboy crew looked him over, took in the boots with 18-inch

high tops, under-slung heels and britches tucked in.

They saw that he had a hat with a big turkey feather. They also took notice of the attitude.

Before light the next morning all the hands gathered at the horse pen. The wagon boss was roping out horses to work that day. The feed store cowboy stood around, anxious to get to work on this big, prestigious outfit.

With dead accuracy, the boss laid a houlhan loop over one horse after another for the waiting cowboys.

When the crew had the mounts, the boss dropped loop over a big, stout-looking dun.

When the loop settled, the dun set back, blew a few rollers out of his nose and wouldn't come out of the herd. Finally, one of the hands, already mounted,



Located at Camelot Castle

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## Artists Studio Tour

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15 Artists at 7 Locations

Highway 37 and 48 to Mile Marker 10

Nogal, New Mexico North of Ruidoso, NM

www.highmesatour.com

Contact: Madeleine Sabo 575-354-0201

Paid for in part by Lincoln County Lodgers Tax

### HUNKY AUCTION

## No-kill shelter b

Animal Village NM is beneficiary of May 9

By Dianne Stallings  
dstallings@ruidosonews.com  
@RuidosoNews on Twitter

A new event, the Hunks & Hounds Bachelor Auction, will be added this year to the Paws & Purrs Gala May 9, at the Tule Cafe in Tularosa, benefiting Animal Village NM.

The deadline to register for the evening of fun is today.

The festivities will begin at 6 p.m. with a reception featuring appetizers, followed by a silent auction with prizes that include trips to Las Vegas, Nev., and Phoenix; a spa day at Elements Spa & Salon; a photography package; custom art pieces; and an overnight with golf and brunch at The Lodge in Cloudcroft.

chlo ranch donated the w for a three-course meal, ter-dinner dancing will be music by Long Hair Entertainment. The cafe is located at 913 Granada Street.

The cost is \$45 per person. Pre-registration is required for the limited seating of 100. Dress will range from denim and diamonds to "the little black dress" at event for couples and single.

In addition to the auction, the event provides an opportunity for single women with a little extra cash bid on the area's most eligible bachelors and to receive a fun, expense-paid date of it, said village cofounder Sunny Aris. Even if it's no match made in heaven, all the money raised will go support Animal Village NM. Six lucky gentlemen will

>>7

Push/Pull-Float and Best Overall. Registration begins at 11:30 a.m. There will also be free family photos. For more information visit [mainstreet-roswell.org](http://mainstreet-roswell.org).

### April 19, 20

**Patriots Day Weekend Shoot**  
Patriots Day Weekend Shoot, Saturday, April 19, and Sunday, April 20, from 8 a.m. to 4 p.m., at the Roswell Gun Club. Project Appleseed will host the Annual Patriots Day Weekend Shoot. Learn traditional rifle marksmanship, hear the true story of April 19, 1775 and commemorate America's heritage. All ages and skill levels are welcome. Bring any .22-.30 caliber rifle. For more information call 625-6908 or visit [appleseedinfo.org](http://appleseedinfo.org).



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For more information contact Madeleine Sabo at 575-354-0201 [www.highmesatour.com](http://www.highmesatour.com)

Paid in Part by Lincoln County Lodgers Tax

### April 21 Hemlock

Hemlock is coming back to Roswell with a show at Ginsberg Music located at 201 N. Main. Also playing are Kingdoms Fall and Angst. All ages show. Admission is \$10. Doors open at 6 p.m. For more information, call 622-5630.

### April 22

**Healthy and Green in 2014**  
The Healthy & Green in 2014 expo is from 6 p.m. to 8 p.m., at the Roswell Convention Center, located at 912 N. Main. The Health & Green in 2014 will feature information on allergies, blood sugar, nutrition, immunizations and more. For more information call 624-8746.

### April 25

#### Carson & Barnes Circus

The Carson & Barnes Circus is at 4:30 p.m. and 7 p.m., at the Eastern New Mexico State Fairgrounds, located at 2500 SE Main St. Adult tickets are \$12 and children tickets are \$6. (Each adult ticket comes with a child's ticket free). Tickets are available at the Roswell Chamber of Commerce, located at 131 W. 2nd St. For more information call 623-5695.

### April 25

#### Make Time for Kids

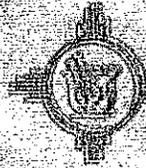
The 12th Annual Make Time for Kids, Friday, April 25th at 5 p.m., at The Liberty, located at 312 N. Virginia. Make Time for



Spectacular variety of spell crowd favorite

Show dates at and Friday, M Performing A and Saturday ings are at 2:30 Roller Ticket \$10. Seniors, students \$5 and are available box office. For

Kids is a free ev unique clocks an and silent auction ceeds will benef of the Chaves C Program. For m visit [maketimefo](http://maketimefo) call 625-0112.



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Professional Compound of Roswell  
**Charles A. Shannon, RPh** (575)  
**PROFESSIONAL COMPOUND**  
**OF ROSWELL**  
**CHARLES A. SHANNON, RPh**  
700 N. GARDEN AVE. (575) 622-6578  
Roswell, NM 82801 Fax



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Contact: Madeleine Sabo 575-354-0201

Paid for in part by Lincoln County Lodgers Tax

This handsome 4 year old Labrador Retriever mix is Bruno. He is very easy going and sweet. He is kennel and leash trained Bruno is a large breed dog and has a medium length coat. He is very handsome and well behaved indoors. He is already neutered and current with all his vaccinations. Bruno really enjoys being outside and is social with other animals. His adoption fee is also \$90.00 which will include a microchip and free pet insurance for 90 days.

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**Rascal**

My Name is Rascal! I am a very sweet, 6 year old Pommerle. Short hair. My coat is very soft, and buff in color. I love to cuddle and snuggle up in my favorite blanket. I socialize very well with other cats, and I am very easy going and well behaved indoors. I have current vaccinations and I am already spayed. And I am litter box trained and I love to meet new people and get lots of attention. My adoption fee is \$40.00 and includes me getting a microchip, and free pet insurance for 90 days.

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Come and see all our adoptable pets at the Lincoln County Animal Care Center, 422 Canyon Canyon Rd. (675) 257-9841. Visit our website.



## Rocky Mountain Elk Foundation

*Ensuring the future of elk, other wildlife and their habitat*

# ROCKY MOUNTAIN ELK FOUNDATION BANQUET

Saturday April 26, 2014 • 5:00 PM

at

Inn of the Mountain Gods Resort & Casino

278 Carrizo • Mescalero, NM

Banquet Dinner is Build Your Own Apache Taco

Multiple hunts and firearms, including multiple AR 15's will be auctioned

Call Jean or David Cunningham, 575-354-2451.



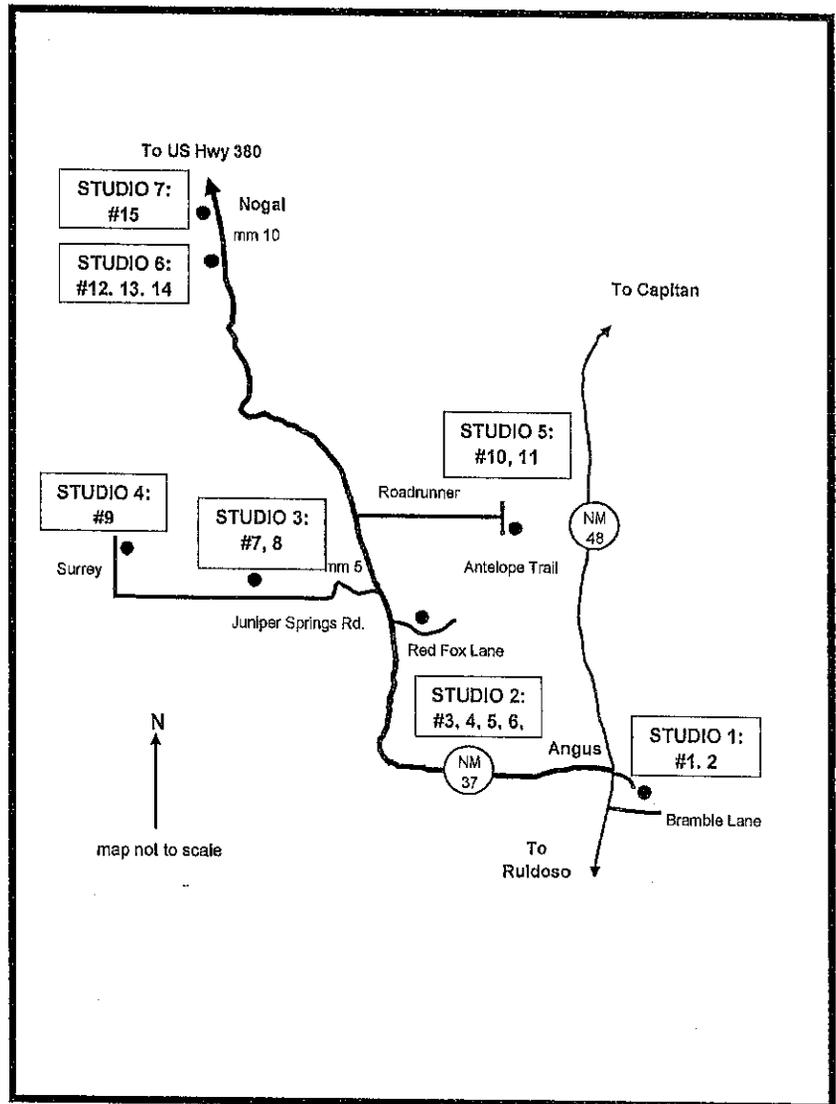
# HIGH MESA



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Sunday, April 27  
10 a.m. until 5:00 p.m.

[www.highmesatour.com](http://www.highmesatour.com)  
575-354-0201



### THE ARTISTS

STUDIO 1: 1300 NM Hwy 48 at intersection of NM Hwy 37

- #1 Zoe de Negri - silver jewelry
- #2 Misha Malpica - mixed media

STUDIO 2: 109 Red Fox Lane off NM Hwy 37

- #3 Nancie Ferguson - fiber, clay
- #4 Janet Alexander - gold & silver jewelry
- #5 Karen McCort - stoneware pottery
- #6 Renne' Bradley - functional & decorative pottery

STUDIO 3: 130 Juniper Springs Road off NM Hwy 37

- #7 Madeleine Sabo - wood turning, ceramics
- #8 Steve Sabo - wood turning

STUDIO 4: 122 Surrey Lane off Juniper Springs Road

- #9 Betty Day - gourd art

STUDIO 5: 194 Antelope Trail off Roadrunner

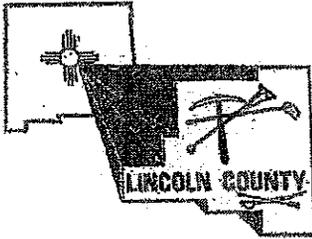
- #10 Lynn Eckman - jewelry
- #11 John Soden - color & black & white photography

STUDIO 6: Dry Gulch Gallery 1121 NM Hwy 37

- #12 Linda Caperton - fiber art, paintings
- #13 Robin Riggio - clay pottery
- #14 Suzy Goza - acrylic, oil, mixed media

STUDIO 7: 1125 NM Hwy 37

- #15 Leroy Anderson - jewelry, beadwork, rattles, sculpture



# County of Lincoln

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

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NAME OF EVENT: ASPENCASH DATE(S) OF EVENT: MAY 14-17, 2015

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: CPG SOLUTIONS, LLC

AMOUNT REQUESTED: \$ 5000.00

DESCRIBE EVENT BACKGROUND & RATIONALE: 4 DAY MOTORCYCLE CONVENTION; TRADE SHOW. HISTORICALLY THE EVENT ATTRACTS 10,000+ VISITORS TO THE AREA AND SUPPORTS BUSINESS ECONOMY DURING SHOULDER SEASON

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? EXTENSIVE NATIONAL ADVERTISING PROMOTION CAMPAIGN TO TARGET NATIONWIDE MOTORCYCLE COMMUNITY

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? EVERY PARTICIPANT MUST FILL OUT A FORM CONTAINING PERSONAL INFORMATION

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

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>250.00</u>
RADIO:	\$ <u>500.00</u>
MAGAZINE:	\$ <u>2000.00</u>
INTERNET:	\$ <u>250.00</u>
PRINTING:	\$ <u>2000.00</u>
OTHER:	\$ <u>6000.00</u>
TOTAL:	\$ <u>17,000.00</u>

OTHER FUNDING SOURCE & AMOUNT SEED MONEY - \$2500.00

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.

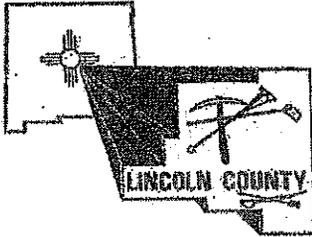
NAME (PRINT) OF APPLICANT MAKING REQUEST: <u>CPG SOLUTIONS, LLC</u>	
SIGNATURE OF APPLICANT: <u>[Signature]</u>	
ADDRESS/CITY/ZIP: <u>PO BOX 11467</u>	
PHONE: <u>575.973.4977</u>	EMAIL ADDRESS: <u>INFO@MOTORCYCLEDAILY.COM</u>
DATE SUBMITTED: <u>1/21/15</u>	PRESENTED AT MEETING ON: <u>1/27/15</u>

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.

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816



# County of Lincoln

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

www.lincolncountynm.net

NAME OF EVENT: Golden Aspen Rally DATE(S) OF EVENT: SEPT 16-20, 2015

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: CPA SOLUTIONS, LLC

AMOUNT REQUESTED: \$ 5000.00

DESCRIBE EVENT BACKGROUND & RATIONALE: 5 DAY MOTORCYCLE CONVENTION & TRADE SHOW. HISTORICALLY THE EVENT ATTRACTS 30,000+ TO THE AREA AND SUPPORTS BUSINESS ECONOMY DURING SHOULDERS SEASON

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? EXTENSIVE NATIONAL ADVERTISING PROMOTION CAMPAIGN TO TARGET NATIONWIDE MOTORCYCLE COMMUNITY

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? EVERY PARTICIPANT MUST FILL OUT A FORM CONTAINING PERSONAL INFORMATION

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

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>250.00</u>
RADIO:	\$ <u>500.00</u>
MAGAZINE:	\$ <u>2000.00</u>
INTERNET:	\$ <u>250.00</u>
PRINTING:	\$ <u>14,000.00</u>
OTHER:	\$ <u>7,000.00</u>
TOTAL:	\$ <u>24,000.00</u>

OTHER FUNDING SOURCE & AMOUNT SPRD MONEY - \$2500.00

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.

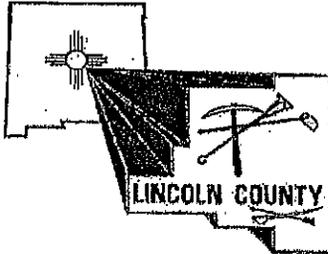
NAME (PRINT) OF APPLICANT MAKING REQUEST: <u>CPA SOLUTIONS, LLC</u>	
SIGNATURE OF APPLICANT: <u>[Signature]</u>	
ADDRESS/CITY/ZIP: <u>PO Box 1467, Ruidoso, NM 88355</u>	
PHONE: <u>575.973.4977</u>	EMAIL ADDRESS: <u>ALFD@MOTORCYCLERALLY.COM</u>
DATE SUBMITTED: <u>11/21/2015</u>	PRESENTED AT MEETING ON: <u>11/27/2015</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.

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816



# County of Lincoln

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

www.lincolncountynm.net

NAME OF EVENT: Smokey Bear Days DATE(S) OF EVENT: May 1-2, 2015

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: Smokey Bear Hometown Assoc.

AMOUNT REQUESTED: \$ 13,500.00

DESCRIBE EVENT BACKGROUND & RATIONALE: Smokey Bear Day is an annual event celebrating Smokey Bears discovery in 1950. 2015 marks the 71<sup>st</sup> Birthday & the 12<sup>th</sup> consecutive year. Visitation reaches 3-4 thousand visitors to this 2 day event last event brought over 5,000 visitors.

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? Program guides, radio ads, websites, newspapers, posters, banners, & save the date cards

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? Admission sales through Smokey Bear Historical Park, vehicle count, Sierra Blanca Amateur Radio

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? 65%  
WILL YOU HAVE A WEBSITE FOR YOUR EVENT? X YES  NO

NMForestry.com, smokysbear.com, smokysbearhistoricalpark/fair-book, smokysbearhometownassoc.

FUNDS WILL BE USED FOR:

NEWSPAPER ADVERTISING:	\$	<u>1,050.00</u>
RADIO:	\$	<u>1,050.00</u>
MAGAZINE:	\$	<u>.00</u>
INTERNET:	\$	<u>.00</u>
PRINTING:	\$	<u>6,450.00</u>
OTHER:	\$	<u>4,950.00</u>
TOTAL:	\$	<u>13,500.00</u>

Program Guides, cards, posters, porta parties

OTHER FUNDING SOURCE & AMOUNT Capitan Lodgers Tax \$ 3,829.00 Full pg. ad  
Rundoss Visitor Guide

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>Bennie Long</u>
SIGNATURE OF APPLICANT:	<u>Bennie Long</u>
ADDRESS/CITY/ZIP:	<u>PO Box 591 Capitan, NM 88316</u>
PHONE:	<u>575-354-2748</u>
EMAIL ADDRESS:	<u>bennie.long@state.nm.us</u>
DATE SUBMITTED:	PRESENTED AT MEETING ON:

Attach any previous year's budget and proposed budget for event. Mail or deliver to Bille-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

**Smokey Bear Historical Park  
Lodgers Tax Request 2015  
Smokey Bear Days May1-2, 2015**

• 10,500 save the date cards@ .27 Printing and shipping included	\$2,700.00
• Radio and News Paper ads	\$2,100.00
• 250 posters @ \$5.00	\$1,250.00
• Program Guides Pre-press graphics and printing	\$1,500.00
Printing	\$4,000.00
Shipping	\$500.00
Gross Receipts Tax (approximate)	\$450.00 = \$6,450.00
• Porta Potties	<u>\$1,000.00</u>
Total	\$13,500.00

**Smokey Bear Hometown Association: Collaborators**

• Entertainment Theater	\$2,500.00
• Music/Bands	\$1,500.00
• Ruidoso Visitor Guide Article (Capitan Lodgers Tax)	\$3,829.00
• Trash Detail(Volunteer hours 5x\$10.00per hour) In Kind	-\$50.00
• Parade, Competition, and Participant Ribbons	\$300.00
• Prize money for Bear Carver's	\$3,000.00
• Oversee Chainsaw Competition (volunteer hrs.24x10.00per hr.) In Kind	-\$240.00
• Pay for Auctioneer	\$200.00
• Purchase and provide memorabilia for Smokey Bear Auction	\$2,000.00
• Graphic Design for Card and Poster	<u>\$500.00</u>
SBHA Total	\$13,829.00

## Smokey Bear Historical Park: Providing

• Labor for set up	16 hours at \$10.00 per hour	
In Kind	16 hours at \$10.00 per hour	\$160.00
• Set up for entertainment and provide property		
In Kind	6 hours at \$10.00 per hour	\$60.00
• Sponsorship ads for program to assist SBHA with funding of event		
In Kind	30 hours x 2 employees at \$10.00 per hour	\$600.00
• Vendor applications and provide booth space		
In Kind	15 hours x \$10.00	\$150.00
• Parade Management and applications		
In Kind	20 hours x \$10.00	\$200.00
• Providing Educational Booths, in collaboration with BLM,USFS,NM Game and Fish, Upper Hondo Soil and Water, Spring River Zoo, Greg Haussler		
In Kind:		
BLM	7 employees x 6 hours=42 x \$10.00	\$420.00
USFS	7 employees x 8 hours=56 x \$10.00	\$560.00
NM Game & Fish	1 employee x 8 hour=8 x \$10.00	\$80.00
Upper Hondo Soil and Water	4 employees x 8 hours=32 x \$10.00	\$320.00
Spring River Zoo	1 employee x 8hours=8 x \$10.00	\$80.00
Gregg Haussler	1 employee x 8 hours=8 x \$10.00	\$80.00
Corona Fire Department	3 employees x 8 hours=24 x \$10.00	\$240.00
Lincoln Fire Department	3 employees x 8 hours=24 x \$10.00	<u>\$240.00</u>
	Total of in Kind Services	\$3,190.00

Smokey Bear Historical Park

Lodgers Tax Request 2014

Smokey Bear Day's Smokey's 70<sup>th</sup> Birthday

• 10,000 save the date cards @ .26 Printing and shipping included	\$2,600.00
• Radio and Newspaper ads	\$1,500.00
• 250 posters@ \$5.00	\$1,250.00
• Program Guides Pre-press graphics and printing	\$1,200.00
Printing	\$3,866.00
Shipping	\$495.00
Gross receipts Tax (approximate)	\$439.00 = \$6,000.00
• Banners six 10"X 34" @ \$370.00	<u>\$2,220.00</u>
Total	\$13,570.00

Smokey Bear Hometown Association: collaborators

• Porta Potties	\$800.00
• Entertainment Theater	\$1,975.00
Music	\$1,000.00
• Ruidoso Visitor Guide Article (Capitan's Lodgers Tax)	\$3,000.00
• Ruidoso Visitor Guide Article	\$829.00
• Trash detail	In Kind
• Parade Ribbon purchase	\$125.00
• Prize money for Bear Carver's	\$3,000.00
• Oversee Chain Saw Competition	In Kind
• Pay for Auctioneer	\$200.00
• Purchase and provide memorabilia for Smokey Bear Auction	\$2,000.00
• Graphic Design for Card and Poster	\$300.00
• Two (2) 10'X20' Event Tents	<u>\$529.00</u>
SBHA Total	\$13,758.00

Smokey Bear Historical Park: Providing

- Labor for set up In Kind
- Set up and property for entertainment In Kind
- Sponsorships ads for program to assist SBHA with funding of event In Kind
- Vendor applications, and provide booth space In Kind
- Parade management and applications In Kind
- Providing Educational Booths, in collaboration with BLM, USFS, NM Game and Fish, Upper Hondo Soil and Water, Spring River Zoo, Greg Haussler. In Kind
- 
- Mileage for distribution of Cards, Posters, and Programs In Kind
- Survey Table

Lincoln County Lodger's Tax Committee

Minutes – January 27, 2015

1. Call to Order. The meeting convened at 10:00 a.m.

2. Roll Call

Present:

James Hobbs

Alice Seely

Sue Hutchison

Absent:

Victor Garrison

David Vigil

3. Approval of Minutes – passed.

Prior to discussion related to funding requests, the committee looked at the ledger sheet in the packet which indicated the amount of funding available for disbursement. According to Page 37 of the ledger, it was determined that \$35,036.00 was currently unencumbered and available for allocation.

4. Funding Request: \$2,000 High Mesa Artist's Studio Tour.

Steve Sabo was present, and presented information regarding the facts of the request. The High Mesa Artist's Studio Tour purposely schedules their event to assist in the lower tourist seasons during the regularly calendared year. Their request entails utilizing funds to advertise their event, which, according to Mr. Sabo and the extensive background documentation presented, brought more than 340 people to 2014's tour.

The tour tracks visitors, has a plan to entice visitors to complete tracking information surveys and reports that 13 families took advantage of Lincoln County lodging offers correlated to the tour. It was estimated by the committee that if the same occurs during the 2015 tour, the tour's request of \$2,000 will be more than returned due to lodger's expenses while lodging in the County.

Motion was made by Sue Hutchison to recommend to the Commission full funding of this request, and was seconded by James Hobbs. The motion passed unanimously.

5. Funding Request: \$5,000 AspenCash.

6. Funding Request: \$5,000 Aspen Rally.

Funding Requests 5 and 6 were discussed simultaneously, due to a singular presenter for both requests. Ron Anderson was substituting for Patric Pearson. A County Funding Request was completed for both entities, however, there was no additional background information presented, and there were questions from the committee which Mr. Anderson could not answer due to not having sufficient resources at hand. Request 6 is also taking place during the next county fiscal year and could be considered for funding at a later time.

Motion was made by Sue Hutchison to table Funding Requests 5 and 6 until the February Lodger's Tax Committee meeting, giving the requestors sufficient time to prepare background documentation relating to the questions asked of Mr. Anderson. The motion was seconded by Alice Seely. The motion passed unanimously.

7. Funding Request: \$13,500 Smokey Bear Days.

Bennie Long was present to present information and background documentation for the request. The event solicits lodger's tax funds from Capitan as well as Lincoln County. According to background documentation, Ms. Long stated that publicity has been sent to neighboring states of Texas, Arizona and Colorado in the past to attract overnight lodgers. She stated that more than 39% attended due to publicity in the Ruidoso Visitor's Guide last year. The banners previously purchased are able to be used annually, in an attempt to conserve funds.

Planned this year is the U.S Navy Band in addition to other new events and attractions to continue to entertain and educate visitors both new and returning. Past demographics show that visitors from 48 states and 29 countries have attended Smokey Bear Days.

Alice Seely offered a motion to recommend to the Commission full funding for this event and James Hobbs offered a second. The motion passed unanimously.

8. Acceptance of the expense budget reports ending October, November, December, 2014. Discussion took place regarding the format that budget reports were presented to the committee with the consensus that the committee would like to see a less cumbersome and more succinct summary of the expense budget report during committee meetings.

The acceptance of the expense budget reports passed unanimously.

9. Discussion of Outstanding Purchase Orders. Although no action was required, the Lodger's Tax Ordinance was discussed pertaining to the fact that Ordinance 2004-04 does not address the matter of funds which have been encumbered but not retrieved by entities who have requested funds. Currently there is more than \$13,000 which has not been retrieved by entities granted encumbrances. Ordinance 2004-04 may need to be amended to include a deadline for encumbered funds to be retrieved or, conversely, reinstated into the fund available for encumbrances.

Another factor discussed pertained to the suggestion that those entities who have been granted funds may not know how to retrieve said funds from the county, with the committee agreeing that the process for retrieval of funds may be detailed from a county perspective after the committee's work is finished.

10. The next meeting for the committee will be February 24, 2015.

11. The meeting was adjourned at 10:55 a.m.

Respectfully submitted,



Sue Hutchison

DATE: 1/28/15

APP. NO. A

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1

High Mesa Artist's Studio Tour  
Name of Organization

Organization is:  Profit  Non Profit  Government Related

130 Juniper Springs Rd, Noyal NM 88341  
Address

Steve Sabo City 575 State 354-6201 Zip  
Contact Person (s) Telephone #(s)

Amount Requested \$ 2,000 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.

[Signature]  
SIGNATURE

2/2/15  
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: 1/27/15

AMOUNT APPROVED: \$ 2,000 REQUEST DENIED: \_\_\_\_\_  
[Signature] (for David Vigil)  
AUTHORIZED SIGNATURE

Section 3 LINCOLN COUNTY COMMISSION

Meeting Date: \_\_\_\_\_  
Approval: \_\_\_\_\_ Denial: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
COUNTY MANAGERS 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 COMMITTEE      4) REQUESTING ORGANIZATION

DATE: 1/27/15

Lodger's

APP. NO. B

LINCOLN COUNTY LODGERS TAX APPLICATION FOR FUNDING

Section 1

Smokey Bear Days

Name of Organization

Organization is:  Profit  Non Profit  Government Related

PO Box 591 Capitan NM 88316

Address City State Zip

Bennie Long 575-354-2748

Contact Person (s) Telephone #(s)

Amount Requested \$ 13,500 Money is to be used for Advertising /  
porta potties

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.

Bennie Long  
SIGNATURE

1/27/15  
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: 1/27/15

AMOUNT APPROVED: \$ 13,500 REQUEST DENIED: \_\_\_\_\_

Susan [Signature] (for David Vigil)  
Authorized Signature

Section 3

LINCOLN COUNTY COMMISSION

Meeting Date: \_\_\_\_\_

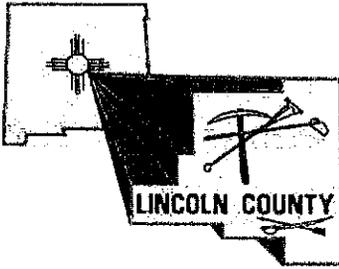
Approval: \_\_\_\_\_ Denial: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
COUNTY MANAGERS 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 COMMITTEE      4) REQUESTING ORGANIZATION



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# County of Lincoln

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## AGENDA Item No. 12

9:30 a.m.

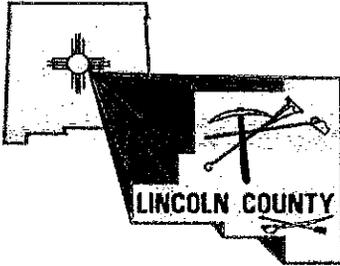
February 12, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Public Comment and Other Business from County Officials  
Items for Discussion Only – No Action will be Taken



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# County of Lincoln

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## AGENDA Item No. 13

February 12, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Southern New Mexico/El Paso Joint Land Use Study (JLUS) Implementation Memorandum of Agreement (MOA)

**Purpose:** To obtain Commission approval to Enter into a Memorandum of Agreement with Other Local Governments and Federal Agencies for the Implementation Phase of the Joint Land Use Study

**Discussion:** In July, 2012, the Counties (Dona Ana, Otero, Lincoln, Sierra, Socorro and El Paso) the Cities (Alamogordo, Las Cruces and El Paso) and the Concurring Parties (State of New Mexico (Spaceport America and the Office of Military Base Planning and Support), New Mexico State Land Office, the Bureau of Land Management, the U.S. Forest Service, Fort Bliss, Holloman Air Force Base and White Sands Missile Range) entered into a Memorandum of Agreement for the purpose of *organizing* a Regional Planning Organization (RPO) and *conducting* a Regional Joint Land Use Study; the Southern New Mexico / El Paso Joint Land Use Study (SNM/EP JLUS). Lincoln County's fee to participate in this Phase of the Study was \$5,000.

Upon the completion of this Joint Land Use Study Phase and after issuance of the Final Report, a SNM/EP JLUS *Implementation Committee* must be established. The Memorandum of Agreement (**Enclosure 1**) details the terms and conditions for the purpose of implementing strategies and other recommendations of the SNM/EP JLUS. The federal grant to cover the operational budget will be approximately \$500,000, with each party agreeing to pay an amount that would total the 10% non-federal match, or \$50,000. Lincoln County's share is estimated to be 5% of that, or no greater than \$5,000.

**Recommendation:** Approve the MOA, and provide up to \$5,000 for the Implementation Phase of the JLUS.

**MEMORANDUM OF AGREEMENT**

**SOUTHERN NEW MEXICO/EL PASO JOINT LAND USE STUDY**

**IMPLEMENTATION COMMITTEE**

This Memorandum of Agreement is entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 by and among the following : County of Doña Ana, the County of Otero, the County of Lincoln, the County of Sierra, and the County of Socorro in New Mexico and El Paso County, Texas (collectively, "the Counties"); the City of Alamogordo and the City of Las Cruces in New Mexico, and the City of El Paso in Texas (collectively, "the Cities"); and the State of New Mexico (Spaceport America and the Office of Military Base Planning and Support); the New Mexico State Land Office; the Bureau of Land Management; and the U.S. Forest Service, Fort Bliss, Holloman Air Force Base, and White Sands Missile Range (the Concurring Parties) who will advise and assist.

WHEREAS, the Counties, the Cities, and the Concurring Parties entered into a Memorandum of Agreement in July, 2012 for the purpose of organizing a Regional Planning Organization (RPO) and conducting a Regional Joint Land Use Study; the Southern New Mexico/El Paso Joint Land Use Study(SNM/EP JLUS); and

WHEREAS, Doña Ana County served as the Fiscal Agent and Project Manager for the SNM/EP JLUS; and

WHEREAS, Doña Ana County applied for and received a Department of Defense (DOD), Office of Economic Adjustment (OEA) grant; and

WHEREAS, Doña Ana County issued a Request for Proposals on behalf of the RPO with the purpose of selecting a consultant to guide and support the efforts of the RPO in conducting the SNM/EP JLUS; and

WHEREAS, representatives of the Counties; the Cities, the Concurring Parties, the Bureau of Land Management, the U.S. Forest Service, the New Mexico State Land Office, and the State of New Mexico (Spaceport America and the Office of Military Base Planning and Support) agreed to participate as members of the SNM/EP JLUS Policy Committee and/or Technical Committee; and

WHEREAS, the consultant team facilitated numerous public meetings throughout the study area for the purpose of soliciting public input and comments; and

WHEREAS, the RPO has identified strategies (Compatibility Strategy Menu) which accomplish the objectives of the SNM/EP JLUS and entail further administrative action by the Cities, the Counties, the Concurring Parties, and other participants to further the objectives of Compatible Use among all participating entities; and

WHEREAS, following the completion of the SNM/EP JLUS and issuance of the Final Report it will be necessary to establish a SNM/EP JLUS Implementation Committee (JLUSIC); and

*ENCL 1*

WHEREAS, Doña Ana County has agreed to again serve as the Fiscal Agent and Project Manager for the Implementation Phase of the SNM/EP JLUS

NOW THEREFORE, the parties agree to the following terms and conditions for the purpose of implementing strategies and other recommendations of the SNM/EP JLUS, to wit:

1. The purpose of the JLUSIC is to develop and to further strengthen clear and consistent channels of communication across all stakeholder groups in the region, and also to promote inter-jurisdictional and inter-agency cooperation on critical planning issues related to military-community compatibility.
2. The JLUSIC will be composed of those members who have the most expertise as well as current experience and a strong commitment to addressing all aspects of the JLUS. In most cases, this will include those members who previously participated in the SNM/EP JLUS Technical Committee.
3. Doña Ana County will apply for a DOD, OEA grant for the purpose of organizing the JLUSIC partners and initiating efforts to carry out the recommendations of the JLUS, and serve as Project Manager in a capacity similar to that undertaken during the JLUS. Any funds received from OEA will serve as a catalyst to initiate the committee and are not anticipated to be a source of long-term funding.
4. The Co-Chairs of the JLUSIC will be a representative from Doña Ana County and a representative of Ft. Bliss. The JLUS will include representation from the Counties; the Cities; the Military Installations (Fort Bliss, Holloman Air Force Base, and White Sands Missile Range); the State of New Mexico (Spaceport America and the Office of Military Base Planning and Support); the New Mexico State Land Office; the Bureau of Land Management; and the U.S. Forest Service. It is expected that members of the JLUSIC have appropriate decision-making authority for their position and can also advance recommended implementation steps. In addition, one representative of the TRIAD (an umbrella effort facilitating internal coordination between Fort Bliss, Holloman Air Force Base, and White Sands Missile Range) will participate in the JLUSIC to address issues of airspace management and coordination.
5. The JLUSIC may add new parties to this MOA through consensus of the existing MOA members based on an entity's land use or other decision-making authority if such a need arises.
6. The JLUSIC will solicit comments and input as needed from the public and stakeholders with technical expertise relevant to the implementation process, such as private sector developers; landowners; educational/research and development institutions; non-profit groups; water planning and/or irrigation districts; major utility providers; energy developers; and others as appropriate.
7. Except as specifically set forth herein, the parties retain all budgetary and legislative functions and other authorities, except as specifically delegated to the JLUSIC by this agreement.
8. The JLUSIC will meet quarterly, or as subject to the call of the Co-Chairs. The JLUSIC may establish sub-committees for specific actions and/or issues. The JLUSIC will endeavor to

accomplish the objectives of the MOA with teleconferences to the extent possible; such teleconferences may also be scheduled between quarterly meetings.

9. JLUSIC members will be responsible for coordinating with their respective jurisdictions and agencies to further efforts necessary to carry out recommendations of the JLUS as discussed by the JLUSIC. Members of the JLUSIC are expected to represent the interests of their jurisdictions or agencies and maintain communication with their senior leadership.
10. The JLUSIC will schedule public meetings on a quarterly basis.
11. The JLUSIC shall establish an operational budget which will be approximately \$500,000. The budget(s) must be approved by all parties to this Agreement prior to becoming effective as the parties deem necessary. Each of the parties hereto agrees to pay the following proportions of the required 10% non-Federal contribution, which would be approximately \$50,000, "local match", either through a cash contribution, in-kind staff time dedicated to the project, or a combination thereof.

Doña Ana County: 20%  
Otero County: 15%  
Lincoln County: 5% (maximum of \$5,000)  
Socorro County: 5%  
Sierra County: 5%  
El Paso County: 5%  
The City of Alamogordo: 15%  
The City of Las Cruces: 20%  
The City of El Paso: 10%

12. Any changes, modifications, or alterations to the matters addressed by this MOA shall only become effective upon approval by all parties and shall be incorporated as a written amendment to this Agreement.

**MEMORANDUM OF AGREEMENT: SOUTHERN NEW MEXICO/EL PASO JOINT LAND USE STUDY**

**IMPLEMENTATION COMMITTEE**

**CONCURRING PARTIES**

**WHITE SANDS MISSILE RANGE**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**FORT BLISS**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**HOLLOMAN AFB**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**STATE OF NEW MEXICO**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**UNITED STATES FOREST SERVICE**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**BUREAU OF LAND MANAGEMENT  
LAS CRUCES DISTRICT**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**NEW MEXICO STATE LAND OFFICE**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**MEMORANDUM OF AGREEMENT: SOUTHERN NEW MEXICO/EL PASO JOINT LAND USE STUDY**

**IMPLEMENTATION COMMITTEE**

APPROVED

CITY OF ALAMOGORDO

By: \_\_\_\_\_

Title: \_\_\_\_\_

CITY OF EL PASO

By: \_\_\_\_\_

Title: \_\_\_\_\_

CITY OF LAS CRUCES

By: \_\_\_\_\_

Title: \_\_\_\_\_

LINCOLN COUNTY

By: \_\_\_\_\_

Title: \_\_\_\_\_

SIERRA COUNTY

By: \_\_\_\_\_

Title: \_\_\_\_\_

OTERO COUNTY

By: \_\_\_\_\_

Title: \_\_\_\_\_

EL PASO COUNTY

By: \_\_\_\_\_

Title: \_\_\_\_\_

DOÑA ANA COUNTY

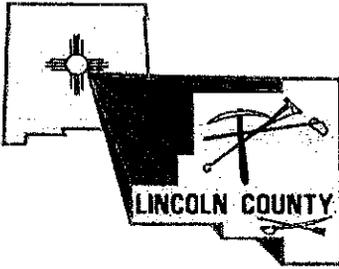
By: \_\_\_\_\_

Title: \_\_\_\_\_

SOCORRO COUNTY

By: \_\_\_\_\_

Title: \_\_\_\_\_



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

February 12, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Resolution 2014-38 Amending Resolution 2014-33 Adjusting the 2014-2015 Budget

**Purpose:** To obtain Commission Approval of Resolution 2014-38 Amending Resolution 2014-33

**Discussion:** Two inadvertent errors were made in the adjusted budget presented and subsequently approved by the Commission at its January 13<sup>th</sup> meeting:

1. Expenses in Fund 608 –CDBG Planning Grant – were reduced by \$1,000 and a transfer must be made to reflect that reduction;
2. A double entry was made to Fund 683 – 1/8 GRT Debt Reserve – Resulting in a \$0.00 transfer rather than a transfer of (\$3,074).

**Recommendation:** Approve Resolution 2014-38

**RESOLUTION 2014-38  
AMENDING RESOLUTION 2014-33  
ADJUSTING THE 2014 – 2015 BUDGET FOR LINCOLN COUNTY**

**WHEREAS**, the Lincoln County Board of Commissioners, meeting in regular session on February 17, 2015, did review requests for adjustment to the 2014-2015 Budget; and

**WHEREAS**, it was determined that the proposed adjustments would be beneficial to the citizens of Lincoln County;

**NOW, THEREFORE, BE IT RESOLVED** that the County of Lincoln, Board of Commissioners is respectfully requested to approve this resolution with the following adjustments:

608001950	Transfer In	(\$ 1000.00)
683001950	Transfer In	(\$ 3074.00)

**PASSED, APPROVED AND ADOPTED** this 17<sup>th</sup> day of February 2015.

Board of Commissioners  
County of Lincoln, State of New Mexico

\_\_\_\_\_  
Preston Stone, Chairman

\_\_\_\_\_  
Elaine Allen, Member

\_\_\_\_\_  
Thomas F Stewart, Member

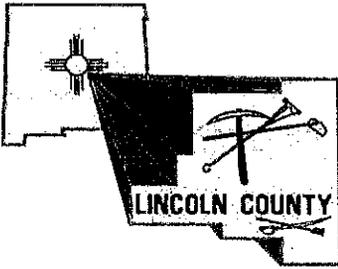
\_\_\_\_\_  
Dallas Draper, Vice Chairman

\_\_\_\_\_  
Dr. Lynn Willard, Member

ATTEST:

\_\_\_\_\_  
Rhonda Burrows, County Clerk





www.lincolncountynm.net

# County of Lincoln

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

## Agenda Item 15

February 3, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager

**SUBJECT:** Resolution for Certification of County Road Maintained

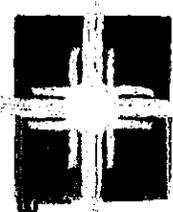
**Purpose:** Certify the total mileage of roads maintained by the county and approve the attached resolution.

### Discussion:

In accordance with NMSA 1978 Section 66-6-23, and the attached memorandum (**Enclosure 1**) to our Lincoln County Chairperson dated January 2, 2015, the Board of Commissioners shall certify the total mileage of roads maintained by the county by April 1 of each year.

Our rural addressing department certifies to the Board of Commissioners that this year's mileage is 804.3914 miles as indicated on the Resolution at **Enclosure 2**. Our rural addressing department is preparing the necessary maps to accompany the certification. The total includes 703.0970 miles of regular county roads and 101.2944 of county roads in National Forest.

**Recommendation:** Certify the mileage maintained as 804.3914 as indicated; approve the attached Resolution 2014-36 and direct the road department and rural addressing department to file the necessary documents to comply with state law.



*New Mexico* DEPARTMENT OF  
**TRANSPORTATION**  
 MOBILITY FOR EVERYONE

RECEIVED

JAN 05 2015

ADMINISTRATION  
 LINCOLN COUNTY NM

January 2, 2015

Ms. Jackie Powell  
 Lincoln County Commission Chairperson  
 P. O. Box 711  
 Carrizozo, NM 88310

Re: April 1<sup>st</sup> Submission of the 2015 Annual Certified County Maintained Mileage Report

**Susana Martinez**  
 Governor

**Tom Church**  
 Cabinet Secretary

**Commissioners**

**Pete K. Rahn**  
 Chairman  
 District 3

**Ronald Schmeits**  
 Vice Chairman  
 District 4

**Dr. Kenneth White**  
 Secretary  
 District 1

**David Sepich**  
 Commissioner  
 District 2

**Butch Mathews**  
 Commissioner  
 District 5

**Jackson Gibson**  
 Commissioner  
 District 6

Dear Ms. Powell:

This is notification that the **2015 Annual Certified County Maintained Mileage Report is due on April 1<sup>st</sup>, 2015.** Pursuant to NMSA 1978, Section 66-6-23 (1999), which states, the Board of County Commissioners of each county shall certify and submit an Annual Certified County Maintained Mileage Report to the Secretary of the Department of Transportation, on or before April 1<sup>st</sup> of each year.

By July 1<sup>st</sup> of every year, representatives for the Secretary of the Department of Transportation shall verify the submittal of each county and revise, if necessary, the total mileage of public roads maintained by each county. The mileage acknowledged by these representatives, shall be the official mileage of the public roads maintained by each county and will be reported to the New Mexico State Treasurer's Office. After August 1<sup>st</sup>, distribution of funding to each county for road maintenance purposes shall be made in accordance with the aforementioned NMSA section.

Pursuant to NMSA 1978, Section 67-3-28.3 (1988), any county not complying with the required certified submittal by April 1<sup>st</sup> of each year, will have their mileage estimated and then reduced by one-third each month for that fiscal year, by the Secretary of the Department of Transportation. The amount of mileage deducted from the counties not in compliance, shall be equally distributed between all counties in compliance, by the Secretary of the Department of Transportation.

Please submit a complete set of information, correctly labeled and identified which contains the following:

- 1) A fully attributed Geographic Information System (GIS) data set identifying certified county maintained road features with mileage information on CD. The recent state funded effort to collect E-911 County Global Positioning System (GPS) road data can be used to satisfy this option. The NMDOT updates its database with the county submitted data and information, annually.

ENCL 1

**Note:** The New Mexico Department of Transportation utilizes the following GIS and CADD software packages:

- a. ArcGIS 9.X or 10.x .mxd Information must include layer definition (.lyr) files, geodatabases or shape files containing all related files, (e.g., .shp, .dbf, .prj, .sbn, .sbx, .shx, .xml ). Provide metadata and projection information, symbology for data, and export to a .pdf file.
- b. AutoCAD 2002 - 2013 (.dwg or .dxf files) or MicroStation v.8 or v.8i, .dgn files.
- c. PDF File for map(s) and Microsoft Word or Excel for route listing.

If you are currently utilizing a GIS software package not listed above, or have further questions please contact us at the below listed phone numbers.

As the NMDOT is also working towards the creation and verification of a statewide "All Public Roads" network, should your county have additional line work and associated tabular data on roads within your county that are not county maintained, please feel free to provide that information along with your submittal. While not required, this additional information would assist us greatly.

2) A package to include either a hard copy or a digital spreadsheet or document that was used to generate a Route Listing and County Map(s). The digital data can be provided on CD or diskette and should be in a standard application format such as MS Excel or MS Word. Please adhere to the following guidelines for submitting the following required information.

- **An Administrative Resolution** signed and dated by the county commissioners, specifying the total maintained mileage for the current year.
- **A Route Listing** identifying each county maintained route and including the following: **1.)** County road name and/or county road number (in alpha, numeric, or alphanumeric order); **2.)** Route description with the beginning and ending termini of each maintained route; **3.)** Total length of the maintained mileage for each road in tenths, hundredths or thousandths of a mile, (not in feet); **4.)** Roadway width (in feet); **5.)** Surface type (i.e., paved, graveled, dirt); **6.)** Subtotals of the maintained mileage for each section or district; **7.)** Grand total for the entire submittal.
- **A Legible County Map** with correctly plotted routes and identification for each route, by name and/or number (highlighted if possible), corresponding to the above-mentioned Route Listing. For legal purposes, please ensure that the Administrative Resolution, the Route Listing and the Map are labeled with the corresponding year of the submittal.

**Your prompt response on the certification and submittal of your county maintained mileage report is imperative for funding of your county road maintenance programs. Please mail or deliver these documents by April 1<sup>st</sup>, 2015 to:**

Robert Young  
New Mexico Department of Transportation  
Office of Strategic Planning and Asset Management, SB-2  
P.O. Box 1149  
Santa Fe, NM 87504-1149

If you have any questions, please do not hesitate to contact me. You can contact me at the above mailing address or at the following phone number and e-mail address.

Office: 505-995-7877 Fax: 505-827-3202  
E-Mail: [Robert.Young@state.nm.us](mailto:Robert.Young@state.nm.us)

Sincerely:



Robert S. Young, P.E.  
Project Management Engineer

Lincoln County Inventory 2015

	A	B	C	D	E	F	G	H
	RDNAME	ALIAS	COMM	SURFACE	Width	Shoulder	Classifi	Len_mile
1								
2	18th St	A009	CARRIZOZO	CHIPSEALED	22	NONE	COUNTY ROAD	1.0973775629072
3	9h6 Rd	B008	CAPTAN	DIRT	16	NONE	COUNTY ROAD	3.1406265970371
4	AERIE TRL		NOGAL	GRAVEL	24	NONE	COUNTY ROAD	0.3259806800761
5	Airport St	A007	CARRIZOZO	ASPHALT	24	NONE	COUNTY ROAD	0.1159025028443
6	Airport St	A007	CARRIZOZO	ASPHALT	24	NONE	COUNTY ROAD	0.1245262559922
7	Airport St	A007	CARRIZOZO	ASPHALT	24	NONE	COUNTY ROAD	0.7385719137427
8	Alamo Canyon Rd	STATE HWY 395	TINNIE	GRAVEL	24	NONE	COUNTY ROAD	9.3698316100923
9	Alpine Meadows Trl	SUN VALLEY TRL	RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.0707742658094
10	Alpine Meadows Trl	SUN VALLEY TRL	RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.2551418442861
11	Alpine Meadows Trl	SUN VALLEY TRL	RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.1036260180996
12	Alpine Meadows Trl	SUN VALLEY TRL	RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.1712634074484
13	Alpine Village Rd		RUIDOSO	GRAVEL	24	NONE	COUNTY ROAD	0.1078628670321
14	Alpine Village Rd		RUIDOSO	GRAVEL	24	NONE	COUNTY ROAD	0.2743697621065
15	Alpine Village Rd		RUIDOSO	GRAVEL	24	NONE	COUNTY ROAD	0.1401242221806
16	Alpine Village Rd		RUIDOSO	GRAVEL	24	NONE	COUNTY ROAD	0.1911136721736
17	Alpine Village Rd		RUIDOSO	GRAVEL	24	NONE	COUNTY ROAD	0.0750648962648
18	Alpine Village Rd		RUIDOSO	GRAVEL	24	NONE	COUNTY ROAD	0.1364959923529
19	Alpine Village Rd		RUIDOSO	GRAVEL	24	NONE	COUNTY ROAD	0.0839938081674
20	Alpine Village Rd		RUIDOSO	GRAVEL	24	NONE	COUNTY ROAD	0.4227785934824
21	Alta Vista Cir		ALTO	GRAVEL	21	NONE	COUNTY ROAD	0.0549741484742
22	Alta Vista Cir		ALTO	GRAVEL	21	NONE	COUNTY ROAD	0.4512738797328
23	Altamira Dr		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0253457009918
24	Altamira Dr		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.5808579518410
25	Altamira Dr		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.4096131723879
26	Altamira Dr		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0687323688766
27	Alto Dr		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.1006152587408
28	Alto Dr		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.2533522031702
29	Alto Mesa Rd		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0629866346204
30	Alto Mesa Rd		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.2647896042929
31	Alto Mesa Rd		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.1268376209372
32	Anaya Rd	E025	TINNIE	GRAVEL	18	NONE	COUNTY ROAD	0.1188654517376
33	Ancho Rd	A036	ANCHO	DIRT	18	NONE	COUNTY ROAD	0.2021952621629
34	Ancho Rd	A036	ANCHO	DIRT	18	NONE	COUNTY ROAD	8.2153342091400
35	Ancho Rd	A036	ANCHO	DIRT	18	NONE	COUNTY ROAD	5.2503716480758
36	Angus Rd	C026	ANGUS	GRAVEL	22	NONE	COUNTY ROAD	0.3005967035243

Lincoln County Inventory 2015

	A	B	C	D	E	F	G	H
73	Basin St		CARRIZO	GRAVEL	24	NONE	COUNTY ROAD	0.7845828110022
74	BASIN ST		CARRIZO	GRAVEL	24		COUNTY ROAD	1.3371415343040
75	BASIN ST		CARRIZO	GRAVEL	24		COUNTY ROAD	0.4747361801904
76	Bent Tree Ct	MASHIE CT	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0437660386493
77	Berry Ct	HOLLY CT	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0691616426787
78	Big Bear Pl		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.0684682356405
79	Big Horn Ct		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0416694424250
80	Big Pines Pl	TALL PINES PL	RUIDOSO	GRAVEL	15	NONE	COUNTY ROAD	0.0680524638179
81	Big Sky Ln	SIERRA DR -	ALTO	GRAVEL	18	NONE	COUNTY ROAD	0.1912655047752
82	Billy The Kid Ct	N BILLY THE KID CT	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0338319484701
83	Billy The Kid Ct	S BILLY THE KID	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0390161802302
84	Biscuit Hill Rd		RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.2052526593428
85	Biscuit Hill Rd	E002	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0240917359620
86	Biscuit Hill Rd	E002	RUIDOSO DOWNS	GRAVEL	24	NONE	COUNTY ROAD	0.2826975250128
87	Black Hawk Rd		RUIDOSO	GRAVEL	15	NONE	COUNTY ROAD	0.0622293139078
88	Black Hawk Rd		RUIDOSO	GRAVEL	15	NONE	COUNTY ROAD	0.0585221732792
89	Blackfoot Ct		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.1325252966198
90	Blackwater Draw Rd	E039	ARABELA	DIRT	18	NONE	COUNTY ROAD	5.4529501460406
91	Blazing Star Trl	PINON DR	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0854080970723
92	Blazing Star Trl	PINON DR	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0636967136071
93	Blazing Star Trl	PINON DR	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0678360186864
94	Blazing Star Trl	PINON DR	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.2366894257235
95	Block Ranch Rd	B003	CAPITAN	DIRT	18	NONE	COUNTY ROAD	2.1112563226721
96	Blue Grouse Ln	SPRUCE LN	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.1586168876836
97	Blue Ridge Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1751960530568
98	Bluebelle Ln		RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.2582878817541
99	Bluebelle Ln		RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.0521276964237
100	Bluebonnet Ln		RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.1242834741392
101	Bluewater Spring Rd	E042	ARABELA	DIRT	18	NONE	COUNTY ROAD	1.3325155226461
102	Bluff Rd	SCENIC DR	RUIDOSO	DIRT	12	NONE	COUNTY ROAD	0.1687860585494
103	Bluff Rd	SCENIC DR	RUIDOSO	DIRT	12	NONE	COUNTY ROAD	0.0110110184511
104	Bobcat Trl	BUCK DR	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.2498055945916
105	BOBLED PL	SIERRA BLANCA PL	RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.0297331504292
106	Bogle Rd	B001	CAPITAN	DIRT	20	NONE	COUNTY ROAD	0.2860173564115
107	Bogle Rd	B001	CAPITAN	DIRT	20	NONE	COUNTY ROAD	0.0409367567386
108	Bogle Rd	B001	CAPITAN	DIRT	20	NONE	COUNTY ROAD	10.3939826595027

Lincoln County Inventory 2015

	A	B	C	D	E	F	G	H
145	Bridle Dr		RUIDOSO	DIRT	0		COUNTY ROAD	0.1529425303594
146	Broadmoor Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.2560167733225
147	Broadmoor Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1152578100091
148	Broadmoor Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.0241764382922
149	Broadmoor Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1571571069579
150	Broadmoor Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.0764779656383
151	Broken Arrow Trl		RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.1490410659598
152	Broken Back Rd	A012	CARRIZOZO	DIRT	18	NONE	COUNTY ROAD	7.9127215415268
153	Buckboard Trl	ALPINE/CORONADO	NOGAL	DIRT	20	NONE	COUNTY ROAD	0.2840593114851
154	Buena Vista Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1592095650666
155	Buena Vista Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.0922951250399
156	Buena Vista Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1725975585981
157	Buena Vista Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1819954948007
158	Buena Vista Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1147150514430
159	Buffalo Bill Ct		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0689012849788
160	Buggy Ln	PINE RIDGE RD	NOGAL	GRAVEL	18	NONE	COUNTY ROAD	0.2744669247798
161	Bull Elk Ct	FAWN CT	ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1441279583725
162	Bullion Loop	PAT GARRET	WHITE OAKS	DIRT	18	NONE	COUNTY ROAD	1.2764571747699
163	BUSHY TAIL RD	SQUIRREL AVE	ALTO	DIRT	12	NONE	COUNTY ROAD	0.1299931082001
164	BUTCH CASSIDY CT		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.1388238918018
165	C M Bryan Trl	A021	CORONA	DIRT	16	NONE	COUNTY ROAD	0.1247603347194
166	C M Bryan Trl	A021	CORONA	DIRT	16	NONE	COUNTY/FOREST	0.3521154923727
167	Calamity Jane Ct		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0707987815084
168	Calexico Way		ALTO	GRAVEL	14	NONE	COUNTY ROAD	0.0755863752650
169	Calle El Ojito	E017	HONDO	GRAVEL	18	NONE	COUNTY ROAD	0.6405836131506
170	Calle El Ojito	E015	HONDO	GRAVEL	18	NONE	COUNTY ROAD	0.2406930531438
171	Capitan Gap Rd	C001	FORT STANTON	DIRT	22	NONE	COUNTY ROAD	0.4714231057015
172	Capitan Gap Rd	C001	FORT STANTON	DIRT	22	NONE	COUNTY ROAD	4.9596279046975
173	Caprock Ct		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.3206689163293
174	Carleen Pl		RUIDOSO	ASPHALT	15	NONE	COUNTY ROAD	0.0401738242370
175	Cattle Drive Ct	CHISHOLM CT	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0407601937710
176	Cedar Creek Dr	D007	RUIDOSO	ASPHALT & GRAVE	20	NONE	COUNTY ROAD	0.1400894983062
177	Cedar Creek Dr	D007	RUIDOSO	ASPHALT & GRAVE	20	NONE	COUNTY ROAD	0.0288440455000
178	Cedar Creek Dr	D007	RUIDOSO	ASPHALT & GRAVE	20	NONE	COUNTY ROAD	0.0420306483040
179	Cedar Creek Dr	D007	RUIDOSO	ASPHALT & GRAVE	20	NONE	COUNTY ROAD	0.2243940352390
180	Cedar Creek Dr	D007	RUIDOSO	ASPHALT & GRAVE	20	NONE	COUNTY ROAD	0.1089877362857

Lincoln County Inventory 2015

A	B	C	D	E	F	G	H	
217	Cora Dutton Rd	C017/FS488	CAPITAN	GRAVEL	22	NONE	COUNTY/FOREST	0.5041494136174
218	Cora Dutton Rd	C017/FS488	CAPITAN	GRAVEL	22	NONE	COUNTY/FOREST	1.3799569642186
219	Cora Dutton Rd	C017/FS488	CAPITAN	GRAVEL	22	NONE	COUNTY/FOREST	1.8056327385401
220	Corral St		RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.1326749509235
221	Corvo Crista	PICACHO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0736907477907
222	Corvo Crista	PICACHO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2122508638588
223	Corvo Crista	PICACHO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.5568572843173
224	Cottage Grove Ln	CEDAR	ALTO	GRAVEL	15	NONE	COUNTY ROAD	0.2006410420697
225	Cougar Ln	HIGH MESA LN	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0857543415977
226	Cougar Mountain Rd	A028	CORONA	DIRT	16	NONE	COUNTY/FOREST	1.0624011809319
227	County Line Rd	A030	CORONA	DIRT	18	NONE	COUNTY ROAD	0.0790433757297
228	County Line Rd	A030	CORONA	DIRT	18	NONE	COUNTY ROAD	0.1966029352671
229	County Line Rd	A030	CORONA	DIRT	18	NONE	COUNTY ROAD	0.5474551152166
230	COUNTY LINE RD	A030	CORONA	DIRT	18		COUNTY ROAD	0.9321478109465
231	COUNTY LINE RD	A030	CORONA	DIRT	18		COUNTY ROAD	0.8233526593614
232	COUNTY LINE RD	A030	CORONA	DIRT	18		COUNTY ROAD	5.7226907096443
233	County Road B025	B025	CAPITAN	DIRT	18	NONE	COUNTY ROAD	2.6497413091167
234	County Road B030	B030	PINE LODGE	DIRT	16	NONE	COUNTY ROAD	3.5435020746748
235	County Road C009		CAPITAN	DIRT	16	NONE	COUNTY ROAD	0.2112348090700
236	Cowboy Ct		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0441799847436
237	Coyote Mesa Trl	LUPUS LN	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.2519266077025
238	CRAZY HORSE CIR		ALTO	GRAVEL	24		COUNTY ROAD	0.3224579433480
239	Cross Dr		RUIDOSO	DIRT	15	NONE	COUNTY ROAD	0.0474510220636
240	Crown Ridge Rd	SIERRA BLANCA DR	ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1394771555580
241	Crown Ridge Rd	SIERRA BLANCA DR	ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.7538303740081
242	Custers Last Stand Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0966933025601
243	Custers Last Stand Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0879529288041
244	Custers Last Stand Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0808937270052
245	Custers Last Stand Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0167818374299
246	DARK CANYON RD	A034	CORONA	DIRT	16		COUNTY ROAD	1.0731151992730
247	Dawson Rd	CANYON	CAPITAN	CHIPSEALED	24	NONE	COUNTY ROAD	0.1637792162324
248	Dawson Rd	SCHOOL ST	CAPITAN	CHIPSEALED	24	NONE	COUNTY ROAD	0.2010842047185
249	Dawson Rd	RAY RD	CAPITAN	CHIPSEALED	24	NONE	COUNTY ROAD	0.6307080538252
250	Dawson Rd	SCHOOL ST	CAPITAN	CHIPSEALED	24	NONE	COUNTY ROAD	0.1316612308657
251	Dawson Rd	CANYON	CAPITAN	CHIPSEALED	24	NONE	COUNTY ROAD	0.1977275581863
252	Dawson Rd	SCHOOL ST	CAPITAN	CHIPSEALED	24	NONE	COUNTY ROAD	0.0776314050097

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289	Deer Valley Dr		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0941779626533
290	Deer Valley Dr		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0575962243800
291	Del Monte Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.2604102539093
292	Del Monte Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.2477697625960
293	Del Monte Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1540978534719
294	Del Monte Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1414540587032
295	Delana Dr		RUIDOSO	DIRT	12	NONE	COUNTY ROAD	0.2099071413496
296	Denver City Dr		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.0968023699375
297	Denver City Dr		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.0497864072492
298	Destiny Way		ANGUS	GRAVEL	16	NONE	COUNTY ROAD	0.0455598235851
299	Devils Canyon Rd		FORT STANTON	DIRT	24	NONE	COUNTY ROAD	0.2401285922997
300	Devils Canyon Rd		FORT STANTON	DIRT	24	NONE	COUNTY ROAD	1.3922271094969
301	Devils Canyon Rd		FORT STANTON	DIRT	24	NONE	COUNTY ROAD	0.1830344443260
302	DEVILS CANYON RD		GLENCOE	DIRT	0	NONE	COUNTY ROAD	5.1395404271519
303	Doc Holiday Ct		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0499239535025
304	Doc Holiday Ct		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0649268538680
305	Doe Ct		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.1247542844309
306	Dogje Ct		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0817753050378
307	Don Aurelio		HONDO	GRAVEL	18	NONE	COUNTY ROAD	0.2010747502252
308	Don Pablo Ln		HONDO	DIRT	16	NONE	COUNTY ROAD	0.1192851011226
309	Donkey Ct		ALTO	GRAVEL	16	NONE	COUNTY ROAD	0.1400680955499
310	Dove Ct		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1073916955513
311	Draper Rd		BORDER HILL		0		COUNTY ROAD	7.0338051516769
312	Dray Ct		NOGAL	DIRT	16	NONE	COUNTY ROAD	0.1146136421073
313	Drover Ct		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0338308203113
314	DUSTY ROSE		CAPITAN	GRAVEL	22	NONE	COUNTY ROAD	0.3109613747404
315	DUSTY ROSE		CAPITAN	GRAVEL	22	NONE	COUNTY ROAD	0.1934871861406
316	DUSTY ROSE		CAPITAN	GRAVEL	22	NONE	COUNTY ROAD	0.2486594442738
317	DUSTY ROSE		CAPITAN	GRAVEL	22	NONE	COUNTY ROAD	1.2087657402653
318	DUSTY ROSE		CAPITAN	GRAVEL	22	NONE	COUNTY ROAD	0.1379864492939
319	E Ave		CARRIZOZO	DIRT	22	NONE	COUNTY ROAD	0.2445625479597
320	Eagle Creek Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.0434577864816
321	Eagle Creek Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.2234678313328
322	Eagle Creek Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	1.4105041843006
323	Eagle Creek Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.3969953709636
324	Eagle Creek Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.8326372656229

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361	Elda Rd	A032	CORONA	DIRT	22	NONE	COUNTY ROAD	2.5767722324481
362	Elda Rd	A032	CORONA	DIRT	22	NONE	COUNTY ROAD	2.2007315112044
363	Elda Rd	A032	ANCHO	DIRT	22	NONE	COUNTY ROAD	1.0577154931179
364	Elda Rd	A032	ANCHO	DIRT	22	NONE	COUNTY ROAD	2.2905232857384
365	ELK HOLLOW		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1691298466494
366	ELK HORN RD	ASPEN/MOGUL RD	ALTO	ASPHALT	18	NONE	COUNTY ROAD	0.1246741978344
367	ELK HORN RD		ALTO	ASPHALT	18	NONE	COUNTY ROAD	0.0994772018701
368	Elk Trl		NOGAL	GRAVEL	24	NONE	COUNTY ROAD	0.7299521091385
369	Enchanted Forest Loop		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0698928546727
370	Enchanted Forest Loop		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1072927618802
371	Enchanted Forest Loop		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0184601565007
372	Enchanted Forest Loop		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0758094272924
373	Enchanted Forest Loop		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0739279437260
374	Enchanted Forest Loop		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.4147214481437
375	Enchanted Forest Loop		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0417727552538
376	Enchanted Forest Loop		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0400125468034
377	Enchanted Forest Loop		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.1134220764345
378	Enchanted Forest Loop		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.2175107927690
379	Encino Rd		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.1031036243714
380	Erramouspe Rd	COUNTY ROAD A020	CORONA	DIRT	18	NONE	COUNTY ROAD	8.8043450923573
381	Erramouspe Rd	COUNTY ROAD A020	CORONA	DIRT	18	NONE	COUNTY/FOREST	0.3633581913015
382	Escondida Dr		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0498298698244
383	Escondida Dr		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1228829915354
384	Escondida Dr		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0856321789175
385	Este Dr	PASTO VERDE	NOGAL	DIRT	18	NONE	COUNTY ROAD	0.0466267458387
386	Este Dr		NOGAL	DIRT	18	NONE	COUNTY ROAD	0.5054722633039
387	Este Dr	PASTO VERDE	NOGAL	DIRT	18	NONE	COUNTY ROAD	0.0680057098732
388	Fawn Dr		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.2112049565863
389	Fawn Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.0757194368936
390	FELIZ MONTANA		HONDO	GRAVEL	14	NONE	COUNTY ROAD	0.5826575526453
391	Ferret Ct		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0504444491560
392	Ffa Rd	A006	CARRIZOZO	ASPHALT	18	NONE	COUNTY ROAD	0.2306532947072
393	FIRE RD		ALTO	ASPHALT	16	NONE	COUNTY ROAD	0.0865526611453
394	Flicker Ct	JUNIPER CT	ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1542213938097
395	Flintlock Trl	MUSKET DR	RUIDOSO	GRAVEL	15	NONE	COUNTY ROAD	0.0458343509241
396	Flintlock Trl	MUSKET DR	RUIDOSO	GRAVEL	15	NONE	COUNTY ROAD	0.0200825893338

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433	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.1939282671347
434	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.0541885822803
435	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.1221176623155
436	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.1191393323919
437	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.0743531426788
438	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.09417841666345
439	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.2865495127419
440	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.1788736963345
441	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.1441805489464
442	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.3183801097673
443	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.0862729116403
444	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.2381164567365
445	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.1183781323458
446	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.0588194894388
447	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.2684679887823
448	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.3530286442431
449	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.3411449280301
450	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	1.0714294498889
451	Gavilan Canyon Rd		RUIDOSO	ASPHALT	24	NONE	COUNTY ROAD	0.2203053876016
452	Gavilan Hills Rd		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.0331312813976
453	Gavilan Hills Rd		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.2043250994871
454	Gavilan Hills Rd		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.2046089252574
455	GAVILAN HILLS RD		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.4057828186564
456	Gavilan Rd	COUNTY ROAD D005	RUIDOSO	DIRT	16	NONE	COUNTY ROAD	0.0795260791349
457	Gavilan Rd	COUNTY ROAD D005	RUIDOSO	DIRT	16	NONE	COUNTY ROAD	0.0578908241928
458	Gavilan Rd	COUNTY ROAD D005	RUIDOSO	DIRT	16	NONE	COUNTY ROAD	0.1026644646221
459	Gavilan Rd	COUNTY ROAD D005	RUIDOSO	DIRT	16	NONE	COUNTY ROAD	0.2094965940739
460	GENE LITTLER LN		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.1776030871574
461	GENE LITTLER LN		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.1999002904362
462	Goodnight Loving Trl		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2913093933138
463	Goodnight Loving Trl		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1354697613648
464	Grand Ave	A002	OSCURO	GRAVEL	20	NONE	COUNTY ROAD	5.1524699702987
465	Grande Vista Ranch Rd	A036	CAPITAN	DIRT	18	NONE	COUNTY ROAD	3.7398073959954
466	Grande Vista Ranch Rd	A039 FORMERLY JACKS PEAK LOOP	CAPITAN	DIRT	0	NONE	COUNTY ROAD	3.9291978814244
467	Grapevine Ct	MOUNTAIN VIEW CT	ALTO	ASPHALT	18	NONE	COUNTY ROAD	0.0719738760949
468	Gray Rd	MOUNTAIN DR	CAPITAN	GRAVEL	16	NONE	COUNTY ROAD	0.0811817081687

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505	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0644676203855
506	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2210798531837
507	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0699242809344
508	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.4522716791497
509	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0403817706305
510	High Mesa Rd	HIGH MESA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2696145020516
511	High Mesa Rd	HIGH MESA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1225946768946
512	High Mesa Rd	HIGH MESA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1210824848700
513	High Mesa Rd	HIGH MESA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2407728035753
514	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0185193935830
515	High Mesa Rd	HIGH MESA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0719614783933
516	High Mesa Rd	HIGH MESA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1032982536863
517	High Mesa Rd	HIGH MESA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1477050785930
518	High Mesa Rd	HIGH MESA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.08952555706211
519	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0627070603471
520	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0341217542641
521	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0348442496796
522	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0248696436104
523	High Mesa Rd	HIGH MESA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1432181515728
524	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.3223959184178
525	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.3471563151891
526	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0157325733570
527	High Mesa Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1608798376659
528	High Rocky Rd		RUIDOSO	DIRT	10	NONE	COUNTY ROAD	0.1269533848063
529	High Sierra Ct		ALTO	GRAVEL	16	NONE	COUNTY ROAD	0.0781478922404
530	High View St		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1321741507526
531	Hill Country Rd		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.5737851734103
532	Hill Country Rd		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.1000874481379
533	Hillcrest Loop		CAPITAN	GRAVEL	16	NONE	COUNTY ROAD	0.4993460087456
534	Hines Draw	B012	CAPITAN	DIRT	16	NONE	COUNTY ROAD	1.2719302321762
535	Hines Draw	B012	CAPITAN	DIRT	16	NONE	COUNTY ROAD	4.5761155912714
536	Hines Draw	B012	CAPITAN	DIRT	16	NONE	COUNTY ROAD	3.8991050733306
537	Hines Draw	B024	LON	DIRT	0	NONE	COUNTY ROAD	2.8726226534064
538	Hitching Post Rd	MESA LOOP	RUIDOSO DOWNS	ASPHALT	20	NONE	COUNTY ROAD	0.1883107258299
539	Holly Dr		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.1312854465397
540	Holly Dr		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0726713932019

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577	Jicarilla Rd	A044 / FS72A	WHITE OAKS	DIRT	20	NONE	COUNTY/FOREST	1.3687736057658
578	Jicarilla Rd	A044 / FS72A	ANCHO	DIRT	20	NONE	COUNTY/FOREST	0.5577100839115
579	Jicarilla Rd	A044 / FS72A	WHITE OAKS	DIRT	20	NONE	COUNTY/FOREST	0.5097294363275
580	Jicarilla Rd	A044 / FS72A	WHITE OAKS	DIRT	20	NONE	COUNTY/FOREST	1.30104039191588
581	Jose Vega Loop	WALNUT	CARRIZOZO	GRAVEL	24	NONE	COUNTY ROAD	0.1064934633411
582	Jose Vega Loop	WALNUT	CARRIZOZO	GRAVEL	24	NONE	COUNTY ROAD	0.2446333291025
583	Jose Vega Loop	WALNUT	CARRIZOZO	GRAVEL	24	NONE	COUNTY ROAD	0.9812816365239
584	Joshua Rd		CAPITAN	GRAVEL	16	NONE	COUNTY ROAD	0.1771131683883
585	Joyce Rd	E029	PICACHO	DIRT	18	NONE	COUNTY ROAD	0.4359546213863
586	Juniper Springs Rd		NOGAL	GRAVEL	24	NONE	COUNTY ROAD	0.9812809052159
587	Juniper Springs Rd		NOGAL	GRAVEL	24	NONE	COUNTY ROAD	0.2524310981873
588	Juniper Springs Rd		NOGAL	GRAVEL	24	NONE	COUNTY ROAD	0.1588362361845
589	Kelley Rd	BO21	LON	DIRT	16	NONE	COUNTY ROAD	3.6205934565114
590	KERLEY CT		RUIDOSO		0		COUNTY ROAD	0.0842078634308
591	KIT FOX CT	DEER VALLEY LOOP	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0907716100040
592	Knight Rd	A015	ANCHO	DIRT	14	NONE	COUNTY ROAD	1.0269203884110
593	La Cueva Ct		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1104873035388
594	La Cumbre		CAPITAN	GRAVEL	20	NONE	COUNTY ROAD	0.5313088527949
595	Lackey Rd	A029	CORONA	DIRT	18	NONE	COUNTY/FOREST	0.7058418446939
596	Ladybug Ln	SANDIA PL	CAPITAN	GRAVEL	18	NONE	COUNTY ROAD	0.2320767497986
597	Laguna Dr		ALTO	DIRT	16	NONE	COUNTY ROAD	0.3541040490348
598	Laguna Dr		ALTO	DIRT	16	NONE	COUNTY ROAD	0.1096015128498
599	Laguna Dr		ALTO	DIRT	16	NONE	COUNTY ROAD	0.1372087499201
600	Laguna Vista Pl		ALTO	GRAVEL	14	NONE	COUNTY ROAD	0.0763550984458
601	Lake Shore Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.7238378349083
602	Lake Shore Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1817541198916
603	Lake Shore Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1651801419822
604	Lake Shore Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.4166727177148
605	Lake Shore Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1179612968862
606	Lake Shore Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.1255448921319
607	LAMAY RD		NOGAL	GRAVEL	20	NONE	COUNTY ROAD	0.8480525984092
608	Lance Trl	TOMAHAWK PL	RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.1294830926050
609	Lance Trl	TOMAHAWK PL	RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.0276889342212
610	Lance Trl	TOMAHAWK PL	RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.0395583626151
611	Lariat Ct		RUIDOSO	GRAVEL	12	NONE	COUNTY ROAD	0.0950222240652
612	Larkspur Loop	MEADOWS DR	ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.3484124423038

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	A	B	C	D	E	F	G	H
649	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0801153220693
650	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0792914964108
651	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0784039282714
652	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0855698959547
653	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0812763337340
654	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0956591274165
655	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0980152112862
656	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0866397492746
657	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0854838477208
658	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0858890483771
659	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0552821167934
660	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1412284716169
661	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2171283431270
662	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0869335886585
663	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0854019470946
664	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0886583629334
665	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0790977986627
666	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0809274256475
667	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1323716334992
668	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0917941145695
669	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0981099632411
670	Little Creek Rd		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1033847832615
671	Loma Grande Rd	BONITA DR	NOGAL	GRAVEL	20	NONE	COUNTY ROAD	0.0708300978768
672	Loma Grande Rd	BONITA DR	NOGAL	GRAVEL	20	NONE	COUNTY ROAD	0.0757988250714
673	Loma Grande Rd	BONITA DR	NOGAL	GRAVEL	20	NONE	COUNTY ROAD	0.1940862686819
674	Loma Grande Rd	BONITA DR	NOGAL	GRAVEL	20	NONE	COUNTY ROAD	0.0625381858631
675	Loma Vista Rd	B047	LON	DIRT	18	NONE	COUNTY ROAD	1.8775796118416
676	Lon Rd	B019	CORONA	DIRT	22	NONE	COUNTY ROAD	2.0595217604185
677	Lookout Peak Rd	LOOKOUT RD	CAPITAN	GRAVEL	16	NONE	COUNTY ROAD	0.7725239540863
678	Los Salitos	E016	HONDO	GRAVEL	18	NONE	COUNTY ROAD	0.9533359973287
679	M Lazy J Trl	B004	CAPITAN	DIRT	20	NONE	COUNTY ROAD	0.5127333075507
680	Macho Spring Rd	B005	CAPITAN	DIRT	20	NONE	COUNTY ROAD	0.6341913023473
681	Malpais Rd	A008	CARRIZOZO	DIRT	18	NONE	COUNTY ROAD	0.7799580340054
682	Manfor Rd	E011	SAN PATRICIO	GRAVEL	14	NONE	COUNTY ROAD	0.4272767416035
683	Marijo Ln		RUIDOSO	DIRT	15	NONE	COUNTY ROAD	0.2971369595664
684	Marijo Ln		RUIDOSO	DIRT	15	NONE	COUNTY ROAD	0.0067168948765

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	A	B	C	D	E	F	G	H
721	Mogul Rd	VAIL/RED RIVER	ALTO	GRAVEL	18	NONE	COUNTY ROAD	0.1338466759557
722	Mogul Rd	VAIL/RED RIVER	ALTO	GRAVEL	18	NONE	COUNTY ROAD	0.0194109160778
723	MOGUL RD	ASPEN	ALTO	ASPHALT	18	NONE	COUNTY ROAD	0.2031826138873
724	Monjeau Lookout Rd	FS117	ALTO	GRAVEL	16	NONE	COUNTY/FOREST	0.4559105696995
725	Monjeau Lookout Rd	FS117	ALTO	DIRT	16	NONE	COUNTY/FOREST	2.3898972531782
726	Monjeau Lookout Rd	FS117	ALTO	DIRT	16	NONE	COUNTY/FOREST	0.0963452450559
727	Monjeau Lookout Rd	FS117	ALTO	DIRT	16	NONE	COUNTY/FOREST	2.3698971508812
728	Monjeau Lookout Rd	FS117	ALTO	DIRT	16	NONE	COUNTY/FOREST	0.1195267975798
729	Monjeau Lookout Rd	FS117	ALTO	DIRT	16	NONE	COUNTY/FOREST	0.0269638779894
730	Monjeau Lookout Rd	FS117	ALTO	DIRT	16	NONE	COUNTY/FOREST	0.1131943392005
731	Monjeau Lookout Rd		ALTO	GRAVEL	16	NONE	COUNTY/FOREST	0.1812637415687
732	Monte Vista	MT. VIEW	CAPITAN	GRAVEL	16	NONE	COUNTY ROAD	0.2407624185155
733	Mount Hood Rd		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.0492493740443
734	Mount Hood Rd		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.0466843874862
735	Mount Hood Rd		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.0456090497061
736	Mountain Oak Ct		ALTO	ASPHALT	18	NONE	COUNTY ROAD	0.0457023940902
737	MULE DEER CT		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0781094047921
738	MULHOLLAND LN		ALTO	ASPHALT	15	NONE	COUNTY ROAD	0.0613022048341
739	Mulligan Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.0774443039501
740	Mulligan Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.3736923985217
741	Musket Ct		RUIDOSO	GRAVEL	15	NONE	COUNTY ROAD	0.3342516610218
742	Musketball Dr	BIG BEAR RD	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.0718904263413
743	Musketball Dr	BIG BEAR RD	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.1700890297140
744	Musketball Dr	BIG BEAR RD	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.1638710346786
745	Musketball Dr	BIG BEAR RD	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.0854561604675
746	Musketball Dr		RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.2455514219191
747	Musketball Dr		RUIDOSO	GRAVEL	0	NONE	COUNTY ROAD	0.4193180559812
748	Mutt Shanks Rd	E037	BORDER HILL	DIRT	18	NONE	COUNTY ROAD	6.45625031888174
749	NARROW WAY		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0425084043072
750	NEILL RD	LA JUNTA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1592573041653
751	NEILL RD		ALTO	ASPHALT	14	NONE	COUNTY ROAD	0.0509332596502
752	NEILL RD		ALTO	ASPHALT	14	NONE	COUNTY ROAD	0.1608977073702
753	NEILL RD		ALTO	ASPHALT	14	NONE	COUNTY ROAD	0.1054429323644
754	Nogal Canyon Rd	C015	NOGAL	GRAVEL	20	NONE	COUNTY ROAD	2.9254578914503
755	Nogal Canyon Rd	FS400	NOGAL	DIRT	16	NONE	COUNTY/FOREST	4.2305442659338
756	Nugget Ln		WHITE OAKS	GRAVEL	18	NONE	COUNTY ROAD	0.1878216631349

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	A	B	C	D	E	F	G	H
793	Picacho Rd	E030	PICACHO	DIRT	20	NONE	COUNTY ROAD	5.1318551015268
794	Picacho Rd	E030	PICACHO	DIRT	20	NONE	COUNTY ROAD	8.7782304506508
795	Picacho Rd	E028	PICACHO	DIRT	20	NONE	COUNTY ROAD	8.2410633932229
796	Piedra Vista		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0577112104110
797	Pine Cone Ln	PONDEROSA DR	ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.28265559967922
798	Pine Cone Ln	PONDEROSA DR	ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.0373253527982
799	Pine Hill Trl	PINE HILL LOOP	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.1054437498434
800	PINE HILL TRL	PINE HILL LOOP	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.3578550533079
801	Pine Knot Trl	PINON DR	ALTO	GRAVEL	22	NONE	COUNTY ROAD	0.1977229330040
802	Pine Ridge Rd		CAPTAN	GRAVEL	18	NONE	COUNTY ROAD	0.1188753771984
803	Pinehaven Ct	PINE HILL CT	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0544595347264
804	Pinehurst Rd	FOREST DR	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.1665845385113
805	Pinehurst Rd	FOREST DR	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0972057034204
806	Pinehurst Rd	FOREST DR	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.2190767350665
807	Pino Rd	A011	CARRIZOZO	DIRT	15	NONE	COUNTY ROAD	0.7504216968072
808	Pinos Altos Ln		ALTO	GRAVEL	22	NONE	COUNTY ROAD	0.2619100323431
809	Placitas Dr		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.6925180413899
810	Placitas Dr		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2208055809854
811	Placitas Dr		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0516050105687
812	Pomp Ct	N. CENTER DR	CAPTAN	GRAVEL	20	NONE	COUNTY ROAD	0.2525159048202
813	Porcupine Ct	DEER PARK CT	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0457674015199
814	Pow Wow Trl	PAPOOSE PL	RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.1149117014421
815	Powell St		RUIDOSO	GRAVEL	20	NONE	COUNTY ROAD	0.0532375084684
816	Powell St		RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.1145811557146
817	Powell St		RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.1092469754186
818	Powell St		RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.0909083472238
819	Proctor Rd	B016	CORONA	DIRT	14	NONE	COUNTY ROAD	1.6517777973701
820	PRONGHORN LN	ALTO DR	ALTO	ASPHALT	18		COUNTY ROAD	0.1978117190355
821	Prospect Rd		RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.1715903317097
822	Purcella Rd	E026	TINNIE	DIRT	18	NONE	COUNTY ROAD	0.3778442069624
823	Quail Run Ln		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.0910539266201
824	Quail Run Ln		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.0538964005833
825	Raccoon Ct		ALTO	ASPHALT	18	NONE	COUNTY ROAD	0.0865923386095
826	Rain Dance Trl	SQUAW PL	RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.0067745179311
827	Rain Dance Trl	SQUAW PL	RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.1950610315080
828	Rainwater Way	SPRING RD	RUIDOSO	GRAVEL	15	NONE	COUNTY ROAD	0.0428406406363

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	A	B	C	D	E	F	G	H
865	Reynolds Cir	REYNOLDS DR	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.1158079648535
866	Reynolds Cir	REYNOLDS DR	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0506370705131
867	Reynolds Cir	REYNOLDS DR	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0542784168954
868	Reynolds Cir	REYNOLDS DR	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0818868238104
869	RIALTO DR		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0433562477137
870	Richardson Canyon Rd	B006	CAPITAN	DIRT	18	NONE	COUNTY ROAD	2.0147973385428
871	Richardson Rd	C014	NOGAL	DIRT	16	NONE	COUNTY ROAD	0.2434961305814
872	Richardson Rd	C014	NOGAL	DIRT	16	NONE	COUNTY/FOREST	1.2920319035678
873	Riley Rd	E035	BORDER HILL	DIRT	18	NONE	COUNTY ROAD	3.0194057456747
874	Rillito Rd	LITTLE CREEK RD	ALTO	DIRT	12	NONE	COUNTY ROAD	0.0173845687369
875	Rillito Rd	LITTLE CREEK RD	ALTO	DIRT	12	NONE	COUNTY ROAD	0.0579263683409
876	Rillito Rd	LITTLE CREEK RD	ALTO	DIRT	12	NONE	COUNTY ROAD	0.0158797722613
877	Rillito Rd	LITTLE CREEK RD	ALTO	DIRT	12	NONE	COUNTY ROAD	0.0588290680678
878	Rillito Rd	LITTLE CREEK RD	ALTO	DIRT	12	NONE	COUNTY ROAD	0.0267990750292
879	Rincon Rd		ALTO	GRAVEL	16	NONE	COUNTY ROAD	0.1334320640585
880	Roadrunner Dr		NOGAL	GRAVEL	24	NONE	COUNTY ROAD	0.0880036656292
881	Roadrunner Dr		NOGAL	GRAVEL	24	NONE	COUNTY ROAD	0.2497386891109
882	Roadrunner Dr		NOGAL	GRAVEL	24	NONE	COUNTY ROAD	0.2025607143669
883	Roblito Rd		RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.2351480483854
884	Roblito Rd		RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.2251981983071
885	Rocky Rd		RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.0411621146193
886	Rocky Rd		RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.1871863343218
887	ROSE WOOD TRL	LA JUNTA DR	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.1407197710263
888	ROSE WOOD TRL	LA JUNTA DR	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.1401340447532
889	Round Mtn Ranch Rd	B017	CORONA	DIRT	14	NONE	COUNTY ROAD	2.0992138775364
890	Royce Rd	B015	CORONA	DIRT	14	NONE	COUNTY ROAD	1.3304732489549
891	Royce Rd	B015	CORONA	DIRT	14	NONE	COUNTY ROAD	6.3969581462336
892	Rue De Rue	E041	ARABELA	DIRT	18	NONE	COUNTY ROAD	0.0913384258016
893	RUTH RD		NOGAL	GRAVEL	20	NONE	COUNTY ROAD	0.17441111108568
894	RUTH RD		NOGAL	GRAVEL	20	NONE	COUNTY ROAD	0.3635972232447
895	RUTH RD		NOGAL	GRAVEL	20	NONE	COUNTY ROAD	0.6245844127333
896	Sacramento Ct	SACRAMENTO CIR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0689172988392
897	Saddle Pass Dr		CAPITAN	GRAVEL	22	NONE	COUNTY ROAD	0.4651057042387
898	Saddle Slope Rd		RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.4099635850076
899	Saddleback Rd	WHITE TAIL DR	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.3698971089202
900	Saddleback Rd	WHITE TAIL DR	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.2161071842794

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937	Santiago Cir	SANTIAGO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.3020343467522
938	Santiago Cir	SANTIAGO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.8345091298244
939	Santiago Cir	SANTIAGO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2601940424197
940	Santiago Cir	SANTIAGO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2275834192170
941	Santiago Cir	SANTIAGO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.8583918444799
942	Santiago Cir	SANTIAGO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.9202377808067
943	Santiago Cir	SANTIAGO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1867599972901
944	Santiago Cir	SANTIAGO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.08002955580770
945	Santiago Cir	SANTIAGO DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.7641208669149
946	Sawmill Canyon Rd	RAINBOW CT	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.3235326273878
947	Schlarb Rd	A005	CARRIZOZO	ASPHALT	24	NONE	COUNTY ROAD	2.3284456051875
948	Schlarb Rd	A005	CARRIZOZO	ASPHALT	24	NONE	COUNTY ROAD	0.3168209409938
949	Screaming Eagle		ALTO	ASPHALT	18	NONE	COUNTY ROAD	0.1772447584689
950	Serrano Rd	B031	PINE LODGE	DIRT	18	NONE	COUNTY ROAD	2.8838213182286
951	Seven Rivers Rd	B020	PINE LODGE	DIRT	18	NONE	COUNTY ROAD	3.6402334923745
952	Seven Rivers Rd	B020	PINE LODGE	DIRT	18	NONE	COUNTY ROAD	2.8607516183750
953	Seven Rivers Rd		PINE LODGE	GRAVEL	18	NONE	COUNTY ROAD	0.8217587896387
954	Seven Rivers Rd	B020	CAPITAN	DIRT	18	NONE	COUNTY ROAD	2.8939257839354
955	Seven Rivers Rd	B020	LON	DIRT	0	NONE	COUNTY ROAD	13.9532694069193
956	Seven Rivers Rd	B020	PINE LODGE	DIRT	0	NONE	COUNTY ROAD	1.0820496841648
957	Seven Rivers Rd	B020	PINE LODGE	DIRT	0	NONE	COUNTY ROAD	12.2483896948688
958	Shauna Ln		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.2410422555609
959	Shauna Ln	WOODLAND DR	ALTO	GRAVEL	0	NONE	COUNTY ROAD	0.3588897105871
960	Shoshone Trl		ALTO	ASPHALT	24		COUNTY ROAD	0.0580588792767
961	Shoshone Trl		ALTO	ASPHALT	24		COUNTY ROAD	0.4342650799079
962	Sierra Vista Dr		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0729197949937
963	Sierra Vista Dr		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.1835009436151
964	Sierra Vista Dr		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.1889981919919
965	Sierra Vista Dr		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0781285760617
966	Silva Ranch Rd	C010	CAPITAN	GRAVEL	18	NONE	COUNTY ROAD	0.0842669135412
967	Silva Ranch Rd	C010	CAPITAN	GRAVEL	18	NONE	COUNTY ROAD	0.2255563631351
968	Silva Ranch Rd	C010	CAPITAN	GRAVEL	18	NONE	COUNTY ROAD	0.2340906981812
969	Silver Fox Ln	SILVERSTAR LN	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.4890125136505
970	Silvertip Trl	CAPITAN CT	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0442439105572
971	Sitting Bull Ct		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0890257554605
972	Skeen Rd	E028	PICACHO	DIRT	16	NONE	COUNTY ROAD	7.1344903633925

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1009	Stetson Rd	CANYON RD	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0953770992258
1010	Stetson Rd	CANYON RD	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0554049965196
1011	Stetson Rd	CANYON RD	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0430283702091
1012	Stetson Rd	CANYON RD	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0294074356364
1013	Stetson Rd	CANYON RD	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0644986668791
1014	Stetson Rd	CANYON RD	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0642512558562
1015	Stone Rd	B002	CAPITAN	DIRT	20	NONE	COUNTY ROAD	1.1940349097974
1016	Straley Rd	A017	ANCHO	DIRT	22	NONE	COUNTY ROAD	3.6121226658940
1017	Straley Rd	A017	ANCHO	DIRT	22	NONE	COUNTY ROAD	0.3250317188429
1018	Straley Rd	COUNTY ROAD A020	CORONA	DIRT	18	NONE	COUNTY ROAD	4.5327768603839
1019	Straley Rd	A017	ANCHO	DIRT	22	NONE	COUNTY ROAD	1.9893994581967
1020	Straley Rd	A017	ANCHO	DIRT	22	NONE	COUNTY ROAD	1.8124007174756
1021	Straley Rd	A017	ANCHO	DIRT	0	NONE	COUNTY ROAD	4.0756159081395
1022	SUGAR BUSH RD		ALTO	ASPHALT	0	NONE	COUNTY ROAD	0.1847667077079
1023	Sulkey Ct	SOUTH DR	NOGAL	GRAVEL	18	NONE	COUNTY ROAD	0.1997455131999
1024	Sun Mountain Loop		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2217780992513
1025	Sun Mountain Loop		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2392282772418
1026	SUN VALLEY RD		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1145011085518
1027	SUN VALLEY RD		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.4499039521581
1028	SUN VALLEY RD		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0840950922714
1029	SUN VALLEY RD		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0394889118299
1030	SUN VALLEY RD		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0424524974477
1031	SUN VALLEY RD		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1188436025275
1032	SUN VALLEY RD		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.0825650546234
1033	SUN VALLEY RD		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1262048837876
1034	SUN VALLEY RD		ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1929035067558
1035	Sundance Kid Ct		ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0379367087142
1036	SUNLAND RD		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.1455225065944
1037	Sunlit Ct	SUN VALLEY PL	RUIDOSO	GRAVEL	16	NONE	COUNTY ROAD	0.0898610241212
1038	Sunset Dr		ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.3499985904432
1039	Surrey Ln	NOGAL LN	NOGAL	DIRT	24	NONE	COUNTY ROAD	0.2502779160934
1040	Tall Pines Rd		RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.1748453635901
1041	Tall Pines Rd		RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.1084412836648
1042	Tall Pines Rd		RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.0029776798237
1043	Tanbark Cyn	FS108	NOGAL	DIRT	18	NONE	COUNTY/FOREST	4.3546965936972
1044	Tanglewood Ln		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.1737883669601

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1081	Vail Loop	ASPEN/MOGUL	ALTO	GRAVEL	18	NONE	COUNTY ROAD	0.0808938213958
1082	Vail Loop	ASPEN/MOGUL	ALTO	GRAVEL	18	NONE	COUNTY ROAD	0.0367005487367
1083	Vail Loop	ASPEN/MOGUL	ALTO	GRAVEL	18	NONE	COUNTY ROAD	0.0888420439978
1084	Vail Loop	ASPEN/MOGUL	ALTO	GRAVEL	18	NONE	COUNTY ROAD	0.0826720242212
1085	Vail Loop	ASPEN/MOGUL	ALTO	GRAVEL	18	NONE	COUNTY ROAD	0.2656534182617
1086	Valley Ct		ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0871963355263
1087	Valley Meadow Ct	DEER VALLEY CT	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0754463990366
1088	Vasco Bonifita Rd	B041	CORONA	DIRT	18	NONE	COUNTY ROAD	8.4189187736919
1089	Vawter Rd	B018	CORONA	DIRT	16	NONE	COUNTY ROAD	4.6983454396654
1090	Vera Cruz Rd	C012/FS9971	CAPITAN	DIRT	16	NONE	COUNTY ROAD	0.2308099933657
1091	Vera Cruz Rd	C012/FS9971	CAPITAN	DIRT	16	NONE	COUNTY ROAD	0.5760276970300
1092	Vera Cruz Rd	C012/FS9971	CAPITAN	DIRT	16	NONE	COUNTY/FOREST	0.4487872795631
1093	Verna Rd	JUNIPER	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0688301342358
1094	Via Aguila	EAGLE WAY	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.1355713400863
1095	Via Aguila	TIMBER LN	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.1108223514963
1096	Via Aguila	TIMBER LN	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.0345530048875
1097	Via Madera	TIMBER LN	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.2109696129872
1098	Via Madera	TIMBER LN	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.0551772910811
1099	Via Selva	FOREST RD	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.0870314883068
1100	Via Selva	FOREST RD	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.1093662679490
1101	Via Selva	DEER TRL/FOREST PL	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.0409710802847
1102	Via Selva	DEER TRL & FOREST PL	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.0830086923932
1103	Via Tres Rios	E019	HONDO	GRAVEL	14	NONE	COUNTY ROAD	0.6260191306168
1104	Via Venado	DEER TRL/FOREST PL	RUIDOSO	GRAVEL	18	NONE	COUNTY ROAD	0.1025348124451
1105	Via Volante	ALTAMIRA CT	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.2660884977818
1106	Villa Madonna Loop	VILLA MADONNA DR/ BEAR AVE	ALTO	DIRT	18	NONE	COUNTY ROAD	0.2794158685232
1107	W Lobo Rd		CAPITAN	GRAVEL	18	NONE	COUNTY ROAD	0.2510984679635
1108	Wagon Trl		RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.1808624409174
1109	Wagon Trl		RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.1308834648125
1110	Wagon Trl	HOMESTEAD WEST	RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.0686401472590
1111	Wagon Trl	HOMESTEAD WEST	RUIDOSO	ASPHALT	22	NONE	COUNTY ROAD	0.0515445808273
1112	Wapiti Way	ELKS DR	ALTO	GRAVEL	18	NONE	COUNTY ROAD	0.3192770081121
1113	War Bow Trl	BROKEN BOW	RUIDOSO	GRAVEL	22	NONE	COUNTY ROAD	0.1156869058632
1114	Water Canyon Rd	A001 / COUNTRY CLUB RD	CARRIZOZO	GRAVEL	20	NONE	COUNTY ROAD	0.4432350339964
1115	Water Spirit Trl	HORIZON DR	ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.0818197609223
1116	Water Spirit Trl	HORIZON DR	ALTO	ASPHALT	22	NONE	COUNTY ROAD	0.0737051296166

Lincoln County Inventory 2015

A	B	C	D	E	F	G	H
1153 Woodridge Ct	HIGH MESA CT	ALTO	ASPHALT	20	NONE	COUNTY ROAD	0.0605479777480
1154 WOODWARD LN		ALTO	ASPHALT	18	NONE	COUNTY ROAD	0.0692549914688
1155 WOODWARD LN	LA JUNTA DR	ALTO	ASPHALT	24	NONE	COUNTY ROAD	0.1224292921573
1156 Wrangler Rd	TERRIS	RUIDOSO DOWNS	GRAVEL	24	NONE	COUNTY ROAD	0.0504147739752
1157 Wrangler Rd	TERRIS	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0333690185457
1158 Wrangler Rd	TERRIS	RUIDOSO DOWNS	ASPHALT	24	NONE	COUNTY ROAD	0.0503275503665
1159 Wrangler Rd	TERRIS	RUIDOSO DOWNS	GRAVEL	24	NONE	COUNTY ROAD	0.0762639569013
1160 Wyatt Earp Ct	N WYATT EARP CT	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0641040582752
1161 Wyatt Earp Ct	S WYATT EARP CT	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.0348368669073
1162 Yriart Rd	B028	PINE LODGE	DIRT	14	NONE	COUNTY ROAD	0.6827377212286
1163 Zia Dr		CAPTAN	GRAVEL	14	NONE	COUNTY ROAD	0.1578786418775
1164 Zorro Ln	FOX LN	ALTO	GRAVEL	24	NONE	COUNTY ROAD	0.5501390717319
1165						TOTAL	804.3914559313630
1166							
1167						COUNTY ROAD	703.0970395009080
1168						FOREST	101.2944164304550
1169							804.3914559313630

**RESOLUTION NO. 2014-36**

**WHEREAS**, that on February 17, 2015 the Lincoln County Board of Commissioners received a report of the county's road mileage maintained from the Rural Addressing Department; and

**WHEREAS**, the New Mexico Department of Transportation point of contact typically requests a resolution stating that the Board of Commissioners took such action on February 17, 2015 to certify the road mileage maintained as being 804.3914 miles; and

**NOW, THEREFORE, BE IT RESOLVED**, we the Lincoln County board of Commissioners hereby certify the annual mileage of Lincoln County maintained road as being 804.3914 miles.

**PASSED, APPROVED AND ADOPTED** this 17<sup>th</sup> day of February 2015.

**BOARD OF COMMISSIONERS OF  
LINCOLN COUNTY, NEW MEXICO**

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**Preston Stone, Chairman**

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**Dallas Draper, Vice Chair**

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**Elaine Allen, Member**

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**Tom Stewart, Member**

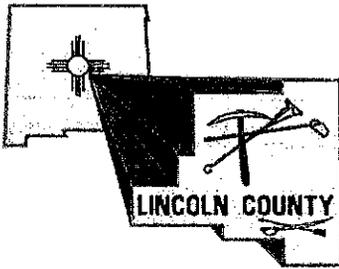
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**Lynn Willard, Member**

**ATTEST:**

---

**Rhonda Burrows, County Clerk**



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# County of Lincoln

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## AGENDA ITEM NO. 16

February 10, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager

**SUBJECT:** Resolution Authorizing the Village of Ruidoso to Submit an Application to the Department of Finance and Administration, Local Government Division, to Participate in the Local DWI Grant and Distribution Program.

**Purpose:** To obtain approval of the attached resolution.

### Discussion:

The Village of Ruidoso has requested the Board of County Commissioners to approve its submission of a grant application to the Department of Finance and Administration, Local Government Division to participate, on behalf of Lincoln County, in the Local DWI Grant and Distribution Program.

**Recommendation:** Approve the attached Resolution 2014-34.

**COUNTY OF LINCOLN**  
Resolution No. 2014-34

**A RESOLUTION**

**AUTHORIZING THE VILLAGE OF RUIDOSO TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION TO PARTICIPATE IN THE LOCAL DWI GRANT AND DISTRIBUTION PROGRAM.**

**WHEREAS**, the Legislature enacted Section 11-6A-1 through 11-6A-6 NMSA 1978 as amended to address the serious problems of Driving While Intoxicated in the State; and

**WHEREAS**, a program is established to make grant and distribution funding available to counties and municipalities for new, innovative or model programs, services or activities to prevent or reduce the incidence domestic abuse related to DWI, DWI, alcoholism and alcohol abuse; and

**WHEREAS**, the Village of Ruidoso DWI planning council and other governmental entities approval must be received in order to apply for grant and distribution funding; and

**WHEREAS**, the county wishes to authorize the Village of Ruidoso to apply for and administer the grant on the County's behalf; and

**WHEREAS**, the Village of Ruidoso on behalf of the county along with participating agencies is making application to the Department of Finance and Administration, Local Government Division for program funding.

**NOW THEREFORE, BE IT RESOLVED** by the governing body of the County of Lincoln that the Village of Ruidoso on behalf of the County and all participating entities is authorized to submit an application for Distribution  
(DISTRIBUTION AND/OR GRANT)

FY16 program funding under the regulations established by the Local Government Division.

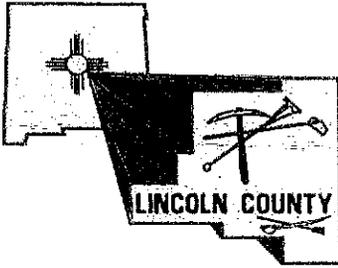
**APPROVED AND ADOPTED** by the governing body at its meeting of February 17, 2015.

\_\_\_\_\_  
County Commission Chairperson

Attest:

\_\_\_\_\_  
DWI Planning Council Representative

\_\_\_\_\_  
County Clerk (SEAL)



# County of Lincoln

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## AGENDA ITEM 17

February 11, 2014

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Safety Net Care Pool & Indigent Health Care Claims

**Purpose:** To obtain the approval from the IHC Board of SNCP Payments and the Indigent Health Care (IHC) Payments.

### Discussion:

**SNCP Payments:** This month our coordinator processed Fifteen (15) claims. Thirteen (13) claims are recommended for approval and two (2) are recommended for disapproval, for the reasons indicated in **Enclosure 1**. If approved, the total recommended authorization this month is **\$5,013.24**.

**Indigent Health Care Claims:** This month our coordinator processed eight (8) claims. Seven (7) claims are recommended for approval and one (1) is recommended for disapproval, for the reason indicated in **Enclosure 2**. If approved, total recommended for payment this month is **\$1,646.11**. At **Enclosure 2** is a summary of total applications approved and denied. At **Enclosure 3** is the summary of the Indigent Fund Meeting for February and the Year-To-Date that each lists the applications by provider.

**Manager's Analysis** – For the last two years, the average Indigent Health Care monthly payments were **\$24,262** and **\$16,919** respectively. The FY 13-14 year-end total was **\$203,029.23**. Our budget for FY14 – 15 is \$393,278. To date, the total expenditure is \$38,061.60 or an average of \$4,757.70 monthly.

Similarly, for the last two fiscal years, the total Commission-approved Sole Community Provider Claims were **\$1,371,890** and **\$1,034,535** respectively. The FY 13 - 14 monthly average was **\$86,211**. To date, the total authorization is \$179,227.05 or an average of \$22,403.38 a month.

**Recommendation:** Approve and disapprove the claims as indicated by the SNCP report at **Enclosure 1** and approve and disapprove the Indigent Health Care Program report as indicated at **Enclosure 2**.

Approved: \_\_\_\_\_  
Preston Stone

# SCP / SAFETY NET CARE POOL CLAIMS FISCAL YEAR 2014 - 2015

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$174,213.81

ADJUSTMENTS

TOTAL ADJUSTMENTS: \$0.00 \$0.00

FEBRUARY # CLAIMS FOR APPROVAL 13  
# CLAIMS FOR DENIAL 2  
FEBRUARY # TOTAL CLAIMS 15

FEBRUARY TOTAL \$ AMOUNT APPROVED \$5,013.24

TOTAL # CLAIMS THIS FY APPROVED 161  
TOTAL # CLAIMS THIS FY DENIED 10  
TOTAL # CLAIMS FY 2014 - 2015 171

TOTAL APPROVED THIS FISCAL YEAR \$179,227.05

ENCL 1

FACILITY: LINCOLN COUNTY MEDICAL CENTER 02/17/2015 THROUGH 02/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
20863	01/30/2015	253.00	194.81	077%
20874	06/27/2014	362.00	278.74	077%
20864	01/26/2015	2754.00		000%
DATE OF SERVICE NOT ELIGIBLE FOR PAYMENT				
20865	01/17/2015	2405.00		000%
DATE OF SERVICE NOT ELIGIBLE FOR PAYMENT				
20866	08/01/2014	227.50	175.18	077%
20867	10/08/2014	479.00	368.83	077%
20868	10/09/2014	363.00	279.51	077%
20875	12/12/2014	336.00	258.72	077%
20876	06/27/2014	1362.60	1049.20	077%
20877	07/15/2014	690.60	531.76	077%
20878	07/02/2014	168.00	129.36	077%
20869	12/08/2014	357.00	274.89	077%
20879	01/08/2015	1094.00	842.38	077%
20870	11/29/2014	363.00	279.51	077%
20871	08/01/2014	455.00	350.35	077%
			5013.24	

APPROVED- 13 REJECTED- 2

# INDIGENT HEALTH CARE CLAIMS FISCAL YEAR 2014 - 2015

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$36,415.49

## ADJUSTMENTS

### TOTAL ADJUSTMENTS:

FEBRUARY # CLAIMS FOR APPROVAL	7
# CLAIMS FOR DENIAL	1
FEBRUARY # TOTAL CLAIMS	8

FEBRUARY TOTAL \$ AMOUNT APPROVED \$1,646.11

TOTAL # CLAIMS THIS FY APPROVED	67
TOTAL # CLAIMS THIS FY DENIED	16
TOTAL # CLAIMS FY 2014 - 2015	83

CURRENT TOTAL APPROVED THIS FISCAL YEAR \$38,061.60  
\*Assuming the above is approved

*ENCL 2*

FACILITY: DONA ANA MEDICAL SUPPLY DBA LINC 02/17/2015 THROUGH 02/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20872	10/24/2014	81.47	81.47 100%
20873	12/24/2014	81.47	81.47 100%
			162.94

APPROVED- 2 REJECTED-

FACILITY: GERALD CHAMPION REGIONAL MED CTR 02/17/2015 THROUGH 02/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20880	10/10/2014	451.26	347.47 077%
			347.47

APPROVED- 1 REJECTED-

FACILITY: NEW MEXICO ONCOLOGY HEMATOLOY 02/17/2015 THROUGH 02/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20881	12/10/2014	50.00	38.50 077%
20882	01/08/2015	100.00	77.00 077%
			115.50

APPROVED- 2 REJECTED-

FACILITY: PRESBYTERIAN HOSPITAL 02/17/2015 THROUGH 02/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20883	09/11/2014	1216.00	936.32 077%
20884	10/28/2014	108.94	83.88 077%
20885	12/02/2014	18.43	000%
PATIENT'S BILL IS BELOW \$50			
			1020.20

APPROVED- 2 REJECTED- 1

YTD

INDIGENT FUND MEETING

FEBRUARY 17, 2015

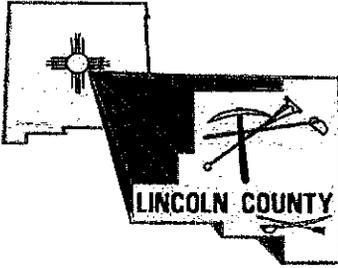
TOTAL APPLICATIONS	267	217,288.65
TOTAL APPROVED	238	
TOTAL DENIED	29	
ALBUQUERQUE		
ANESTHESIA ASSOCIATES OF NM		3,588.42
APPROVED-	9	
DENIED-		
RUIDOSO		
DONA ANA MEDICAL SUPPLY DBA LINC		341.18
APPROVED-	3	
DENIED-		
ROSWELL		
EASTERN NM MEXICO MEDICAL CNTR		3,239.13
APPROVED-	2	
DENIED-		
ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		7,262.81
APPROVED-	6	
DENIED-		
RUIDOSO		
LC AMBULANCE-PRES HEALTH SVCS		1,952.17
APPROVED-	5	
DENIED-	2	
RUIDOSO		
LINCO MEDICAL & SUPPLY, INC		1,317.21
APPROVED-	16	
DENIED-		
RUIDOSO		
LINCOLN COUNTY FAMILY MEDICAL		
APPROVED-		
DENIED-	7	
RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		179,227.05
APPROVED-	161	
DENIED-	9	
ALTO		
LINCOLN COUNTY RADIOLOGY		755.89
APPROVED-	10	
DENIED-		
RUIDOSO		
MICHAEL P CLEMENTS, M.D.		48.02
APPROVED-	1	
DENIED-	6	

ALBUQUERQUE		
NEW MEXICO ONCOLOGY HEMATOLOY		4,019.86
APPROVED-	14	
DENIED-	4	
ROSWELL		
PATHOLOGY CONSULTANTS OF NM		679.33
APPROVED-	1	
DENIED-		
ALBUQUERQUE		
PRESBYTERIAN HOSPITAL		14,072.06
APPROVED-	8	
DENIED-	1	
ALBUQUERQUE		
UNM HEALTH SCIENCES CTR		785.52
APPROVED-	2	
DENIED-		

INDIGENT FUND MEETING

FEBRUARY 17, 2015

TOTAL APPLICATIONS	23	6,659.35
TOTAL APPROVED	20	
TOTAL DENIED	3	
RUIDOSO		
DONA ANA MEDICAL SUPPLY DBA LINC		
APPROVED-	2	162.94
DENIED-		
ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		
APPROVED-	1	347.47
DENIED-		
RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		
APPROVED-	13	5,013.24
DENIED-	2	
ALBUQUERQUE		
NEW MEXICO ONCOLOGY HEMATOLOY		
APPROVED-	2	115.50
DENIED-		
ALBUQUERQUE		
PRESBYTERIAN HOSPITAL		
APPROVED-	2	1,020.20
DENIED-	1	



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# County of Lincoln

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## Agenda Item 18

February 13, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager 

**SUBJECT:** Manager's Report

1. **Hat's Off to Marilyn Chewing, Appraiser.** On January 22<sup>nd</sup> Marilyn was a member of the graduating class from New Mexico County College, which is a collaborative educational program between the NM Association of Counties and NMSU Extension Service. She earned her Certified Public Assessment Officer designation. See **Enclosure 1**. Marilyn follows a long term tradition of Lincoln County Public Officials and employees who have participated in this educational program in an effort to perform their unique duties in a manner that best serves the public. Marilyn has joined a small elite group who has earned a **PERFECT 10** on the Mini Portfolio she authored as a requirement to earn this certification. A job very well done. Thank you.

**Hat's Off to Public Officials and Employees** for successfully completing Year 1 of NMAC's Risk Awareness Program and Reducing Workers' Compensation Claims by 39%. For that effort the County received a plaque, as well an Honorable Mention Safety Award (3<sup>rd</sup> place) for "Achieving a positive claim trend and the lowest frequency of Workers' Compensation Claims for 2014. This positive downward trend is due to the Commission's direction in allowing the County to participate in the Risk Awareness Program ("RAP") and the tenacity of the departmental safety coordinators and employees to attend safety meetings that improve the awareness of conducting our jobs in a safe manner.

2. **New Mexico Association of Counties (NMAC) Legislative Conference** was held on January 20 – 22, and was attended by a number of Lincoln County Public officials and employees. In addition to Affiliate meetings, during which employees meet and learn from their peers in other Counties, opportunities were taken to meet with legislators, attend NMAC Board and other Committee meetings, such as Multi-Line and Workers Comp Pool Board meetings. Manager Taylor was re-elected to a 2<sup>nd</sup> two-year term to serve on the Multi-Line Pool Board of Directors for the Population Category 1, representing the Counties of Lincoln, Roosevelt, Socorro, Torrance, Colfax, Sierra, Quay, Hidalgo, Mora, Guadalupe, Union, Catron, De Baca and Harding. This Board considers active litigation that counties across the state are involved in, mainly around Detention and Employment matters, and responds to NMAC Multi-Line Staff on case-settlement guidance.

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Manager's Report  
February 17, 2015

Page 1

County Manager's Fax  
(575) 648-4182

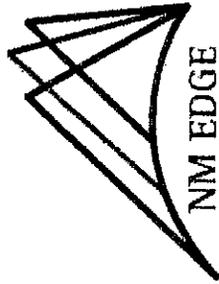
Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816

3. **Lincoln County Day at the Legislature** was held on February 4<sup>th</sup>. This special day was partially made possible by the Introduction of Senate Memorial 41 introduced by Senator William F. Burt and Senator Phil A. Griego; this Memorial “Declared February 4, 2015 as “Lincoln County Day” at the Senate.” **Enclosure 2.** Commissioners Draper and Allen, Manager Taylor, Deputy Treasurer Rose Ann Romero (Lincoln County’s Representative to the Leadership Lincoln Program) were in attendance along with a very good turnout of municipal leaders and residents from the County. It provided a unique opportunity to meet with our local legislative delegation, thank them for all they do, and remind them of our special needs. In addition to the bills they carry on our behalf and the efforts made to ensure our capital requests are granted to the extent possible, this year Senator William F. Burt also sponsored a Senate Resolution **“that Lincoln County be recognized as having one of the most colorful and intriguing histories in America, epitomizing the legend of the “Wild West” and as being a beautiful and exciting place to live and visit. “ Enclosure 3.**
  
4. **Legislative Update.** There are a number of bills this year of interest to Counties and local governments. County Clerk Rhonda Burrows, as the Lincoln County NMAC Board Member, has done an excellent job of distributing the NMLR’s (New Mexico Legislative Reports) Daily Issue to Commissioners, other Public Officials and Department Heads. This report shows the span of issues that the legislators are addressing. See **Enclosure 4** for the 1.12.15 report. Tracking tools, as part of the NMLR data-base, are being utilized by various County departments. Tasia Young, NMAC Lobbyist, also provides routine updates to the Counties. **Enclosure 5.** Scott Annala and Rhonda Burrows are tracking Safety Net Care Pool legislation. Jackie Powell has been instrumental in the development and introduction of Senate Bill 493 – An Act Relating to Water; Clarifying that a lease of a water right and subsequent use of water shall not take effect until after the application has been approved in accordance with law; Declaring an Emergency. This bill was introduced by Senators Wirth and Nunez. **Enclosure 6.**
  
4. **Bonito Volunteer Fire Department** held its annual Awards Banquet on Tuesday, February 10<sup>th</sup>. Manager Taylor, OES Director Joe Kenmore and Coordinator Spencer Baldwin attended. Special mention and award were provided to Joe and Spencer for the valuable support they lend to all the volunteer fire departments.
  
5. **El Capitan Mines.** Commissioners Stone and Draper, Alan Morel and Manager, along with Lincoln County resident Lee Arnone met with the Division Director of Mining and Minerals, Fernando Martinez, and his staff, on January 21<sup>st</sup>, during the Legislative Conference. The Division Director is responsible for administering laws and regulations pertaining to hard rock and coal mining, mine registration and safeguarding and annual industry reporting. He and his staff were very aware of the El Capitan Mine operations, their status and their intentions. At that time, El Capitan Mine had requested modifications to its existing minimal impact permit, but unless the Department received a fee of financial assurance in the amount of \$75,000 from El Capitan Mine within a certain timeline, its amended permit request would be denied. Mr. Morel followed up with the Mining & Mineral Department, which anticipated the required financial assurance to be submitted very soon.
  
6. **Departmental Updates:**

a. Finance – Punkin Schlarb	b. Roads – Carl Palmer
c. Planning – Curt Temple	d. EOC – Joe Kenmore
e. Human Resources - Billie-Jo Guevara	f. Sr. Centers – Renee Montes

# The NM EDGE



## New Mexico's Certified Public Manager® and County College

### Graduating Class January 22, 2015

New Mexico Association of Counties'  
Legislative Conference

Santa Fe County, NM

County College is a Collaborative Educational Program between  
NM Association of Counties and NMSU Cooperative Extension Service



## NM EDGE County Graduates

Lincoln County  
Maryln Chewning, NMCPAO

Appraiser

"What I really liked about the NM EDGE classes is learning so much more about other counties and how they handle issues as part of the training we received. I have gained a better understanding of the bigger picture of the assessor's office and duties, and my employer has benefited as I have a broader understanding of public service and our office."  
Today, Ms. Chewning earns her Certified Public Assessment Officer designation.



The Legislature  
of the  
State of New Mexico

FIFTY-SECOND LEGISLATURE  
FIRST SESSION, 2015

SENATE MEMORIAL 41

INTRODUCED BY

SENATOR WILLIAM F. BURT AND SENATOR PHIL A. GRIEGO

A MEMORIAL

DECLARING FEBRUARY 4, 2015  
"LINCOLN COUNTY DAY" AT THE SENATE

WHEREAS, Hollywood has made millions of dollars based on films set in the beauty, adventure and drama of the historical American west; and

WHEREAS, the actual history of Lincoln County, New Mexico, rivals and outshines the best script Hollywood has ever produced; and

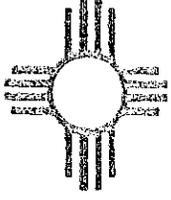
WHEREAS, being central to the original territory occupied by the Mesquero bands of the Apache people and representing the western edge of the Comanche territory, the mountains and canyons of Lincoln County stood witness as Apaches and Comanches and succeeding waves of Spanish, Mexican and Anglo-American settlers competed, often violently, for land and water; and

WHEREAS, the post-Civil War era saw a boom in the western cattle industry, and by the mid-1870s, two rival "rings" had formed to compete for land, water and power within Lincoln County; and

WHEREAS, on February 18, 1878, the murder of one ringleader, John Tunstall, by a posse deputized by Sheriff William Brady and the subsequent revenge killing of Sheriff Brady on April 1, 1878 began the infamous Lincoln County War; and

WHEREAS, the Lincoln County War was conducted by men with colorful names, such as "Buckshot" Anderson, "Dash" Wait, "Big Jim" French and Billy "the Kid", and by groups known as the "Seven Rivers Boys", the "Jesse Evans Gang" and the "Regulators"; and

WHEREAS, many of the individuals in the Lincoln County War were known alternatively to have worn a sheriff's badge or to have been cattle rustlers and murderers at various points in their careers; and



WHEREAS, during the Capitan Gap Fire in the spring of 1950, a bear cub was rescued by firefighters and became known as "Smokey Bear", Lincoln County's most famous native son; and

WHEREAS, Smokey Bear became a national symbol for forest fire prevention and the subject of the popular song "Smokey the Bear"; and

WHEREAS, Smokey Bear lived at the National Zoo in Washington, D.C., for twenty-six years, was visited by thousands of schoolchildren, received so much fan mail that the United States Postal Service gave Smokey his own zip code, and he is now buried at Smokey Bear Historical Park in Capitan, New Mexico; and

WHEREAS, Lincoln County offers numerous opportunities for hiking, backpacking and skiing within dramatic mountain landscapes typified by Capitan Peak and Sierra Blanca Mountain; and

WHEREAS, Ruidoso Downs within Lincoln County offers both thoroughbred and quarter horse racing, including the All-American Futurity, the richest race in American quarter horse racing;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that Lincoln County be recognized as having one of the most colorful and intriguing histories in America, epitomizing the legend of the "Wild West" and as being a beautiful and exciting place to live and visit; and

BE IT FURTHER RESOLVED that February 4, 2015 be declared "Lincoln County Day" in the Senate; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the Lincoln County Board of County Commissioners.



Signed and Sealed at The Capitol,  
in the City of Santa Fe.

*William F. Burt*  
Senator William F. Burt  
New Mexico State Senate

*Phil A. Griego*  
Senator Phil A. Griego  
New Mexico State Senate

*Lorena M. Vargas*  
Lorena M. Vargas, Chief Clerk  
New Mexico State Senate



# The Legislature of the State of New Mexico

## FIFTY-SECOND LEGISLATURE FIRST SESSION, 2015

The New Mexico State Senate,  
Having Learned of the Contributions of

### LINCOLN COUNTY

Does Hereby Extend its Recognition; and

WHEREAS, Hollywood has made millions of dollars based on films set in the beauty, adventure and drama of the historical American west; and

WHEREAS, the actual history of Lincoln County, New Mexico, rivals and outshines the best script Hollywood has ever produced; and

WHEREAS, being central to the original territory occupied by the Mesquero bands of the Apache people and representing the western edge of the Comanche territory, the mountains and canyons of Lincoln County stood witness as Apaches and Comanches and succeeding waves of Spanish, Mexican and Anglo-American settlers competed, often violently, for land and water; and

WHEREAS, the post-Civil War era saw a boom in the western cattle industry, and by the mid-1870s, two rival "rings" had formed to compete for land, water and power within Lincoln County; and

WHEREAS, on February 18, 1878, the murder of one ringleader, John Tunstall, by a posse deputized by Sheriff William Brady and the subsequent revenge killing of Sheriff Brady on April 1, 1878 began the infamous Lincoln County War; and

WHEREAS, the Lincoln County War was conducted by men with colorful names, such as "Buckshot" Anderson, "Dash" Wait, "Big Jim" French and "Billy" the Kid, and by groups known as the "Seven Rivers Boys", the "Jesse Evans Gang" and the "Regulators"; and

WHEREAS, many of the individuals in the Lincoln County War were known alternatively to have worn a sheriff's badge or to have been cattle rustlers and murderers at various points in their careers; and

WHEREAS, during the Capitan Gap Fire in the spring of 1950, a bear cub was rescued by firefighters and became known as "Smokey Bear", Lincoln County's most famous native son; and

WHEREAS, Smokey Bear became a national symbol for forest fire prevention and the subject of the popular song "Smokey the Bear"; and

WHEREAS, Smokey Bear lived at the National Zoo in Washington, D. C., for twenty-six years, was visited by thousands of schoolchildren, received so much fan mail that the United States Postal Service gave Smokey his own zip code; and

WHEREAS, Smokey Bear is now buried at Smokey Bear Historical Park in Capitan, New Mexico; and

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Signed and Sealed at The Capitol,  
in the City of Santa Fe.



*Mary Kay Pappas*  
Mary Kay Pappas, President Pro Tem  
New Mexico State Senate

*William F. Burr*  
Senator William F. Burr  
New Mexico State Senate

*Lenore M. Naranjo*  
Lenore M. Naranjo, Chief Clerk  
New Mexico State Senate

# NEW MEXICO LEGISLATIVE REPORTS

DAILY ISSUE • FEBRUARY 12, 2015

House and Senate, 2015 Regular Session

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The following bills received legislative actions today. Actions are presented in bill number order. Today's actions are depicted in bold.

- ★ = Bills introduced today.
- ◆ = Committee referral changes.

### HOUSE BILLS

#### **HB-17 McCamley (D33) ESTABLISHES HEALTH CARE COVERAGE ID CARD REQUIREMENTS**

**Analysis (changes only):** *HWMC amendment to HWMC substitute for HB17 changes the effective date of the bill from July 1, 2016 to July 1, 2017. Goes to House Calendar.*

*HWMC substitute for HB 17, like the original bill, proposes new sections of the Health Care Purchasing Act, the Health Care Maintenance Organization Law, the New Mexico Insurance Code and the Nonprofit Health Care Plan Law to establish health care coverage ID card requirements. Applies to any group health plan offering coverage pursuant to the Health Care Purchasing Act; insurer under the Insurance Code; carrier under the Health Maintenance Organization Law; or individual or group health care plan under the Nonprofit Health Care Plan Law. Requires all of these entities to issue an ID card to the primary insured and may also issue ID cards to others covered under a primary insured's coverage. An ID card must contain the following data:*

- *The card issuer identifier;*
  - *The name of the insured;*
  - *The cardholder's identification number;*
  - *The plan, policy, certificate or contract number.*
- Each plan, insurer or carrier is required to provide a new identification card according to the following schedule:*
- *Within 30 days of a plan's effective date; and*
  - *No later than 30 days after the plan received notice of a change in any information that an ID card is required to contain.*

*By July 1, 2016, the Secretary of General Services is directed to consult with the Superintendent of Insurance and*

*adopt and promulgate rules to establish standards for ID cards. The Secretary shall consider state and national industry standards for machine readability as well as associated costs, feasibility, and projected utilization of machine-readable cards.*

*The new requirements shall not apply to group health coverage intended to supplement major medical group-type coverage.*

*Goes to House Calendar.*

*12/16/14—H Prefiled in the House.*

*01/22/15—H Introduced and referred to House Health.*

*01/22/15—H Also referred to House Ways & Means.*

*01/30/15—H Reported Do Pass by House Health.*

**02/12/15**—H Reported Do Not Pass but Do Pass as substituted as amended by House Ways & Means.

#### **HB-19 Gonzales (D42) CHARTER SCHOOL ELIGIBILITY FOR EDUCATION TECHNOLOGY EQUIPMENT ACT**

**Analysis (changes only):** *HEC substitute for HB19 preserves the intent of the original to make charter schools eligible for a share of education technology equipment acquired through lease purchase, but departs from the original by eliminating use of lease-purchase for certain personnel expenses; removing a provision to ensuring timely payment by school districts, and including a section clarifying that two avenues exist for districts to create indebtedness to fund acquisition of the equipment.*

*First, it eliminates expenditures for salaries and benefits from the types of expenses fundable either for districts or charter schools through lease-purchase arrangements, and it substitutes "debt," a term included in the statutory definitions, for the term "financial obligation," which is not. The substitute also eliminates a section that would ensure timely payment on lease-purchase arrangements by the same means provided in statute for payments of principal or interest on general obligation bonds. In these respects the substitute is in close conformity with SB8, a duplicate measure amended in SEC.*

*However, the substitute for HB19 includes a section addressing the powers of school districts to choose how they fund education technology equipment. The new section states that Education Technology Equipment Act provides*

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*complete authority for acquiring such equipment, but that nothing in the act prohibits a school board from submitting the question to the voters if it so chooses, in which case it must abide by the will of the voters. As a result, the substitute for HB19 and SB8a differ from one another.*

Goes to HAFC.

12/16/14—H Prefiled in the House.

01/22/15—H Introduced and referred to House Education.

01/22/15—H Also referred to House Appropriations & Finance.

**02/12/15**—H Reported Do Not Pass but Do Pass as substituted by House Education.

**HB-30 Egolf (D47)**

**IGNITION INTERLOCK LICENSEE: ALCOHOL PURCHASE PROHIBITION**

*Analysis (changes only): HJC substitute for HB30 is very similar to the earlier HSCAC amendment of the bill. It retains the intent of the original HB30 to restrict the purchase of alcoholic beverages by persons with ignition interlock licenses for the period of time the person is required to use the interlock device and to provide for distinctive and easily readable licenses for persons restricted.*

*The HJC substitute to HB30 changes the prohibition from one that is at the discretion of the Motor Vehicle Division or a court to one that is mandatory upon requirement of an ignition interlock device. Also sets forth a new section to the Motor Vehicle Code that requires any driver's license issued to a person under the age of 21 to bear an easily read, vertically printed legend that the person is under 21 and is prohibited from purchasing alcoholic beverages. Requires similarly that an ignition interlock license must bear an easily read, vertically printed legend that the person is prohibited from purchasing alcoholic beverages.*

*The HJC substitute to HB30 provides it is not a violation for a liquor licensee, or an employee, agent or lessee, to sell, serve or give alcoholic beverages to a person, other than a minor, who has been issued an ignition interlock license or ID card.*

*Effective date: July 1, 2015.*

Goes to Calendar.

12/16/14—H Prefiled in the House.

01/22/15—H Introduced and referred to House Safety & Civil Affairs.

01/22/15—H Also referred to House Judiciary.

02/04/15—H Reported Do Pass as amended by House Safety & Civil Affairs.

**02/12/15**—H Reported Do Not Pass but Do Pass as substituted by House Judiciary.

**HB-32 Pacheco (R23)**

**TWO-TIERED DRIVER'S LICENSES**

*HJC substitute for HB32 is yet another version of the driver's license bill that has appeared in many forms in each legislative session since 2011. Provides for a restricted temporary license or ID card for certain foreign nationals; requires proof of authorized presence; provides for licenses and ID cards to be accepted by federal agencies; increases penalties and imposes new penalties.*

12/16/14—H Prefiled in the House.

01/22/15—H Introduced and referred to House Safety & Civil Affairs.

01/22/15—H Also referred to House Judiciary.

01/30/15—H Reported Do Pass by House Safety & Civil Affairs.

01/30/15—H Note: HSCAC Committed Report Adopted Roll Call 38-27.

02/09/15—H Reported Do Not Pass but Do Pass as substituted by House Judiciary.

**02/12/15**—H Opened for floor debate.

**02/12/15**—H Note: Motion (Rep. Gentry) to Table Floor Substitute 1 (Rep. Egolf) Passed 38-30.

**02/12/15**—H Note: Motion to Close Debate Passed 39-29.

**02/12/15**—H Passed 39-29.

**HB-43 Youngblood (R68)**

**UNLAWFUL DEALING IN FEDERAL FOOD COUPONS OR WIC CHECKS**

*(Identical to 2014 HB229) Revises penalties for the unlawful dealing in federal food coupons. The nature of the offense remains the same, as does the step ladder of punishments, which are based on the amount of food coupon of WIC checks involved. It is proposed that the amount be determined by aggregating the amounts in all unlawful transactions in a 12 month period.*

12/19/14—H Prefiled in the House.

01/22/15—H Introduced and referred to House Safety & Civil Affairs.

01/22/15—H Also referred to House Judiciary.

02/04/15—H Reported Do Pass by House Safety & Civil Affairs.

**02/12/15**—H Reported Do Pass by House Judiciary.

**HB-91 Salazar, T. (D70)**

**SENIOR DRIVER EDUCATION: INSURANCE PREMIUM REDUCTION CHANGE**

*Lowers from 55 to 50 the age at which a licensed driver who successfully completes an accident prevention course approved by the Traffic Safety Bureau of the Transportation Department becomes eligible for a three-year premium reduction on the driver's automobile insurance coverage.*

01/08/15—H Prefiled in the House.

01/26/15—H Introduced and referred to House Transportation & Public Works.

01/26/15—H Also referred to House Ways & Means.

**02/12/15**—H Reported Do Pass by House Transportation & Public Works.

**HB-103 Gallegos, David (R61)**

**AUTISM AWARENESS LICENSE PLATES AND APPROPRIATION**

*Directs the Division of Motor Vehicles to offer to applicants a standardized special registration plate with a logo commemorating autism awareness. The fee for the plate and each renewal shall be \$35 in addition to regular registration fees, with \$10 from each fee to defray production costs and \$25 from each fee to be appropriated to the Department of Health for the purpose of funding autism research, outreach and education.*

01/12/15—H Prefiled in the House.

01/26/15—H Introduced and referred to House Health.

01/26/15—H Also referred to House Transportation & Public Works.

02/05/15—H Reported Do Pass by House Health.

**02/12/15**—H Reported Do Pass by House Transportation & Public Works.

**HB-121 McMillan (R37)**

**NURSE EDUCATORS FUND PURPOSE EXPANSION**

*(Virtually identical to 2014 HB59; related to 2014 SB48)*

*Expands the purpose of the Nurse Educators Fund to allow*

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registered nurses seeking employment as nurse educators in public, post-secondary educational institutions, not just those presently employed as nurse educators by public universities or colleges, to receive loans to obtain bachelor and master of science, or doctorate of nursing practice and doctor of philosophy in nursing programs. The Higher Education Department is to adopt rules for continuing employment or pay-back provisions for current and future nursing educators.

01/13/15—H Prefiled in the House.  
 01/26/15—H Introduced and referred to House Health.  
 01/26/15—H Also referred to House Education.  
 02/05/15—H Reported Do Pass by House Health.  
**02/12/15**—H Reported Do Pass by House Education.

◆ **HB-141 Lundstrom (D9)**  
**SPECIAL METHOD VALUATION FOR RECREATIONAL PROPERTY**

Proposes a new special method for valuing recreational property for property tax purposes. Requires Taxation and Revenue Department to issue rules determining whether land is used primarily for recreational purposes and determining the value of recreational property.

01/16/15—H Prefiled in the House.  
 01/26/15—H Introduced and referred to House Government, Elections & Indian Affairs.  
 01/26/15—H Also referred to House Judiciary.  
 02/09/15—H Referred to House Ways & Means.  
 02/11/15—H Reported without recommendation by House Government, Elections & Indian Affairs.  
**02/12/15**—H Referral withdrawn from House Judiciary.  
**02/12/15**—H Referral withdrawn from House Ways & Means.  
**02/12/15**—H Referred to House Ways & Means.  
**02/12/15**—H Also referred to House Judiciary.

◆ **HB-148 Steinborn (D35); Wirth (D25)**  
**MOTOR VEHICLES: NO SMOKING WHEN MINOR PRESENT**

Prohibits smoking in a motor vehicle when a minor is present in that vehicle. Defines smoking as the inhaling, exhaling, burning, carrying or holding of any lighted tobacco product including a cigarette, cigar, pipe or e-cigarette.

01/26/15—H Introduced and referred to House Health.  
 01/26/15—H Also referred to House Transportation & Public Works.  
 02/11/15—H Also referred to House Judiciary.  
**02/12/15**—H Referral withdrawn from House Transportation & Public Works.

**HB-149 Steinborn (D35)**  
**STATE DEFENSE FORCE AGE LIMIT CHANGE**

Raises the age limit from 64 to 75 for persons to be voluntarily appointed to or to voluntarily enlist in the State Defense Force. Authorizes members to be retained beyond the age of 75 with the consent of their adjutant general. The effective date is July 1, 2016.

01/26/15—H Introduced and referred to House Government, Elections & Indian Affairs.  
**02/12/15**—H Reported Do Pass by House Government, Elections & Indian Affairs.

**HB-151 Steinborn (D35)**  
**ELECTIONS: PRIMARY VOTE FOR 17 YEAR-OLDS**

(Same as 2013 HB157) Allows a person who is 17 years old and who will be 18, and thus a qualified elector, by the day of the general election, and who registers to vote, to vote in the primary election or participate in a party's alternate selection

procedure, e.g., preprimary nominating convention.

01/26/15—H Introduced and referred to House Government, Elections & Indian Affairs.  
 01/26/15—H Also referred to House Judiciary.  
**02/12/15**—H Reported Do Pass by House Government, Elections & Indian Affairs.

**HB-152 Steinborn (D35)**  
**DRIVER'S LICENSE VETERAN DESIGNATION**

Provides for the driver's license (both regular and commercial) and ID cards of veterans as defined in the Veterans' Services Department Act to bear a designation showing that the holder is an armed services veteran. No additional fee will be charged for the designation.

01/26/15—H Introduced and referred to House Transportation & Public Works.  
 01/26/15—H Also referred to House Government, Elections & Indian Affairs.  
**02/12/15**—H Reported Do Pass by House Transportation & Public Works.

**HB-183 Cook (R56)**  
**REVISES THE RULE AGAINST PERPETUITIES FOR PROPERTY INTERESTS HELD IN TRUST**

(Related to 2015 HB124 and SB60) Excludes from the rule against perpetuities a property interest held in trust. Provides for distribution of the property interest 365 years after the later of the date that the property interest is added to or purchased by the trust or that the trust becomes irrevocable.

01/27/15—H Introduced and referred to House Judiciary.  
**02/12/15**—H Reported Do Pass by House Judiciary.

**HB-187 McQueen (D50)**  
**SCHOOL DISTRICT NEPOTISM WAIVER**

Provides that the Public Education Department may waive the nepotism rule in the Public School Code for family members of a local school board member, but not of the superintendent, upon application of a local superintendent if the family member is qualified for the position and other good cause.

01/27/15—H Introduced and referred to House Regulatory & Public Affairs.  
 01/27/15—H Also referred to House Education.  
**02/12/15**—H Reported Do Pass by House Regulatory & Public Affairs.

**HB-192 Armstrong (D17)**  
**CHANGES SCOPE OF PRACTICE UNDER THE OCCUPATIONAL THERAPY ACT**

Analysis (changes only): HRPAC amendment to HB192 corrects two scrivener's errors. Goes to HHC.

01/27/15—H Introduced and referred to House Regulatory & Public Affairs.  
 01/27/15—H Also referred to House Health.  
**02/12/15**—H Reported Do Pass as amended by House Regulatory & Public Affairs.

**HB-193 Wooley (R66)**  
**APPROPRIATION: NEW MEXICO-NAMED SUBMARINE AWARENESS**

(For the Military and Veterans' Affairs Committee) Appropriates \$100,000 (GF) to the Department of Military Affairs to educate the people of New Mexico about the missions of the nuclear-powered submarines USS New Mexico and USS Santa Fe, and the retirement of the submarine USS Albuquerque. The money will also be used to honor top crewmembers of the submarines.

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01/27/15—H Introduced and referred to House Government, Elections & Indian Affairs.

01/27/15—H Also referred to House Appropriations & Finance.

02/12/15—H Reported Do Pass by House Government, Elections & Indian Affairs.

**HB-198 Maestas (D16)**

**ALCOHOLIC BEVERAGE SALES AT MUNICIPAL GOLF COURSES**

*Strikes the governmental liquor license limitation allowing only beer and wine to be sold and served at municipal golf courses. The bill will now allow the sale of spirituous liquors by the drink.*

01/27/15—H Introduced and referred to House Regulatory & Public Affairs.

01/27/15—H Also referred to House Judiciary.

02/12/15—H Reported Do Pass by House Regulatory & Public Affairs.

**HB-202 Baldonado (R8)**

**PENALTY ASSESSMENT OPTION FOR MINOR HUNTING AND FISHING INFRACTIONS**

*Proposes to expand the list of game and fish penalty assessment misdemeanors at Sec. 17-2-10.1 by providing a penalty assessment option of \$50 for fishing, hunting or trapping without the proper stamp or validation; and another of \$125 for a manner and method rule violation contrary to adoption by State Game Commission rule.*

01/27/15—H Introduced and referred to House Regulatory & Public Affairs.

01/27/15—H Also referred to House Agriculture, Water and Wildlife.

02/12/15—H Reported Do Pass by House Regulatory & Public Affairs.

**HB-203 Baldonado (R8)**

**VETERAN AND ACTIVE MILITARY DISCOUNTED HUNTING AND FISHING LICENSES**

*Analysis (changes only): HRPAC amendment to HB203 specifies an effective date of April 1, 2016 and makes two changes to clean up, but not substantively alter, the bill. Goes to HAWC.*

01/27/15—H Introduced and referred to House Regulatory & Public Affairs.

01/27/15—H Also referred to House Agriculture, Water and Wildlife.

02/12/15—H Reported Do Pass as amended by House Regulatory & Public Affairs.

**HB-205 Garcia, Miguel (D14)**

**ELECTIONS CODE: CAMPAIGN PUBLIC FINANCE CHANGES**

*Analysis (changes only): HGEIC amendment to HB205 requires each candidate for state legislator to obtain qualifying contributions (specified at Sec. 1-19A-4) equal to one percent of the number of voters in his or her district. Goes to HJC.*

01/27/15—H Introduced and referred to House Government, Elections & Indian Affairs.

01/27/15—H Also referred to House Judiciary.

02/12/15—H Reported Do Pass as amended by House Government, Elections & Indian Affairs.

**HB-206 Garcia, Miguel (D14)**

**ECONOMIC DEVELOPMENT: CUBAN TRADE ACT**

*Analysis (changes only): HGIAC amendment to HB206*

*changes the name of the Cuban Trade Office to Cuban Trade Mission. Bill goes to HBEC*

01/27/15—H Introduced and referred to House Government, Elections & Indian Affairs.

01/27/15—H Also referred to House Business & Employment.

02/12/15—H Reported Do Pass as amended by House Government, Elections & Indian Affairs.

**HB-231 Gallegos, Doreen (D52)**

**NEW MEXICO FARMER IN TRAINING PRODUCE TO SCHOOLS**

*(Similar to 2013 HB338, SB76, and SB80; 2014 HB220 and SB143; and other bills filed past sessions with similar purposes) Appropriates \$160,000 (GF nonreverting) to the regents of New Mexico State University for the Department of Agriculture to expand its program providing locally grown New Mexico fresh fruits and vegetables for public school lunches in school districts in north-central and south-central New Mexico in areas with farmer training programs.*

01/28/15—H Introduced and referred to House Agriculture, Water and Wildlife.

01/28/15—H Also referred to House Ways & Means.

02/03/15—H Referred to House Appropriations & Finance.

02/03/15—H Referral withdrawn from House Agriculture, Water and Wildlife.

02/03/15—H Referral withdrawn from House Ways & Means.

02/03/15—H Referred to House Agriculture, Water and Wildlife.

02/03/15—H Also referred to House Appropriations & Finance.

02/12/15—H Reported Do Pass by House Agriculture, Water and Wildlife.

**HB-255 Wooley (R66)**

**LEA AND ROOSEVELT WEATHER MODIFICATION PROGRAM**

*Provides \$150,000 (GF) to the Interstate Stream Commission for use in FYs 2016 and 2017 for a weather modification program in Lea and Roosevelt counties.*

01/29/15—H Introduced and referred to House Agriculture, Water and Wildlife.

01/29/15—H Also referred to House Appropriations & Finance.

02/12/15—H Reported Do Pass by House Agriculture, Water and Wildlife.

**HB-291 Herrell (R51)**

**LAND MANAGEMENT STUDY COMMISSION**

*Analysis (changes only): HAWC amendment to HB291 strikes the \$100,000 appropriation. Goes to HJC.*

02/03/15—H Introduced and referred to House Government, Elections & Indian Affairs.

02/03/15—H Also referred to House Judiciary.

02/03/15—H Also referred to House Appropriations & Finance.

02/04/15—H Referral withdrawn from House Government, Elections & Indian Affairs.

02/04/15—H Referral withdrawn from House Judiciary.

02/04/15—H Referral withdrawn from House Appropriations & Finance.

02/04/15—H Referred to House Agriculture, Water and Wildlife.

02/04/15—H Also referred to House Judiciary.

02/04/15—H Also referred to House Appropriations & Finance.

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**02/12/15**—H Reported Do Pass as amended by House Agriculture, Water and Wildlife.

★ **HB-419 Salazar, N. (D40)**

**APPROPRIATION: RURAL HEALTH CARE CAREER TRAINING**

**Analysis (new):** Appropriates \$100,000 (GF) to the New Mexico Highlands University Board of Regents for expenditure in FY 2016 to establish a demonstration and research program to prepare undergraduates from small universities for successful entry into medical school or other related health fields.

**02/12/15**—H Introduced and referred to House Education.

**02/12/15**—H Also referred to House Health.

**02/12/15**—H Also referred to House Appropriations & Finance.

★ **HB-420 Lundstrom (D9)**

**APPROPRIATION: COORDINATED CANCER SERVICES**

**Analysis (new):** Appropriates \$25,000 (GF) to DOH for expenditure in FY 2016 to provide coordinated cancer prevention, research and education services, including access to clinical trials in rural areas.

**02/12/15**—H Introduced and referred to House Health.

**02/12/15**—H Also referred to House Appropriations & Finance.

★ **HB-421 Harper (R57)**

**REVISES HOLD HARMLESS DISTRIBUTIONS TO MUNICIPALITIES AND COUNTIES**

**Analysis (new):** (Related to SB101, SB266, SB274; similar to 2014 HB132) Allows small municipalities (under 10,000 in population) and small counties (those under 48,000) to continue receiving an undiminished hold harmless distribution (that is, an "applicable maximum distribution") from the state if the municipality or county has not imposed a hold harmless gross receipts tax. Other municipalities and counties (both the large municipalities and counties and the small municipalities and counties that have imposed a hold harmless gross receipts tax) will receive a hold harmless distribution equal to the lesser of (1) the applicable maximum distribution minus receipts from the hold harmless tax or (2) the applicable maximum distribution reduced by the phase-out percentage for the period.

Large municipalities and large counties that have imposed hold harmless taxes in accordance with the schedule below may receive a supplemental hold harmless distribution to bring the total revenue up to the applicable maximum distribution if the hold harmless tax receipts plus "regular" hold harmless distribution is less than that.

Local option hold harmless taxes:

Municipalities (of any size) may still impose a municipal hold harmless gross receipts tax of up to three-eighths percent in increments of one-eighth percent but the first one-eighth may not be imposed until July 1, 2013, the second by July 1, 2018 and the third by July 1, 2020. "Municipality" excludes H-class counties (Los Alamos County).

Cuts the permitted rate for counties from three-eighths percent to one-eighth percent, impossible in one-sixteenth percent increments. The first one-sixteenth increment is impossible on July 1, 2013 and the second by July 1, 2022. Beginning with the effective date of the section (either signing date or June 19, 2015), no municipality or county may pledge hold harmless gross receipts tax revenue to the payment of any indebtedness.

**02/12/15**—H Introduced and referred to House Government,

Elections & Indian Affairs.

**02/12/15**—H Also referred to House Ways & Means.

★ **HB-422 Rehm (R31)**

**RESTRICTS PUBLIC EMPLOYEE CONTRACT SEVERANCE PAY**

**Analysis (new):** Specifies that state agency employment contracts with an annual value of \$150,000 or more shall limit severance pay to 10 weeks of compensation and shall prohibit payment of severance pay when the employee has been terminated for misconduct. All severance provisions and documents shall be available to the public.

A public employee may receive severance pay that is not provided for in an employment contract if that pay represents the settlement of a court employment dispute. Such severance pay may not exceed six weeks of compensation. The settlement shall not include provisions that limit the ability of any party to discuss the dispute or settlement. Applies to employment contracts entered into after June 30, 2015.

**02/12/15**—H Introduced and referred to House Government, Elections & Indian Affairs.

**02/12/15**—H Also referred to House Judiciary.

★ **HB-423 Nunez (R36)**

**LIVESTOCK RUNNING AT LARGE**

**Analysis (new):** Specifies that an owner that allows livestock to run on the lands of another is guilty of a misdemeanor. Strikes provisions in current statute that require the publication and posting of an order prohibiting the running at large of livestock. Authorizes the New Mexico Livestock Board (rather than a local peace officer or military authority, as in current statute) to enforce the prohibition of prohibitions on livestock running at large.

Repeals Secs. 77-14-4 through 77-14-6 and Secs. 77-14-9 through 77-14-24, which deal with livestock running at large and provide various specifications regarding impoundment and sale of captured animals.

**02/12/15**—H Introduced and referred to House Agriculture, Water and Wildlife.

**02/12/15**—H Also referred to House Judiciary.

★ **HB-424 Nunez (R36)**

**TORT CLAIMS LIABILITY AND IMMUNITY FOR PUBLICLY USED CONSERVANCY DISTRICT ROADWAYS**

**Analysis (new):** (Identical to the HAGC substitute for 2014 HB165 and the SCONC substitute for 2014 SB100) Amends the Tort Claims Act to exclude from the waiver of immunity any irrigation and conservancy district that authorizes all or part of its property to be used as a roadway by the general public. Retains the qualifications for the exclusion: that an operating or maintenance agreement has been entered into with a state agency or governmental entity that has agreed to assume that responsibility. The state agency or governmental entity that operates or maintains the road shall be subject to liability as provided in the Tort Claims Act.

**02/12/15**—H Introduced and referred to House Safety & Civil Affairs.

**02/12/15**—H Also referred to House Judiciary.

★ **HB-425 Lundstrom (D9)**

**HIGH FEES ON SMALL LOANS, INSUFFICIENT FUNDS, DELINQUENCIES**

**Analysis (new):** Specifies that a loan in an amount of \$2,500 or less shall be made only pursuant to the New Mexico Bank

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*Installment Loan Act of 1959 (Sec. 58-7) or the Small Loan Act of 1955 (58-15); and specifies allowable fees and charges for loans. Applies to all loans subject to both acts executed on or after July 1, 2015.*

**INSTALLMENT LOAN ACT**

*Raises the allowable delinquency charges under the Installment Loan Act from \$.05 to \$.10 for each dollar of each installment more than 10 days in arrears; the total of delinquency charges on any installment may not exceed \$25 (up from \$10 in current statute). Also provides for the following fees under the act:*

- A processing fee of up to 10 percent of the principal amount of the loan. This fee is fully earned and nonrefundable when the loan agreement is executed;
- A handling fee of up to 7.75 percent of the initial principal amount of the loan, calculated per each month for the scheduled loan term; and
- An insufficient funds charge of up to \$35, which may be collected once per check or debit authorization.

*Specifies that the state has exclusive jurisdiction over the terms and conditions of loans to which the New Mexico Bank Installment Loan Act of 1959 is applicable.*

**SMALL LOAN ACT**

*Amends the definition of "installment loan" within the Small Loan Act to mean a loan of \$2,500 or less that is to be repaid in a minimum of six substantially equal payments with an initial stated maturity of at least 180 days. Does not include a loan that requires the use of postdated checks or debit authorizations or a refund anticipation loan.*

*"Short-term installment loan" means a loan of \$2,500 or less that is to be repaid in a minimum of three substantially equal payments with an initial stated maturity of between 90 and 180 days. Does not include a loan that requires the use of postdated checks or debit authorizations or a refund anticipation loan.*

*Raises the allowable delinquency charges under the Installment Loan Act and the Small Loan Act from \$.05 to \$.10 for each dollar of each installment more than 10 days in arrears; the total of delinquency charges on any installment may not exceed \$25 (up from \$10 in current statute). Also provides for the following fees for installment loans:*

- A processing fee of up to 10 percent of the principal amount of the loan. This fee is fully earned and nonrefundable when the loan agreement is executed;
- A handling fee of up to 7.75 percent of the initial principal amount of the loan, calculated per each month for the scheduled loan term; and
- An insufficient funds charge of up to \$35, which may be collected once per check or debit authorization.

*Provides for the following with respect to short-term installment loans;*

- A processing fee of up to 10 percent of the principal amount of the loan. This fee is fully earned and nonrefundable when the loan agreement is executed.
- Aside from the processing fee, the borrower shall not be required to repay to the lender more than an aggregate cap of two times the original principal balance, prorated by multiplying the number of days in the stated term of the loan by .55 percent.
- The interest rate on a short-term installment loan shall be constant, not variable.
- The interest rate charged on the outstanding balance after the initial maturity shall not exceed the rate charged during the initial term.

*• An insufficient funds charge of up to \$35 may be collected once per check or debit authorization. Specifies that the state has exclusive jurisdiction over the terms and conditions of loans to which the New Mexico Small Loan Act of 1959 is applicable.*

*Repeals Sec. 58-15-18 (Small loan lenders' exchange).*

**02/12/15**—H Introduced and referred to House Regulatory & Public Affairs.

**02/12/15**—H Also referred to House Business & Employment.

**★ HB-426 Gonzales (D42)**

**WILDLIFE PROTECTION AND PUBLIC SAFETY ACT; BEAVER AND DOMESTIC ANIMAL REMOVAL**

**Analysis (new):** (Related to 2015 SB73, SB82 and SB215)

*Provides that the following acts shall be violations of the Wildlife Protection and Public Safety Act:*

- Setting, using or attempting to set or use a trap to kill or capture wildlife on public land,
- Setting, using or attempting to set or use a body-gripping trap to kill or capture any feral or domestic animal on public land,
- Setting, using or attempting to set or use any poison to kill or injure wildlife or a feral animal on public land or
- Buying, selling, bartering or otherwise exchanging for profit – and offers thereof – the raw fur of any protected or unprotected fur-bearing animal taken by trap or poison.

*Allows the following acts:*

- The taking of wildlife, feral or domestic animals by public employees using traps or poisons, they being the only feasible available methods to protect human health and safety;
- The taking of beaver or muskrats by public employees using a conibear-type trap, it being the only feasible available method to protect public waterways, levees and dams;
- The taking of wildlife by trap to conduct scientific research;
- The use of traps to protect threatened or endangered species;
- The use of non-body-gripping traps for the otherwise lawful taking of wildlife to abate damages caused to property, crops or livestock. Provides for the release or humane killing of such wildlife;
- The use of traps or poison by state or federal public employees discharging lawful duties regarding ecosystem management and
- The use of traps or poison for the otherwise lawful taking of terrestrial rodent pests, wild birds or fish and other nonmammalian aquatic wildlife by the Department of Fish and Game or the federal Fish and Wildlife Service.

*Defines key terms.*

*Provides that a first violation of the act shall be a misdemeanor and second and subsequent violations shall be fourth-degree felonies. Provides that a violator shall be strictly liable in a civil action for damages. Authorizes the court upon conviction to consider appropriate restitution to any state agency or nonprofit organization whose purpose is to protect wildlife or domestic animals.*

*Requires persons who seek to capture, trap, kill or possess any fur-bearing animal to procure a fur-bearer license, provided that resident trappers who release all fur-bearing animals during open seasons need not procure a license. Adds the qualification that the fur-bearing animals are taken by hunting to the provision requiring fur dealers to procure a dealer's license.*

*Changes the person responsible for collecting license fees*

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from the State Game Warden to the director of DGF. Specifies that the apportionment of funds appropriated for predatory animal destruction and rodent pest repression shall be determined and expended as authorized by the president of the New Mexico State University.  
Effective date: July 1, 2015.

02/12/15—H Introduced and referred to House Agriculture, Water and Wildlife.

02/12/15—H Also referred to House Safety & Civil Affairs.

02/12/15—H Also referred to House Judiciary.

★ **HB-427 Garcia Richard (D43)**  
**RESIDENT TUITION RATES FOR VETERAN'S SPOUSE OR CHILD**

**Analysis (new):** Extends in-state tuition to the spouse or child of a veteran of the Armed Forces that is eligible for benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any other federal law authorizing educational benefits for a veteran or the dependents of a veteran.

02/12/15—H Introduced and referred to House Government, Elections & Indian Affairs.

02/12/15—H Also referred to House Appropriations & Finance.

★ **HB-428 Garcia Richard (D43); Ivey-Soto (D15)**  
**SOME COUNTIES TO SET OFFICIALS AND OFFICERS SALARIES**

**Analysis (new):** Provides that an urban county (Bernalillo) or incorporated county (Los Alamos) that has adopted a charter may by ordinance set the annual salary for some or all of its elected or appointed officers, but that no salary may exceed \$95,000. Permits this action notwithstanding existing statutory salaries set for Bernalillo, Doña Ana, Sandoval, San Juan and Los Alamos Counties. Bernalillo County. Provides that, at a minimum, urban and incorporated counties are required to elect a county commission or county council with no fewer than five members, a county clerk and a county sheriff.

02/12/15—H Introduced and referred to House Government, Elections & Indian Affairs.

02/12/15—H Also referred to House Judiciary.

★ **HB-429 Wooley (R66)**  
**LOTTERY SCHOLARSHIP FOR HOME SCHOOL STUDENTS**

**Analysis (new):** (Duplicate of 2015 SB521, similar to 2011 HB359) Extends eligibility for Legislative Lottery Tuition Scholarships to students who complete requirements of a home-based primary educational program in the state, as well as those who currently qualify: graduates of a public or private New Mexico high school or those who receive a high school equivalency credential while residing in New Mexico. Retains all the same conditions for home school students as for others: that they must start at the state public post-secondary institution immediately, or within a year of honorable discharge from the U.S. Armed Forces, and that they maintain a 2.5 grade point average in their first semester of full-time enrollment.

Appears to eliminate a requirement that, in order to be eligible, private high school students must have graduated from an accredited private high school.

02/12/15—H Introduced and referred to House Education.

02/12/15—H Also referred to House Ways & Means.

★ **HB-430 Wooley (R66)**  
**PEACE OFFICER SURVIVOR BENEFITS FOR MOUNTED PATROL MEMBERS**

**Analysis (new):** Amends the Peace Officers' Survivors Supplemental Benefits Act to include New Mexico Mounted Patrol Members within the entitlements of the act which provides for a payment of \$250,000 in supplemental death benefits from the survivors' fund whenever a mounted patrol member is killed in the line of duty. The fund is administered by the Department of Public Safety.

Where there are no surviving children or spouse, benefits are distributed to the surviving parents. Would include members of units or troops officered and manned to assist with law enforcement under provisions of 29-6-1 and 29-6-4, Subsec. A of Sec. 29-6-5, and Sec. 29-6-6, relating to occasions when they assist in law enforcement with law enforcement agencies and regulatory bodies of the state when requested by them to do so and under their direction and control; to act as an official bodyguard to the governor or to distinguished visitors upon the call of the governor; or when called into service by the governor in the event of insurrection, invasion, riot, breach of the peace or imminent danger.

02/12/15—H Introduced and referred to House Safety & Civil Affairs.

02/12/15—H Also referred to House Ways & Means.

★ **HB-431**  
**MOUNTED PATROL WAIVER OF CONCEALED FIREARMS TRAINING AND FEES**

**Analysis (new):** Grants an exemption to a current member of the New Mexico Mounted Patrol from application or renewal fees, and training courses, necessary to carry a concealed firearm. The exemption applies to mounted patrol members who have successfully completed a Law Enforcement Academy basic law enforcement training program for mounted patrol members.

02/12/15—H Introduced and referred to House Judiciary.

★ **HB-432 Trujillo, C. (D46)**  
**HEALTH INFORMATION SYSTEM ACT CHANGES**

**Analysis (new):** Provides that the aggregate data released by the Health Department may include that which pertains to a specifically identified hospital or other health facility. Provides that aggregate data will be public records if its release does not violate state or federal law regarding privacy of individually identifiable health information. Provides that data collected under the Health Information Security Act may include actual prices paid for health care. Provides that any person may obtain aggregate data disseminated by the department.

Requires the Health Department secretary to appoint, establish members and establish duties of a Health System Advisory Committee to advise the department in carrying out provisions of the act.

Provides that by January 1, 2017 the department will provide the public with free-of-charge access to a user-friendly, searchable website. Requires that the website post data about the prices and quality of frequently provided health care services and procedures at New Mexico hospitals.

02/12/15—H Introduced and referred to House Health.

02/12/15—H Also referred to House Government, Elections & Indian Affairs.

★ **HB-433 Ruiloba (D12)**  
**ESCAPE OR ATTEMPTED ESCAPE FROM CYFD**

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**FACILITY A 4TH DEGREE FELONY**

**Analysis (new):** Increases the penalty for escaping from custody of the Children, Youth and Families Department from a misdemeanor to a fourth degree felony. The term "escape from custody" applies to "escaping or attempting to escape" within the confines of a CYFD juvenile justice facility or from another lawful place of custody or confinement that is not within the confines of a CYFD juvenile justice facility.

02/12/15—H Introduced and referred to House Safety & Civil Affairs.

02/12/15—H Also referred to House Judiciary.

★ **HB-434 Trujillo, J. (D45)**

**VETERANS SAFE FUNERAL ESCORT ACT**

**Analysis (new):** Provides that funeral processions shall have the right of way at intersections regardless of traffic control signals if the participating vehicle has its headlights lighted and follows an emergency vehicle or a lead funeral escort vehicle displaying flashing lights.

Authorizes a person operating a funeral escort vehicle to direct vehicular and pedestrian traffic at intersections immediately preceding and during a funeral procession in the absence of a law enforcement officer. Directs funeral procession vehicles to yield the right of way to an approaching emergency vehicle or upon direction of a law enforcement officer. Directs funeral procession vehicles to exercise due care, especially with regard to crossing traffic at intersections. Authorizes a person operating a funeral escort vehicle to exceed the posted speed limit by no more than 15 miles per hour in order to overtake the procession and control intersection traffic.

Requires that funeral escort vehicles in the lead and at the rear of a funeral procession shall be marked with the words "Funeral Escort" clearly visible to oncoming and crossing traffic or to following traffic. Forbids funeral escort vehicles from bearing markings similar to law enforcement vehicles. A nonlaw enforcement funeral escort vehicle must be equipped with and utilize flashing amber, red and white – but not blue – lights.

All vehicles in a funeral procession shall follow the preceding vehicle in single file, with lighted headlights and at or below the posted speed limit. A nonparticipating driver may only pass the procession on the left side of a highway with two lanes in the same direction as the procession and if the passing can be accomplished safely.

Prohibits a person from operating a funeral escort vehicle unless certified and issued a permit by the Department of Safety, which shall develop and implement a funeral escort vehicle operators training program. Provides that a person may operate a motor vehicle as a funeral escort vehicle only if previously requested by a military veteran whose funeral, memorial service or disposition is being conducted or by a member of the veteran's immediate family.

Provides that a funeral service practitioner shall not be civilly liable for death, injury or property damage suffered in the course of a procession unless caused by the negligent or intentional act of the practitioner, employee or agent.

02/12/15—H Introduced and referred to House Safety & Civil Affairs.

02/12/15—H Also referred to House Judiciary.

★ **HB-435 Alcon (D6)**

**COMPENSATION FOR CORRECTIONAL OFFICERS INVOLVED IN 1980 PENITENTIARY RIOT**

**Analysis (new):** Provides for compensation to Penitentiary

of New Mexico correctional officers who are or were suffering from posttraumatic stress disorder resulting from their involvement during the February 1980 penitentiary riot. Makes a \$1.5 million (GF) appropriation to the Corrections Department in FY 2016; limits administrative expenses to a maximum of \$100,000.

Creates a process whereby an application for compensation would be filed with the Corrections Department by a correctional officer or his personal representative. An approved applicant would receive a \$100,000 payment. If the officer or his estate received previous compensation from the state, the payment amount will be reduced to the difference between the earlier amount and \$100,000. If the previous payment was more than \$100,000, no payment will be made. The Corrections Department is responsible for administering the program, creating an application process, and is required to identify and give notice to potentially eligible surviving correctional officers or, if deceased, their personal representatives. Sets a deadline of December 31, 2015 for submission of applications for compensation.

Requires the issuance of a certified diagnosis from a licensed health care provider that verifies the PT stress disorder resulted from the riot, as well as a method of independent review to confirm eligibility.

Provision is made for a waiver and release from further claims to be obtained from compensation recipients. An informal hearing will be held in cases where the Secretary of Corrections decides that more information is needed (a personal representative or other person may be represented by counsel or a person of choice).

Applies to a correctional officer who was employed and physically present at the penitentiary during the riot that occurred from February 2 to February 4, 1980, or, if deceased, the deceased's personal representative or other appropriate person as determined by the Secretary of Corrections, and who has been or was diagnosed with PT stress disorder resulting from the officer's involvement or experience in the riot.

02/12/15—H Introduced and referred to House Judiciary.

02/12/15—H Also referred to House Appropriations & Finance.

★ **HB-436 Salazar, T. (D70)**

**PUBLIC EMPLOYEE RETIREMENT: REVISED CONTRIBUTION LEVELS**

**Analysis (new):** (Identical to SB169) Proposes to amend the Retiree Health Care Act by increasing the employer and employee contribution rates paid to the Retiree Health Care Fund.

For participating employees who are not members of an enhanced retirement plan, the employer's contribution shall equal:

- 2.0 percent of each participating employee's salary through June 30, 2016;
- 2.25 percent of each participating employee's salary from July 1, 2016 through June 30, 2017;
- 2.5 percent from July 1, 2017 through June 30, 2018; and
- 2.75 thereafter.

For participating employees who are members of an enhanced retirement plan, the employer's contribution shall equal:

- 2.5 percent of each participating employee's salary through June 30, 2018; and
- 2.813 percent of each participating employee's salary from July 1, 2016 through June 30, 2017;

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- 3.125 percent from July 1, 2017 through June 30, 2018; and
- 3.438 percent thereafter.

For participating employees who are not members of an enhanced retirement plan, the employee's contribution shall equal:

- 1.0 percent of salary through June 30, 2016;
- 1.125 percent of salary from July 1, 2016 through June 30, 2017;
- 1.25 percent from July 1, 2017 through June 30, 2018; and
- 1.375 percent thereafter.

For participating employees who are members of an enhanced retirement plan, the employee's contribution shall equal:

- 1.25 percent June 30, 2016;
- 1.406 percent of each participating employee's salary from July 1, 2016 through June 30, 2017;
- 1.563 percent from July 1, 2017 through June 30, 2018; and
- 1.719 percent thereafter.

As defined in existing statute, "member of an enhanced retirement plan" means a member of: State Police Member and Adult Correctional Officer Member Coverage Plan 1; Municipal Police Member Coverage Plan 3, 4 or 5; Municipal Fire Member Coverage Plan 3, 4 or 5; or Municipal Detention Officer Member Coverage Plan 1; any member pursuant to the provisions of the Judicial Retirement Act.

02/12/15—H Introduced and referred to House Health.

02/12/15—H Also referred to House Ways & Means.

★ **HB-437 Salazar, T. (D70)**

**APPROPRIATION: BUSINESS MANAGEMENT SOFTWARE AT STATE EDUCATIONAL INSTITUTIONS**

**Analysis (new):** Appropriates \$2,000,000 (GF) to the UNM Board of Regents for expenditure in FY 2016 and subsequent fiscal years to fund the cost of statewide IT training, consultation services and software upgrades related to business management software products at the state educational institutions.

02/12/15—H Introduced and referred to House Education.

02/12/15—H Also referred to House Appropriations & Finance.

★ **HB-438 Pacheco (R23)**

**QUALIFICATIONS FOR SHERIFF**

**Analysis (new):** Requires that a person have and certify by notarized affidavit the following qualifications for appointment or election as a sheriff:

- Be at least 21 years of age,
- Have at least seven years of professional law enforcement experience,
- Be a resident of the state and the county for which the person is seeking office,
- Not have been convicted of a felony,
- Hold a certificate of completion of a basic law enforcement training program and
- Not have been recalled from public office.

A voter may challenge a person's candidacy for the office in the district court within 10 days after the filing deadline.

02/12/15—H Introduced and referred to House Safety & Civil Affairs.

02/12/15—H Also referred to House Judiciary.

★ **HB-439 Rehm (R31)**

**LEGISLATIVE SERVICE LEAVE POLICY FOR PUBLIC EMPLOYEE-LEGISLATOR**

**Analysis (new):** Prohibits a public employer, including home-rule municipalities, from adopting leave policies that

allow an employee-legislator to take paid leave to conduct legislative business. Allows for the employee-legislator to take accrued annual or compensatory leave or political leave when the member is unable to perform his or her usual job, during usual working hours, because of legislative business. Defines "political leave" as leave without net pay for the time of absence due to legislative duties. The public employer shall decide through its adopted personnel policies how net pay shall be deducted from the employee-legislator's regular pay.

Provides that a public employee serving as a legislator shall not lose seniority with the public employer nor shall legislative service be considered a break in service with the public employer for any purpose.

02/12/15—H Introduced and referred to House Judiciary.

02/12/15—H Also referred to House Business & Employment.

**HOUSE MEMORIALS**

**HM-6 Trujillo, J. (D45)**

**COLLEGE STUDENTS AS MENTORS TO THIRD GRADE READERS**

Requests that the LESC, in cooperation with the PED and HED, establish a work group to report on the feasibility of creating an innovative program for the mentoring and tutoring in reading for third grade students by college students.

01/26/15—H Introduced and placed on Speaker's Table.

02/03/15—H Removed from Speaker's table.

02/03/15—H Referred to House Education.

02/03/15—H Also referred to House Appropriations & Finance.

02/12/15—H Reported Do Pass by House Education.

**HM-18 Garcia Richard (D43)**

**SUPPORT THE NEW MEXICO ALLIANCE OF YMCAS DAY IN THE HOUSE**

Proclaims February 12, 2015 "Support the New Mexico Alliance of YMCAs Day" in the House, in recognition of the Alliance's important role in providing community programs and support to youths, families and adults throughout New Mexico.

01/26/15—H Introduced and placed on Speaker's Table.

02/12/15—H Removed from Speaker's table.

02/12/15—H Opened for floor debate.

02/12/15—H Passed 70-0.

**HM-39 Ezzell (R58)**

**SOIL AND WATER CONSERVATION DISTRICT DAY AT THE HOUSE**

Proclaims February 12, 2015 as "Soil and Water Conservation District Day" at the House of Representatives and acknowledges the 47 districts who are dedicated to conserving natural resources of the state and protecting the fragile environment that is so crucial to the well-being of all New Mexicans.

02/03/15—H Introduced and placed on Speaker's Table.

02/12/15—H Removed from Speaker's table.

02/12/15—H Opened for floor debate.

02/12/15—H Passed 70-0.

**HM-64 Espinoza (R59)**

**"COMMUNITY COLLEGE DAY" IN THE HOUSE OF REPRESENTATIVES**

(Almost identical to 2015 SM58) Designates February 11,

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2015 to be "Community College Day" in the House of Representatives.

02/10/15—H Introduced and placed on Speaker's Table.

02/11/15—H Removed from Speaker's table.

02/11/15—H Opened for floor debate.

02/11/15—H Passed 70-0.

02/12/15—H Enrolled and engrossed.

02/12/15—H Signed by Officers of House.

★ **HM-70 Johnson (D5)**

### **RADIATION EXPOSURE FEDERAL LEGISLATION SUPPORT**

**Analysis (new):** Calls upon the New Mexico congressional delegation to support federal HB1645 and SB331 that would extend compensation to uranium workers who were exposed to radiation from 1972 to 1990, and expand eligibility to uranium core drillers. The legislation will expand the types of compensable medical conditions and make all qualifying claimants eligible for \$150,000 in compensation.

Congratulates Rep. Ben R. Lujan and Sens. Tom Udall and Martin Heinrich for introducing the legislation.

02/12/15—H Introduced and referred to House Government, Elections & Indian Affairs.

02/12/15—H Also referred to House Energy, Environment & Natural Resources.

### **SENATE BILLS**

**SB-16 McSorley (D16)**

#### **EYEWITNESS IDENTIFICATION ACCURACY PROCEDURES**

(For the Criminal Justice Reform Subcommittee and the Courts, Corrections and Justice Committee) Requires law enforcement agencies to adopt by January 1, 2016 and biennially review written policies in consideration of enumerated practices to enhance accuracy in live and photo lineups and showups by regulating the eyewitness identification environment, participants and process and by preserving a reliable record of the process. Authorizes the Secretary of Public Safety to develop, administer and conduct eyewitness identification training programs for law enforcement officers and recruits.

12/16/14—S Prefiled in the Senate.

01/21/15—S Introduced and referred to Senate Public Affairs.

01/21/15—S Also referred to Senate Judiciary.

02/02/15—S Reported Do Pass by Senate Public Affairs.

02/12/15—S Reported Do Pass by Senate Judiciary.

**SB-53 Papen (D38); Pacheco (R23)**

#### **ASSISTED OUTPATIENT TREATMENT ACT**

**Analysis (changes only):** SJC substitute for SPAC substitute for SB53 continues as a bill that proposes the Assisted Outpatient Treatment Act to provide a framework for assisted outpatient treatment for certain persons with mental illness. The substitute contains \$475,000 (GF) in appropriations: \$275,000 for AOC; and \$200,000 for the Behavioral Health Services Division of HSD.

Defines "assisted outpatient treatment" to mean categories of outpatient services ordered by a district court, including case management or assertive community treatment team services, prescribed to treat mental disorder in order to assist a patient in functioning in the community or to prevent harm to the patient or another or the need for hospitalization. The treatment may include:

- Medication;
  - Periodic blood tests or urinalysis to determine compliance with prescribed medications or for the presence of drugs or alcohol;
  - Individual or group therapy;
  - Programming activities;
  - Education and vocational training or activities;
  - Alcohol and substance abuse treatment and counseling;
  - Supervision of living arrangements; and
  - Any other services that may be prescribed to treat the patient's mental illness in order to assist a patient in functioning in the community or to prevent a deterioration of the patient's mental or physical condition.
- Specifies that a person may be ordered to participate in assisted outpatient treatment if a court finds clear and convincing evidence that the person:
- Is at least 18 years old;
  - Is suffering from a primary diagnosis of mental disorder;
  - Has demonstrated a history of noncompliance with mental illness treatment that has necessitated hospitalization or receipt of services in a mental health unit at least twice within the last four years; or has resulted in serious violent behavior or threats within the last four years; or has resulted in hospitalization or incarceration for six months or more and the person has been released within the past 60 days or is due for release in the next 30 days;
  - Is unwilling or unlikely, as a result of mental disorder, to participate voluntarily in outpatient treatment that would enable him or her to live safely in the community without court supervision;
  - Is in need of assisted outpatient treatment in order to prevent a relapse or deterioration that would likely result in serious harm to self or others; and
  - Will likely benefit from assisted outpatient treatment.
- A petition for an order authorizing assisted outpatient treatment may be filed in the district court for the county in which the respondent is present or is believed to be present by one of the following persons:
- A person at least 18 years old who resides with the respondent;
  - The parent or spouse of the respondent;
  - The sibling or child of the respondent (must be at least 18 years old);
  - The director of a hospital caring for the respondent;
  - The director of a public or charitable organization, agency or home that is housing and providing mental health services to the respondent;
  - A qualified professional who has treated or supervised the treatment of the respondent within the last four years; or
  - A surrogate decision-maker (i.e. an agent designated by the respondent, a guardian or a treatment guardian).
- A petition must include each criterion for assisted outpatient treatment; facts supporting the petitioner's belief that the respondent meets each criterion (the hearing on the petition need not be limited to the stated facts); and whether the respondent is present or is reasonably believed to be present within the county where the petition is filed. The petition must be accompanied by the affidavit of a qualified professional stating either A) that the qualified professional has examined the respondent within 10 days of the filing, recommends assisted outpatient treatment and is willing to testify at the hearing; or B) that the qualified professional has been unable to persuade the respondent to submit to an examination within 10 days of the filing, but nonetheless believes that the

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respondent meets the criteria for treatment and is willing to examine the respondent and testify at the hearing. Each petition for assisted outpatient treatment must be accompanied by a motion seeking a qualified protective order with respect to the respondent's protected health information. The respondent has the right to an attorney at all stages of the proceedings. The court shall not order assisted outpatient treatment without the examination and testimony of a qualified professional. A respondent refusing an examination may be compelled by the court to receive one. Detailed specifications regarding assisted outpatient treatment hearings and written proposed treatment plans are also provided.

The court shall order the respondent to receive assisted outpatient treatment if it finds that the respondent meets all relevant criteria. The court order shall provide for an initial treatment period of up to one year; specify the services to be provided; and direct one or more specified providers to arrange or provide all treatment. The court may order the administration of psychotropic drugs. If the court order includes medication, it shall state the types and dosage range necessary. The court may not order any treatment not recommended by the qualified professional. The court shall follow the decisions of any surrogate decision maker or advance directive unless there is good cause to order otherwise.

The determination by a court that a person is in need of assisted outpatient treatment shall not be construed as a determination that such person is incompetent.

Detailed specifications are provided regarding applications for continued periods of treatment and applications to stay, vacate, modify or enforce an order; as well as the sequestration and confidentiality of records and court data compilation.

If the qualified professional determines that a respondent has materially failed to comply with the assisted outpatient treatment ordered by the court, and believes that the respondent presents a serious danger to self or others and that detention is needed to prevent such harm, the qualified professional shall certify the need for detention and transport of the respondent for emergency evaluation and care. Failure to comply with an order of assisted outpatient treatment is not grounds for involuntary civil commitment or a finding of contempt of court, or for the use of force or restraints to administer medication.

The bill directs the Behavioral Health Services Division of HSD, in collaboration with the Interagency Behavioral Health Purchasing Collaborative, to prepare educational and training materials related to the provisions of the act.

Specifies that any person knowingly making a false statement or providing false information or testimony in a petition for an order authorizing assisted outpatient treatment is guilty of a petty misdemeanor. A person who intentionally releases information or records closed to the public pursuant to the act, or who releases or makes other use of the records in violation of the act, is guilty of a fourth degree felony.

Makes the following appropriations:

- \$275,000 (GF) to the Administrative Office of the Courts for expenditure in FY 2016 to hire and train personnel to compile and report data relating to court-ordered mental health treatment and proceedings to appoint treatment guardians and to contract for attorney services; and
- \$200,000 (GF) to the Behavioral Health Services Division of HSD for expenditure in FY 2016 through FY 2018 to contract

with a state university for a study on the implementation and effectiveness of assisted outpatient treatment for the period July 1, 2015 through December 31, 2017.

Goes to SFC.

12/17/14—S Prefiled in the Senate.

01/21/15—S Introduced and referred to Senate Public Affairs.

01/21/15—S Also referred to Senate Judiciary.

01/21/15—S Also referred to Senate Finance.

02/04/15—S Reported Do Not Pass but Do Pass as substituted by Senate Public Affairs.

**02/12/15**—S Reported Do Not Pass but Do Pass as substituted by Senate Judiciary.

### **SB-54 Candelaria (D26)**

#### **NOTARY PUBLIC ALLOWABLE MILEAGE FEES**

*Proposes to amend the Notary Public Act to conform allowable mileage fees with the federal standard set annually by the IRS.*

12/17/14—S Prefiled in the Senate.

01/21/15—S Introduced and referred to Senate Public Affairs.

01/21/15—S Also referred to Senate Judiciary.

02/02/15—S Reported Do Pass by Senate Public Affairs.

02/05/15—S Reported Do Pass by Senate Judiciary.

**02/12/15**—S Opened for floor debate.

**02/12/15**—S Passed 36-0.

### **SB-61 Rue (R23)**

#### **AFFORDABLE HOUSING ACT RULES AND AUTHORITY**

*(Endorsed by the Mortgage Finance Authority Oversight Committee) Provides rules to be adopted for housing assistance grants by the Mortgage Finance Authority and other agencies; and for the timely sale of certain housing projects. Provides for enforcement, and penalties for violations, of the Affordable Housing Act.*

12/19/14—S Prefiled in the Senate.

01/21/15—S Introduced and referred to Senate Public Affairs.

01/21/15—S Also referred to Senate Judiciary.

02/02/15—S Reported Do Pass as amended by Senate Public Affairs.

02/05/15—S Reported Do Pass as amended by Senate Judiciary.

**02/12/15**—S Opened for floor debate.

**02/12/15**—S Passed 35-0.

### **SB-71 Soules (D37)**

#### **RESTAURANT BEER AND WINE LICENSE CHANGE**

*Provides for elections in local option districts that would authorize restaurant licensees (beer and wine only) to also serve distilled spirits produced in New Mexico. After July 1, 2015 elections could be held under existing law to allow the service of beer and wine only, or to serve both beer and wine and New Mexico-produced distilled spirits.*

12/19/14—S Prefiled in the Senate.

01/21/15—S Introduced and referred to Senate Rules.

01/21/15—S Also referred to Senate Corporations & Transportation.

**02/12/15**—S Reported Do Pass by Senate Rules.

### **SB-101 Neville (R2)**

#### **STATE GROSS RECEIPTS AND HOLD HARMLESS TAX CHANGES**

*Analysis (changes only): SCORC substitute for SB101, like the original bill, reduces the gross receipts tax from five and*

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one-eighth percent to four and seven-eighths percent. Makes roughly similar changes to the municipal and county hold harmless gross receipts tax authorizations but accomplishes the changes by replacing the existing hold harmless taxes with a "municipal new hold harmless gross receipts tax" and a "county new hold harmless gross receipts tax".

Under the "new" taxes any municipality or county that had not imposed a tax under the old statute may impose a tax of up to one-half percent, in any number of one-sixteenth percent increments. A municipality or county that imposed a hold harmless tax under present law and that tax is still in effect January 1, 2016, may impose a tax no greater than the larger of one-fourth percent or the hold harmless rate, in any number of one-sixteenth increments.

The "hold harmless rate" for municipalities and for counties is defined in the same way as in the original bill.

Requires the Taxation and Revenue Department to calculate and publish on its website the hold harmless rates on or before December 15, 2015. Hold harmless taxes imposed by municipalities and counties under existing law shall remain in effect under the ordinance expires.

Goes to SFC.

01/02/15—S Prefiled in the Senate.

01/22/15—S Introduced and referred to Senate Corporations & Transportation.

01/22/15—S Also referred to Senate Finance.

**02/12/15**—S Reported Do Not Pass but Do Pass as substituted without recommendation by Senate Corporations & Transportation.

**SB-115 Neville (R2)**

**REORGANIZATION OF THE CITIZEN SUBSTITUTE CARE REVIEW ACT STRUCTURES**

The SPAC substitute retains the original intent of SB115 to reorganize the implementation of the Citizen Substitute Care Review Act (CSCRA) in order to provide for independent and objective monitoring of children placed in the custody of CYFD.

01/07/15—S Prefiled in the Senate.

01/22/15—S Introduced and referred to Senate Public Affairs.

01/22/15—S Also referred to Senate Judiciary.

02/04/15—S Reported Do Not Pass but Do Pass as substituted by Senate Public Affairs.

**02/12/15**—S Reported Do Pass by Senate Judiciary.

**SB-125 Woods (R7); Roch (R67)**

**CHANGE COUNTY ROAD SPEED LIMITS**

Amends the Motor Vehicle Code to limit the maximum speed on a county road, without a posted speed limit, to 55 miles per hour.

01/08/15—S Prefiled in the Senate.

01/22/15—S Introduced and referred to Senate Corporations & Transportation.

01/22/15—S Also referred to Senate Judiciary.

02/05/15—S Reported Do Pass by Senate Corporations & Transportation.

**02/12/15**—S Reported Do Pass by Senate Judiciary.

**SB-202 Sapien (D9)**

**PUBLIC EDUCATION DATA ADVISORY COUNCIL**

Creates the seven-member Public Education Data Advisory Council to review and advise the PED on the accuracy and validity of data and calculations used for school grades and teacher evaluations.

01/16/15—S Prefiled in the Senate.

01/22/15—S Introduced and referred to Senate Rules.

01/22/15—S Also referred to Senate Education.

**02/12/15**—S Reported Do Pass by Senate Rules.

**SB-253 Moores (R21); Steinborn (D35)**

**PROHIBITS COYOTE-KILLING CONTESTS**

Prohibits coyote-killing contests and specifies penalties.

01/26/15—S Introduced and referred to Senate Conservation.

01/26/15—S Also referred to Senate Judiciary.

02/04/15—S Reported Do Pass as amended by Senate Conservation.

**02/12/15**—S Reported Do Pass by Senate Judiciary.

**SB-258 Candelaria (D26)**

**ALCOHOLIC BEVERAGES: ALLOWS WINEGROWER SALE OF "GROWLERS"**

Permits a winegrower licensee to sell "growlers" of wine and cider, and a small brewer licensee to sell "growlers" of beer, for off-premise consumption; and a small brewer licensees to sell beer in a growler of premises.

01/26/15—S Introduced and referred to Senate Corporations & Transportation.

01/26/15—S Also referred to Senate Judiciary.

**02/12/15**—S Reported Do Pass by Senate Corporations & Transportation.

**SB-269 Smith (D35)**

**DRIVER'S LICENSE CHANGES**

Changes the age at which a driver's license must be renewed more frequently, and at no cost, from 75 to 79, and changes the renewal basis from annual to biennial. Provides that a driver's license will now expire 30 days after a driver's 79th, rather than 75th, birthday.

01/27/15—S Introduced and referred to Senate Corporations & Transportation.

01/27/15—S Also referred to Senate Judiciary.

02/03/15—S Reported Do Pass by Senate Corporations & Transportation.

**02/12/15**—S Reported Do Pass by Senate Judiciary.

**SB-311 Torracco (R18)**

**AMENDS SELF-SERVICE STORAGE LIEN ACT**

**Analysis (changes only):** SJC substitute for SB311 maintains the intent of the original bill to amend the Self-Service Storage Lien Act to provide for electronic notifications and advertisement of sales; and provide for the sale of abandoned personal property.

Specifies that a notice of intent to enforce a lien shall be made by verified mail or electronic mail pursuant to the option selected by the occupant when entering into the rental agreement. An owner shall provide written notice by verified mail to the occupant's last known address or by electronic mail to the last known electronic address. If the owner sends a notice by e-mail and does not receive a response or confirmation within three business days, the owner shall deliver a one-time notice by verified mail to the occupant's last known address.

Leaves intact the current statutory requirement related to advertising the sale of abandoned property where there is no newspaper of general circulation. Authorizes the sale to be held online.

Specifies that if an occupant is in default for at least 60 continuous days and the property stored is a motor vehicle, watercraft or trailer, the owner may have the property towed

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from the facility in lieu of a sale. Towing must be performed by a carrier that is licensed by the PRC pursuant to the Motor Carrier Act. Within one day of having the vehicle towed, the owner shall send verified notice to the occupant's last known address or electronic address that states the date the vehicle was towed, and the address and telephone number of the person who towed the vehicle.

Gone from the substitute is a provision that limits the late fee that may be charged to a storage occupant in default to no more than \$20 dollars per month, or 20 percent of the monthly rent, whichever is greater. Also gone is a provision that if the rental agreement specifies a limit on the value of property that may be stored in the leased space, that limit shall be deemed to be the maximum value of the personal property.

Goes to Senate Calendar.

01/27/15—S Introduced and referred to Senate Corporations & Transportation.

01/27/15—S Also referred to Senate Judiciary.

02/03/15—S Reported Do Pass by Senate Corporations & Transportation.

**02/12/15**—S Reported Do Not Pass but Do Pass as substituted by Senate Judiciary.

### **SB-316 Burt (R33)**

#### **DEDUCTION FOR UNIFORMED SERVICES RETIREES**

**Analysis (changes only):** SCORC amendment to SB136, phases in the proposed deduction for income of uniformed services retirees over four years, allowing a deduction up to \$12,500 for taxable year 2015, \$25,000 for taxable year 2016; \$37,500 for taxable year 2017 and \$50,000 for the 2018 and subsequent taxable years.

01/27/15—S Introduced and referred to Senate Corporations & Transportation.

01/27/15—S Also referred to Senate Finance.

**02/12/15**—S Reported Do Pass as amended by Senate Corporations & Transportation.

### **SB-325 Ingle (R27)**

#### **LIMITS NON-COMPETE CONTRACTUAL PROVISIONS FOR HEALTHCARE PRACTITIONERS**

**Analysis (changes only):** SJC amendment to SB325 specifies that the restriction on noncompete provisions does not apply to contractual provisions that may require a health care practitioner who has worked for an employer for less than three (rather than two, as the original provides) years to repay all or a portion of a loan; relocation expenses; a signing bonus or similar remuneration; or recruiting, education and training expenses. Also clarifies that the restriction does not apply to agreements between health care practitioners who are shareholders, owners, partners or directors of a health care practice. Goes to Senate Calendar.

01/28/15—S Introduced and referred to Senate Corporations & Transportation.

01/28/15—S Also referred to Senate Judiciary.

02/05/15—S Reported Do Pass by Senate Corporations & Transportation.

**02/12/15**—S Reported Do Pass as amended by Senate Judiciary.

### **SB-438 Griego (D39)**

#### **CORPORATE APPLICATION AND FILING REQUIREMENTS**

Changes certain filing fees required of corporations with the Secretary of State; provides for a flat fee for copying documents and authorizes charging fees for payment to the

secretary by credit or debit card; and suspends the privilege of filing for any entity that is liable for payments to the secretary. Appropriates to the secretary fees charged for handling credit and debit card payments.

02/04/15—S Introduced and referred to Senate Corporations & Transportation.

02/04/15—S Also referred to Senate Judiciary.

**02/12/15**—S Reported Do Pass by Senate Corporations & Transportation.

### **SB-450 Burt (R33)**

#### **STANDARDIZES MUSEUM AND MONUMENT BOARD AND DIRECTOR DUTIES**

Relates to cultural affairs; standardizes museum and monument board and director duties and provides other cleanup of statutes.

02/04/15—S Introduced and referred to Senate Indian & Cultural Affairs.

02/04/15—S Also referred to Senate Judiciary.

**02/12/15**—S Reported Do Pass by Senate Indian & Cultural Affairs.

### **SB-463 Munoz (D4)**

#### **LOCAL DWI GRANT DISTRIBUTION TO MCKINLEY COUNTY**

Appropriates \$300,000 from the Local DWI Grant Fund (composed of liquor excise taxes) to the Local Government Division of DFA for distribution to McKinley County for detoxification and treatment programs. San Juan and Rio Arriba Counties, and now McKinley County receive annual appropriations from the fund specifically for the purpose of detoxification and treatment in addition to distributions to all counties that have DWI education and other programs.

02/04/15—S Introduced and referred to Senate Indian & Cultural Affairs.

02/04/15—S Also referred to Senate Finance.

**02/12/15**—S Reported Do Pass by Senate Indian & Cultural Affairs.

### **SB-482 Rue (R23)**

#### **RELATES TO PROCUREMENT: GSD DESIGNEE MAY SERVE ON ARCHITECTURAL COMMITTEE**

Current statute requires the Director of the Facilities Management Division of GSD to serve on the Architect, Engineer, Landscape Architect and Surveyor Selection Committee. This bill allows the director to provide a nominee instead.

02/05/15—S Introduced and referred to Senate Corporations & Transportation.

02/05/15—S Also referred to Senate Public Affairs.

**02/12/15**—S Reported Do Pass by Senate Corporations & Transportation.

### **SB-503 Ortiz y Pino (D12)**

#### **BEER AND WINE DELIVERY LICENSES**

Authorizes local option districts to approve beer and wine delivery licenses, for the sale of wine and beer along with the sale and delivery of prepared foods, by holding an election on the question. The license confers the ability to sell up to 144 ounces (two six-packs) of beer and up to 1.5 liters (two bottles) of wine. The annual fee for the license is \$1,300.

02/06/15—S Introduced and referred to Senate Corporations & Transportation.

02/06/15—S Also referred to Senate Judiciary.

**02/12/15**—S Reported Do Pass by Senate Corporations & Transportation.

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**SB-505 Torracco (R18)**

**BAIL BONDSMAN SURETY AMOUNTS**

*Proposes to amend the Bail Bondsmen Licensing Law to provide that all percent bonds or property bonds set by a court may be posted by a licensed bail bondsman pursuant to the Bail Bondsmen Licensing Law, provided that the paid surety shall also execute a bail bond for the full amount of the bail set by the court.*

02/06/15—S Introduced and referred to Senate Corporations & Transportation.

02/06/15—S Also referred to Senate Judiciary.

02/12/15—S Reported Do Pass by Senate Corporations & Transportation.

**★ SB-551 Cervantes (D31)**

**PROCUREMENT CODE: QUALIFICATIONS-BASED SERVICES**

*Analysis (new): (Same as HB100, and HB46 in 2014) Amends the Procurement Code to require home rule cities, presently exempt from the code if they have enacted purchasing ordinances, to contract for the services of architects, engineers, landscape architects and surveyors through qualifications-based, competitive sealed proposals.*

02/12/15—S Introduced and referred to Senate Corporations & Transportation.

02/12/15—S Also referred to Senate Judiciary.

**★ SB-552 Cervantes (D31)**

**APPROPRIATION: DRINKING WATER SYSTEM FINANCING**

*Analysis (new): Appropriates \$1,800,000 (nonreverting) from the Public Project Revolving Fund to the Drinking Water State Revolving Fund for expenditure in FY 2016 and subsequent fiscal years to provide state matching funds for federal Safe Drinking Water Act projects and to carry out the purposes of the Drinking Water State Revolving Fund Act.*

02/12/15—S Introduced and referred to Senate Conservation.

02/12/15—S Also referred to Senate Finance.

**★ SB-553 Cervantes (D31)**

**ADJUST WORKERS' COMPENSATION CLAIMS FOR SUBSTANCE ABUSE**

*Analysis (new): (Almost identical to 2015 HB238 as amended; similar to 2013 HB238) Reduces the amount of workers' compensation benefits payable to a worker in proportion to the percent the worker's use of alcohol or illegal drugs or misuse of prescription drugs contributed to the worker's injury or death.*

*Requires a worker's compensation judge to determine what percentage (if any) a worker's use of alcohol or drugs contributed to the injury to or death of the worker, and to reduce the weekly benefit accordingly. The reduction shall be a minimum of 35 percent but no more than 85 percent (current statute precludes compensation in cases where the intoxication causes an injury and mandates a ten percent reduction in compensation in cases where a worker is intoxicated but the injury is not occasioned by the intoxication). Does not apply to the use of prescription drugs taken in accordance with directions.*

*The bill does not restrict an injured worker's entitlement to medical benefits. Requires employers to mandate post-accident alcohol and drug testing in a qualified facility in order to claim a reduction in compensation. Testing is at the employer's expense and shall not be used in any criminal proceeding. A worker's refusal to submit to a test shall*

*constitute an admission of intoxication.*

*Provides that reduction or denial of benefits under this section shall not affect payment of benefits to dependents of a deceased worker under the death benefits provision of the Workers' Compensation Act.*

*Repeals Sec. 52-1-12 (Compensation prohibited when worker under influence of certain drugs).*

02/12/15—S Introduced and referred to Senate Corporations & Transportation.

02/12/15—S Also referred to Senate Judiciary.

**★ SB-554 Cervantes (D31)**

**PUBLIC BODY DELEGATION OF AUTHORITY FOR SECURITIES SALES**

*Analysis (new): (Endorsed by the New Mexico Finance Authority Oversight Committee) Proposes a new section of the Supplemental Public Securities Act to authorize a public body to delegate the authority to contract for the sale or purchase of public securities or to accept a binding bid for public securities and to determine the final terms of securities to be issued.*

*The authorizing instrument shall be effective for a maximum of 180 days and shall establish the conditions for the public securities, including:*

- *The public purpose for which the securities will be issued;*
  - *The maximum par amount of the securities;*
  - *The maximum term;*
  - *The maximum interest rate;*
  - *Each tax or revenue pledged to or securing payment;*
  - *Whether the securities will be sold at a public or private sale;*
  - *Minimum or maximum sales price;*
  - *The maximum amount of underwriting discount, if any, as a percentage of the aggregate principal amount;*
  - *The form of the securities;*
  - *The securities that may be refunded, if any; and*
  - *The appointment of any trustee, agent, or service provider required for the sale, issuance and delivery of the securities and the form of agreement for each appointment.*
- Subject to the foregoing, the delegate may be authorized to determine the following terms of the securities:*
- *The interest and principal payment dates;*
  - *The principal amount, denominations and maturity amortization;*
  - *The sale price, interest rate and interest payment periods;*
  - *The redemption and tender provisions;*
  - *The procurement of municipal bond insurance and any related covenants and agreements;*
  - *The creation of any capitalized interest or debt service reserve funds;*
  - *The amount of underwriting discount, if any;*
  - *The securities to be refunded, if any; and*
  - *The final terms of any agreements with any trustee, agent, or service provider required for the sale, issuance and delivery of the securities.*

*Expands the definition of "public body" in the Supplemental Public Securities Act to include the New Mexico Finance Authority. Expands the definition of "public securities" to include loans.*

*Also proposes a new section of the New Mexico Finance Authority Act requiring the authority to report to New Mexico Finance Authority Oversight Committee annually regarding security issuances that involve a delegation of authority.*

02/12/15—S Introduced and referred to Senate Judiciary.

02/12/15—S Also referred to Senate Finance.

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★ SB-555 Munoz (D4)

**EXCEPTIONS TO HOLD HARMLESS DISTRIBUTION REDUCTIONS**

**Analysis (new):** Starting with fiscal year 2017, halts the hold harmless distribution (in lieu of revenues from state and local gross receipts taxes on retail sale of food and certain medical goods and services) to a municipality or county if the municipality or county meets certain criteria (appears intended for Gallup and McKinley County, but may affect others).

Existing law phases out over 15 years the hold harmless distribution to large (10,000 and over) municipalities and large (48,000 and over) counties. Bill proposes to exempt a municipality or county from the phase-out as of July 1, 2016, if the government has not imposed a hold harmless gross receipts tax, the poverty rate in the county for 2013 exceeds 30% and the growth in the government's taxable gross receipts tax base over the fiscal years 2014 through 2015 is less than two percent of the average gross receipts tax base for the government for the fiscal years 2012 through 2014.

**02/12/15**—S Introduced and referred to Senate Corporations & Transportation.

**02/12/15**—S Also referred to Senate Finance.

★ SB-556 Cisneros (D6)

**TAOS SKI VALLEY TAX INCREMENT DISTRICT BONDS**

**Analysis (new):** Authorizes Taos Ski Valley Tax Increment Development District to issue \$44 million in bonds backed by gross receipts tax increments, subject to review and approval of the New Mexico Finance Authority; authorization lasts for 25 years.

Provides that, once the developer of the tax increment development project (not specified in the bill) has been fully reimbursed for the costs of eligible infrastructure, the district must give the State Board of Finance an estimate of the amount of state gross receipts tax increment revenue is required to pay debt service on the district's outstanding bonds. Specifies parameters for making the estimate. Restricts the Legislature from approving certain capital outlay projects in Taos Ski Valley during the life of the bonds.

**02/12/15**—S Introduced and referred to Senate Corporations & Transportation.

**02/12/15**—S Also referred to Senate Finance.

★ SB-557 Candelaria (D26)

**PROHIBITS RELEASE WITHOUT BOND IN AGGRAVATED BATTERY OR AGGRAVATED DUI CASES**

**Analysis (new):** Prohibits the release of a person on their own recognizance by a designated person at a detention center in a case where the defendant is charged with aggravated battery against a household member under Sec. 30-3-16, or aggravated driving under the influence of liquor or drugs under Sec. 66-8-102.

**02/12/15**—S Introduced and referred to Senate Public Affairs.

**02/12/15**—S Also referred to Senate Judiciary.

★ SB-558 Candelaria (D26)

**NO EVALUATION IMPACT FOR FAMILY AND MEDICAL LEAVE**

**Analysis (new):** Prohibits use by a teacher of family and medical leave allowed by federal law from affecting in any way the teacher's performance evaluation under the highly objective uniform statewide standard of evaluation.

**02/12/15**—S Introduced and referred to Senate Education.

**02/12/15**—S Also referred to Senate Public Affairs.

★ SB-559 Candelaria (D26)

**INCENTIVES FOR BENEFITS FOR EARLY CHILDHOOD EMPLOYEES**

**Analysis (new):** Requires the Children, Youth and Families Department to adopt rules to increase reimbursement rates from the Early Childhood Care and Education Fund by 50 percent for providers that offer four of five specific employment benefits to their employees by the start of the school year.

Specifies that early childhood care and education providers must meet at least four of five conditions to receive the increased reimbursement. They must:

- offer at least five paid sick days to all employees;
- offer at least three days of paid family or medical leave to all employees;
- offer health insurance to all employees that requires an employee to contribute not more than five percent of household income for premiums;
- participate in a substitute teacher program or operate their own such program; or
- pay their employees a minimum wage of \$15 per hour.

**02/12/15**—S Introduced and referred to Senate Public Affairs.

**02/12/15**—S Also referred to Senate Finance.

★ SB-560 Sapien (D9)

**REMEDATION AND RETENTION ACCOUNTABILITY REPORTS**

**Analysis (new):** (Conflicts with 2015 SB468, SB66 and HB41; related to 2014 SB326 and 2013 SB640) Requires school districts to provide the Public Education Department with an annual professional development plan for teachers to adopt effective instructional methodologies and strategies in reading, English language development or English as a second language (ESL).

Requires that each district's annual accountability reports to PED include certain data about student reading proficiency, retention and promotion. Requires PED to report data derived from those reports to the Legislative Education Study Committee each interim. Makes minor nonsubstantive changes in language in existing law regarding remediation programs and promotion policies.

Requires school districts to provide the required professional development plans to PED annually by September 30.

Requires that, by May 15 each year, districts' annual accountability reports to PED include data about students who needed remediation; received differentiated remediation and achieved reading proficiency; and received remediation but did not achieve proficiency. Also, requires that the report include proficiency data for nonreading proficient students promoted due to parental waiver, and promotion and retention decisions for students who were promoted the previous year due to parental waiver.

**02/12/15**—S Introduced and referred to Senate Public Affairs.

**02/12/15**—S Also referred to Senate Education.

★ SB-561 Candelaria (D26)

**IMPOSES TAX ON LOW WAGE-PAYING CORPORATIONS—ENACTING PRESCHOOL PROGRAM ACT**

**Analysis (new):** Imposes the "corporate low wage tax" on employer corporations having global gross income of at least \$1 billion who engage in business in New Mexico.

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Establishes the Preschool Program Act to license and fund preschool programs for children 0 to 5 years of age. Sets the rate of corporate low wage tax at \$1 for every hour the employer pays an employee a low wage in a taxable year. A low wage is defined as an hourly wage that, when multiplied by 2080 hours, equals an income less than 200% of the federal poverty level for a family of three. Tax revenues go to the preschool program fund. The corporate employer must also, within six months of the end of a taxable year in which the employer is liable for the tax, publicly disclose that the employer is liable for the tax, the number of employees affected and the number of hours involved. Exempts employers of domestic labor in private homes and employers of livestock and agricultural labor. Allows any person with good cause to bring a civil action to challenge a corporate employer for underpayment of the corporate low wage tax. Upon prevailing, allows an award of twice the underpayment to the Taxation and Revenue Department. Provides relief for employees fired in retaliation. Tasks the Children, Youth and Family Department with licensing and funding providers of preschool programs for children, other than 3 or 4-year-old developmentally delayed or developed children counted under the public school funding formula. One license suffices for both the provider and the program. This new program replaces existing authorization (at Section 22-8-19.1), which is repealed. Specifies information to be provided with the application for licensure and application for funding. Criminal background checks required for all staff with access to children. License fee is not to exceed \$200; fees permitted to vary for different classes of programs. Fees flow to the preschool program fund.

CYFD may fund the preschool programs, depending on funding availability. It must rank all preschool funding applications according to specified criteria. Priority goes to programs in communities with Title I public schools and with at least 66% of the children served living within the attendance zone of a Title I public elementary school. Deadlines set for funding decisions and distributions of funding. Outlines terms of contracts between CYFD and program providers. Requires department to monitor and evaluate effectiveness of programs. Department may suspend, revoke or refuse to renew a license; appeal provided.

Creates the preschool program fund.

**02/12/15**—S Introduced and referred to Senate Corporations & Transportation.

**02/12/15**—S Also referred to Senate Judiciary.

**02/12/15**—S Also referred to Senate Finance.

### ★ SB-562 Soules (D37)

#### DATA IN EDUCATOR EVALUATIONS

**Analysis (new):** (Relates to 2015 SB91, SB 153, SB223, SB378, SB 497 and HB76) Requires the "highly objective" uniform statewide standard of evaluation for teachers and school administrators to include effective, appropriate and comprehensive use of relevant data.

Specifies the use of data such as student attrition, mobility and demographics, student-teacher ratios, data on students with disabilities, class sizes, students' language background, outline of the curriculum, ethnic and racial composition of the staff, and other data the school district determines to be relevant.

Inserts similar language regarding evaluations at each licensure level, and cleans up the statute by deleting

obsolete provisions regarding the phase-in of minimum salaries at various level.

**02/12/15**—S Introduced and referred to Senate Education.

**02/12/15**—S Also referred to Senate Judiciary.

### ★ SB-563 Cervantes (D31)

#### INCREASE SCHOOL YEAR FOR 5TH AND 6TH GRADERS; FUND CHANGES

**Analysis (new):** (Related to 2015 SJR12; 2014 SB272; 2013 SB575; and 2011 HB407) As of the 2017-2018 school year, and conditional on passage of a Constitutional amendment to provide funding, increases minimum instructional days and hours in Kindergarten through grade six in public schools. Increases cost differentials for school funding at all grade levels K-12.

Increases the school year for Kindergarten through sixth grade as follows, exclusive of lunch:

- full-day Kindergarten through fifth grade, 1127.5 hours per year (or 5.5 hours per day for 205 days), up from 990 hours;
- sixth grade, 1080 hours per year (or 6.0 hours per day), up from 990 hours;

For schools on a regular school year calendar, the year will consist of a minimum of 205 instructional days for grades K-5. For those on a variable calendar, Public Education Department approval is required, and the requested time must meet the required number of instructional hours.

Deletes the current provision that allows the Secretary of PED to waive the minimum length of school days in districts where those minimums would create undue hardship.

Permits school districts to increase the number of minimum instructional hours beyond those specified.

Does not change provisions that allow a certain number of hours at various grade levels for parent-teacher conferences and home visits to count as instructional time, and continues to allow in-class breakfast programs provided under state or federal law to be deemed instructional time. Includes a provision that days or hours when no instruction is given due to weather, in-service training, teacher preparation or other events that are not educational programs and will not count toward the required instructional hours.

Eliminates all references to half-day Kindergarten programs. In the Public School Finance Act, raises the cost differential factors for each grade as follows:

- Full-day K, to 1.74 from 1.44;
- 1st grade, to 1.5 from 1.2;
- 2nd and 3rd grades, to 1.48 from 1.18;
- 4th and 5th grades, to 1.075 from 1.045; and
- 6th through 12th grades, to 1.55 from 1.25.

Includes a contingency section making the provision effective upon certification by the Secretary of State that Article 12, Section 7 of the state Constitution has been amended to provide for an additional distribution from the Land Grant Permanent Fund to implement and maintain a longer school year for students in grades K through 5.

**02/12/15**—S Introduced and referred to Senate Education.

**02/12/15**—S Also referred to Senate Finance.

### ★ SB-564 Pinto (D3)

#### APPROPRIATION: TRIBAL COLLEGE DUAL CREDIT PROGRAM FUND

**Analysis (new):** Appropriates \$ 500,000 (GF) to the Tribal College Dual Credit Program Fund for expenditure in FY 2016 to compensate tribal colleges for foregone revenue due to the waiver of tuition and fees for high school students participating in the dual credit program during the preceding

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*school year.*

02/12/15—S Introduced and referred to Senate Education.

02/12/15—S Also referred to Senate Finance.

### SENATE JOINT MEMORIALS

#### **SJM-14 Papen (D38)**

##### **SOIL AND WATER CONSERVATION DISTRICT DAY**

*Proclaims February 12, 2015 as "Soil and Water Conservation District Day," at the Legislature. Recognizes the men and women who serve to protect the fragile environment that is crucial to the well-being of the state. A copy of the memorial will be transmitted to the New Mexico Association of Conservation Districts.*

01/29/15—S Introduced and placed on President's Table.

02/12/15—S Removed from President's table.

02/12/15—S Placed on Senate Calendar.

02/12/15—S Opened for floor debate.

02/12/15—S Passed 37-0.

### SENATE JOINT RESOLUTIONS

#### **SJR-2 Ortiz y Pino (D12)**

##### **CA: ALLOWS MARIJUANA PERSONAL POSSESSION AND USE**

*Proposes to amend Article 20 of the state Constitution to legalize the possession and personal use of marijuana by persons 21 years of age and older. The Legislature will by law provide for production, processing, transportation, sale, taxation, acceptable quantities and places of use of marijuana and hemp.*

01/21/15—S Introduced and referred to Senate Rules.

01/21/15—S Also referred to Senate Judiciary.

02/12/15—S Reported Do Pass by Senate Rules.

#### ★ **SJR-12 Cervantes (D31)**

##### **CA: LONGER K-5 SCHOOL YEAR FUNDING**

*Analysis (new): Proposes to amend Article 12, Section 7 of the state Constitution to provide an annual distribution from the Permanent School Fund in 2017 and subsequent fiscal years in an amount equal to one percent of the average of the year-end market values fund for the immediately preceding five calendar years for the purpose of implementing and maintaining a longer school year for students in grades K-5.*

*The amendment replaces a portion of Section 7 that provided distributions for educational reforms in FYs 2005-2016.*

*The amendment is subject to voter approval at The next General Election or a special election called for that purpose.*

02/12/15—S Introduced and referred to Senate Rules.

02/12/15—S Also referred to Senate Judiciary.

02/12/15—S Also referred to Senate Finance.

### SENATE MEMORIALS

#### **SM-12 Payne (R20)**

##### **SUBMARINE USS ALBUQUERQUE RECOGNITION**

*Cites the many meritorious exploits of the Navy submarine USS Albuquerque in the 33 years since its commissioning and expresses gratitude to the hundreds of submariners in the Navy who have served aboard it in that time.*

01/22/15—S Introduced and placed on President's Table.

02/12/15—S Removed from President's table.

02/12/15—S Placed on Senate Calendar.

02/12/15—S Opened for floor debate.

02/12/15—S Passed 43-0.

#### **SM-18 Sanchez, M. (D29)**

##### **CREATE HOPE FOR A CANCER-FREE WORLD DAY IN THE SENATE**

*Proclaims February 9, 2015 "Create Hope for a Cancer-Free World Day" in the Senate, to honor cancer patients, survivors and their families while remembering those who have been lost to cancer.*

01/26/15—S Introduced and placed on President's Table.

02/09/15—S Removed from President's table.

02/09/15—S Placed on Senate Calendar.

02/09/15—S Opened for floor debate.

02/09/15—S Passed 43-0.

02/12/15—S Enrolled and engrossed.

02/12/15—S Signed by Officers of Senate.

#### **SM-54 Sanchez, M. (D29)**

##### **"UNM DAY" IN THE SENATE ON FEBRUARY 9, 2015**

*Declares that February 9, 2015, be "UNM Day" in the Senate, and that UNM be commended for its service and dedication to the residents of New Mexico.*

02/06/15—S Introduced and placed on President's Table.

02/09/15—S Removed from President's table.

02/09/15—S Placed on Senate Calendar.

02/09/15—S Opened for floor debate.

02/09/15—S Passed 43-0.

02/12/15—S Enrolled and engrossed.

02/12/15—S Signed by Officers of Senate.

#### **SM-58 Sapien (D9)**

##### **"COMMUNITY COLLEGE DAY" IN THE SENATE**

*Designates February 11, 2015 to be "Community College Day" in the Senate.*

02/06/15—S Introduced and placed on President's Table.

02/11/15—S Removed from President's table.

02/11/15—S Placed on Senate Calendar.

02/11/15—S Opened for floor debate.

02/11/15—S Passed 43-0.

02/12/15—S Enrolled and engrossed.

02/12/15—S Signed by Officers of Senate.

#### **SM-62 Sanchez, M. (D29)**

##### **RECOGNIZING THE ALBUQUERQUE HISPANO CHAMBER OF COMMERCE**

*Recognizes the Albuquerque Hispano Chamber of Commerce for the many contributions it has made to Hispanic-owned and small business communities and the community-at-large for the past 40 years; and congratulates the Albuquerque Hispano Chamber of Commerce for being named the number one Hispanic chamber of commerce in the United States.*

02/09/15—S Introduced and placed on President's Table.

02/10/15—S Removed from President's table.

02/10/15—S Placed on Senate Calendar.

02/10/15—S Opened for floor debate.

02/10/15—S Passed 43-0.

02/12/15—S Enrolled and engrossed.

02/12/15—S Signed by Officers of Senate.

#### **SM-67 Stewart (D17)**

##### **NEW MEXICO STUDENT NURSES DAY IN THE SENATE**

*Declares February 12, 2015 "New Mexico Student Nurses Day" in the Senate, in honor of all New Mexico student nurses.*

02/09/15—S Introduced and placed on President's Table.

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02/12/15—S Removed from President's table.  
02/12/15—S Placed on Senate Calendar.  
02/12/15—S Opened for floor debate.  
02/12/15—S Passed 43-0.

**SM-70 Pirtle (R32)**  
**RECOGNIZING BOYS AND GIRLS CLUBS OF NEW MEXICO**

*Recognizes the Boys and Girls Clubs of New Mexico for the outstanding services they provide to young people and their families.*

02/10/15—S Introduced and placed on President's Table.  
02/10/15—S Removed from President's table.  
02/10/15—S Placed on Senate Calendar.  
02/10/15—S Opened for floor debate.  
02/10/15—S Passed 43-0.  
02/12/15—S Enrolled and engrossed.  
02/12/15—S Signed by Officers of Senate.

◆ **SM-74 Sanchez, M. (D29)**  
**EMPLOYER SUPPORT OF THE GUARD AND RESERVE PROGRAM**

*Recognizes the Employer Support of the Guard and Reserve Program and its employer members who actively support citizen soldiers with meaningful jobs and provide a valuable service to soldiers and their families.*

02/10/15—S Introduced and referred to Senate Rules.  
02/10/15—S Also referred to Senate Public Affairs.  
02/12/15—S Committee referrals changed.  
02/12/15—S Referral withdrawn from Senate Rules.  
02/12/15—S Referral withdrawn from Senate Public Affairs.

**SM-77 Ortiz y Pino (D12)**  
**"MOLINA DAY" IN THE SENATE**

*Declares February 11, 2015 to be "Molina Day" in the New Mexico Senate, in recognition of the contribution of the Molina healthcare network, established by Dr. David C. Molina 30 years ago, and carried on by his family and his successor Patty Kehoe. Acknowledges that the network includes approximately 1,500 primary care physicians and 6,500 specialists, and is affiliated with approximately 70 hospitals in New Mexico.*

02/10/15—S Introduced and placed on President's Table.  
02/11/15—S Removed from President's table.  
02/11/15—S Placed on Senate Calendar.  
02/11/15—S Opened for floor debate.  
02/11/15—S Passed 43-0.  
02/12/15—S Enrolled and engrossed.  
02/12/15—S Signed by Officers of Senate.

★ **SM-81 Payne (R20)**  
**"MILITARY AND VETERANS' DAY" IN THE SENATE**

*Analysis (new): Resolves that February 25, 2015 be declared "Military and Veterans' Day" in the Senate and that gratitude be extended to New Mexico's current and former military service members and to the veterans' service organizations for working in partnership with the state to serve these current and former heroes.*

*Resolves that a copy of the memorial be transmitted to the Department of Military Affairs and to the Veterans' Services Department.*

02/12/15—S Introduced and placed on President's Table.

★ **SM-82 Padilla (D14)**  
**"I HEART CAREGIVERS DAY" IN THE SENATE**

*Analysis (new): Resolves that February 25, 2015, be*

*commemorated as "I Heart Caregivers Day" in the Senate in honor of the efforts of the Aging and Long-term Services Department in leading the way to develop a family caregiver state plan, so that unpaid family caregivers who need access to resources and deserve recognition for their work. Resolves that copies of the memorial be transmitted to the Secretary of Aging and Long-term Care and the Director of AARP New Mexico.*

02/12/15—S Introduced and placed on President's Table.

★ **SM-83 Soules (D37)**  
**"PFLAG DAY IN THE SENATE**

*Analysis (new): Declares February 16, 2015 to be "PFLAG Day" in the Senate in recognition of the advocacy of the parents, families and friends of lesbians and gays who work with New Mexico PFLAG chapters for civil rights, including human rights, anti-discrimination, anti-bullying, support of safe schools and freedom to marry for lesbian, gay, bisexual, transgender and queer people in New Mexico.*

*Resolves that copies of the memorial be transmitted to New Mexico PFLAG chapters.*

02/12/15—S Introduced and placed on President's Table.

★ **SM-84 Beffort (R19)**  
**NM LAW ENFORCEMENT SAFETY ACT MODELED ON FEDERAL ACT**

*Analysis (new): Calls upon the interim Corrections Oversight and Justice Committee to hear testimony on the benefits of passing a New Mexico Law Enforcement Officers Safety Act that is modeled on the federal Law Enforcement officers Safety Act of 2004.*

*Cities the federal act that allows qualified law enforcement officers and qualified retired or separated officers to carry a concealed firearm in any jurisdiction in the U.S., regardless of state or local laws, with certain exceptions.*

*Claims that a New Mexico act would complement the federal act by increasing public protection.*

02/12/15—S Introduced and referred to Senate Rules.

02/12/15—S Also referred to Senate Judiciary.

## Nita Taylor

---

**From:** Tasia Young <tyoung@nmcounties.org>  
**Sent:** Wednesday, February 11, 2015 4:19 PM  
**To:** Board of Directors; Managers Affiliate; County Lobbyists; Affiliate Officers; Commission Chairs; NMAC Legislative Team  
**Cc:** Brian K. Moore; valarid@gmail.com  
**Subject:** Legislative Alert #4  
**Attachments:** DOC021115-02112015162316.pdf

Attached below is the Corporations Committee Substitute for Senator Neville's SB 101 (**hold harmless fix**), which was heard today and given a unanimous "no recommendation." It goes next to the Senate Finance Committee, which is expected to continue to work on the issues raised by Steve Kopelman for NMAC and Bill Fulginitti for the Municipal League. Both applauded Senator Neville for his efforts and willingness to listen to local government. Steve (K) stated that the bill may work better for larger counties, but is problematic for smaller ones, and reminded the Committee that McKinley County is a special case.

Also attached are Senator Neville's talking points for the substitute bill.

### **Other action this week on significant legislation affection counties:**

Most of our priority legislation, excluding the memorials on inmate options and public lands, have been heard in their first committee and are not yet scheduled in the second.

SB 125, Woods, **County Roads Speed Limits**, go a do pass vote in Judiciary today and goes next to the Senate Floor.

**Two workers comp bills** supported by NMAC will be heard in the House Business & Employment Committee at 8:30 tomorrow am, Room 307 - HB 238 and HB 250.

HB 291, Herrell, **Federal Lands Management Study Commission**, was amended this morning in the House Ag Committee, to strip its appropriation, and after lengthy testimony for and against, passed to the next committee ((Judiciary) by a 9-1 vote.

HB 126, Gonzales, **Broaden 911 Surcharge**, was given a do pass recommendation last week in its first committee, and is expected to be on the House Floor on Friday, for final passage. We thought the bill had been amended to lower and broaden the existing surcharge, but the amendment is not in the locator and may have to be added on the House floor.

HB 49a, Wooley, **County Notices by E Mail**, passed its second committee last week and should also be on the House floor this week. The amendment will appear with the bill, as the House Ways and Means Committee report.

*Stay tuned, and call or text me any time!*

Tasia Young

## Nita Taylor

---

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Tasia Young

Lobbyist

505-469-6409

-----Original Message-----

From: Perry the Printer [<mailto:scanadmin@nmcounties.org>]

Sent: Wednesday, February 11, 2015 4:23 PM

To: Tasia Young

Subject: SB 101 substitute and talking points 02/11/2015 16:23

Scanned from MFP07475299

Date:02/11/2015 16:23

Pages:11

Resolution:200x200 DPI

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This is a scanned doc from Perry the Printer. <<...>>

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**SB101**

- Eliminate Hold Harmless payouts by 1/1/16
- Offset Loss by imposition of Hold Harmless Local Tax, effective 1/1/16: 1/16 increments sufficient to replace but not to exceed ½\*\*
- Reduce State GRT by ¼ on 1/1/16.
- Existing 3/8 authorization cannot be Imposed after 7/1/15
- \*\*Existing 3/8 (all or part) already imposed is not required to be repealed in cities or counties that have enacted, but any "new" hold harmless shall be limited to not more than ¼ to avoid an additional tax increase.

## Nita Taylor

---

**From:** Tasia Young <[tyoung@nmcounties.org](mailto:tyoung@nmcounties.org)>  
**Sent:** Wednesday, February 04, 2015 11:27 AM  
**To:** Board of Directors; [msaav@unm.edu](mailto:msaav@unm.edu); Affiliate Officers; Assessors Affiliate; County Lobbyists; NMAC Legislative Team  
**Cc:** Brian K. Moore  
**Subject:** Legislative Alert #3  
**Attachments:** NMAC PRIORITY BILLS 2014.docx

Here is a **mid week update**. Note that we moved several bills this week, including our priority tax roll corrections and IRB legislation. Attached is our internal daily tracking doc; as opposed to the master tracking of list of 100+ bills that we are watching so far.

**WE have hearings this afternoon on county road speed limits** in the Senate Corporations Committee, 2 p.m. room 311; (SB 111 will die in that committee today at the request of the sponsor as we are moving another IRB bill, SB 319); and a **DWI distribution bill** in House Ways and Means this afternoon at 1:30,, HB 204.

We had an extensive hearing this morning on **HB 112, ag land valuation**, with almost a dozen County Commissioners and Assessors, giving technical advice in response to questions from the committee. The bill has been amended to remove the language regarding horses but still refers to "severe drought." Discussion to be continued in Ways and Means, probably early next week.

**Kudos** to Catron County Assessor Susan Griffiths, who got herself and me and several other Assessors into the Speaker's office yesterday to secure his vote on HB 67, tax roll corrections. The bill was put on a consent calendar and we were out of the committee in less than a minute!

Thanks to Taylor Horst and Grace Philips for spending hours in the House and Senate Judiciary Committees on HB 238 (Workers Comp/Intoxication) and Community Involvement Team bill (Grace) this week.

Our work with interim committees last year, and all of the resulting endorsements, means that most of our priority legislation was pre-filed and therefore introduced early. That is why we are getting early hearings and our bills are moving!

We are told the **Safety Net Care sunset pool bill**, SB 117, will be heard in Senate Public Affairs on **Friday afternoon. Room 303, 2:30 p.m**

**Call or text me anytime!**

Tasia Young  
NMAC Lobbyist  
505-469-6409

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**NMAC PRIORITY BILLS & HOT TRACKS STATUS: Wednesday, February 4, 2015**

**Bold = passed first house**

<b>BILL # &amp; SPONSOR</b>	<b>ISSUE</b>	<b>STATUS</b>
SB 117 Rodriguez	Safety Net Care Pool	SPAC/SFC
HB 67 Strickler/Trujillo	Tax Roll Corrections	HVMC
SB 104 Sharer	Delinquent Property Tax Payments	SCORS/SPAC
SB 319 Leavell aa	IRBs	SJC
HB 2 Larranaga	Detention Facilities Money	HAFC
SJM 4 Rue	Inmate Options	SRC/SPAC
SM 6 – Woods	Public Lands	SRC/SCONC

**HOT TRACKERS**

		To be introduced later in week
Harper	Hold Harmless	SCORC/SFC
SB 101 Neville	Hold Harmless	SCORC/SFC
SB 274 Smith	HH & Fold Tax	SCORC/SFC
SB266 Munoz	HH	SCORC/SFC
HB 204 C Trujillo	Liquor Excise Tax Distribution	HVMC
SB 125 Woods/Roch	County Road Speed Limits	SCORS/SJC
HB 238 Roch	WC Benefits & Intoxication	HB&E
HB 112 Gonzales	Ag Land Valuation	HVMC
SB 112 Cisneros	Ag Land Valuation	SCONC

1 SENATE BILL 493

2 52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

3 INTRODUCED BY

4 Peter Wirth and Andy Nunez

5  
6  
7  
8  
9  
10 AN ACT

11 RELATING TO WATER; CLARIFYING THAT A LEASE OF A WATER RIGHT AND  
12 SUBSEQUENT USE OF WATER SHALL NOT TAKE EFFECT UNTIL AFTER THE  
13 APPLICATION HAS BEEN APPROVED IN ACCORDANCE WITH LAW; DECLARING  
14 AN EMERGENCY.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 72-6-3 NMSA 1978 (being Laws 1967,  
18 Chapter 100, Section 3, as amended by Laws 2014, Chapter 45,  
19 Section 2 and by Laws 2014, Chapter 48, Section 2) is amended  
20 to read:

21 "72-6-3. OWNER MAY LEASE USE OF WATER.--

22 A. An owner may lease to any person all or any part  
23 of the water use due the owner under the owner's water right,  
24 and the owner's water right shall not be affected by the lease  
25 of the use. The use to which the owner is entitled under the

.199767.1

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 owner's right shall, during the exercise of the lease, be  
2 reduced by the amount of water so leased. Upon termination of  
3 the lease, the water use and location of use subject to the  
4 lease shall revert to the owner's original use and location of  
5 use.

6 B. After application is made, notice and  
7 opportunity for hearing is provided and the application is  
8 approved, pursuant to Sections 72-6-4 through 72-6-6 NMSA 1978,  
9 the lease may be effective for immediate use of water or may be  
10 effective for future use of the water covered by the lease;  
11 however, the lease shall not be effective to cumulate water  
12 from year to year or to substantially enlarge the use of the  
13 water in such manner that it would injure other water users.  
14 The lease shall not toll any forfeiture of water rights for  
15 nonuse, and the owner shall not, by reason of the lease, escape  
16 the forfeiture for nonuse prescribed by law; provided, however,  
17 that the state engineer shall notify both the owner and the  
18 lessee of declaration of nonuser as provided in Sections  
19 72-5-28 and 72-12-8 NMSA 1978. The initial or any renewal term  
20 of a lease of water use shall not exceed ten years, except as  
21 provided in Subsections C and D of this section.

22 C. A water use may be leased for forty years by  
23 municipalities, counties, state universities, special water  
24 users' associations, public utilities supplying water to  
25 municipalities or counties and member-owned community water

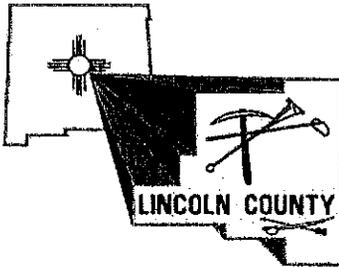
.199767.1

underscored material = new  
[bracketed material] = delete

1 systems as lessee and shall be entitled to the protection of  
2 the forty-year water use planning period as provided in Section  
3 72-1-9 NMSA 1978. A water use deriving from an acequia or  
4 community ditch organized pursuant to Chapter 73, Article 2 or  
5 3 NMSA 1978, whether owned by a water right owner under the  
6 acequia or community ditch or by the acequia or community  
7 ditch, may be leased for a term not to exceed ten years.

8 D. A water use due under an adjudicated water right  
9 secured to a pueblo pursuant to the settlement agreements  
10 approved in Title 5 and Title 6 of the federal Claims  
11 Resolution Act of 2010, P.L. No. 111-291, Sections 501-626, or  
12 in the partial final judgments and decrees entered pursuant to  
13 those settlement agreements, may be leased for a term,  
14 including all renewals, not to exceed the term specifically  
15 authorized in that act; provided that this subsection shall not  
16 apply to any water use due under any state-law based water  
17 rights acquired by a pueblo or by the United States on behalf  
18 of a pueblo."

19 SECTION 2. EMERGENCY.--It is necessary for the public  
20 peace, health and safety that this act take effect immediately.



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

February 13, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Water Issues/Forest Health/Wildlife Programs

**Water Rights Notices.** There are no publications on the State Engineer's website for Lincoln County at this time. Regarding the pending litigation involving three separate transfer requests by the Village of Ruidoso and Sea Gem LLC for permits to change points of diversion from groundwater to surface water and groundwater located in the Hondo Valley, our attorney, Mr. Kelly Cassels has notified us that all parties have agreed to consolidate the pending Village Applications, which will cut costs by at least 50%.

**Hazard Mitigation Grant Program.** The County continues to work on the Lincoln County Education and Outreach Program that was funded by FEMA Grant-4079-DR-NM, through a Sub-grant Agreement with NMDHSEM (\$157,333). The first educational meetings were held on September 23<sup>rd</sup> and December 19<sup>th</sup>. The calendar in place for subsequent meetings to be held at the Ruidoso Convention Center: **February 13<sup>th</sup> March 13<sup>th</sup> April 14<sup>th</sup>**

The County team continues to work on the Phase II Application that entails the actual thinning project. Our team has resubmitted our application incorporating the recently proposed changes.

### **Intent to Revise National Forest Land and Resource Management Plans**

**Cibola National Forest** has been working for two years to engage the public in assessing risks to sustainability and identifying the needs for change. It is now publishing a Notice of Intent to revise the 1985 Cibola National Forest Land and Resource Management Plan and prepare an Environmental Impact Statement (EIS). This will impact the Mountainair Ranger District. See **Enclosure 1**. The Cibola welcomes written comments on the need for change, and the proposed action will be most valuable if received by **April 3, 2015**.

**Lincoln National Forest** is currently beginning a process to revise its Forest Plan, which was first published in 1987. Per Ranger Warnack's earlier report, this very complex and important endeavor is a four year process. This kick-off meeting is scheduled to be held on **March 25**, from 6 – 9 pm. **Enclosure 2**.

**Recommendation:** As these National Forest Land and Resource Management Plans and underlying issues are very complicated, they are best reviewed and analyzed by experienced, knowledgeable individuals. I recommend the Commission engage the Land and Natural Resources Advisory Council (LANRAC) to assist in this review process and advise the Commission accordingly.



File Code: 1920

Date: February 3, 2015

RECEIVED

FEB 09 2015

Dear Cibola National Forest User and Interested Public:

ADMINISTRATION  
LINCOLN COUNTY NM

Based on two years of engaging the public in assessing risks to sustainability and identifying the needs for change, the Cibola National Forest is publishing a Notice of Intent (NOI) to revise the 1985 Cibola National Forest Land and Resource Management Plan and prepare an Environmental Impact Statement (EIS). This proposed action affects the Magdalena, Mt. Taylor, Mountainair and Sandia Ranger Districts.

Publication of the NOI is a procedural step that starts the National Environmental Policy Act (NEPA) process. This milestone step is based on the findings of the updated assessment report on conditions, trends, and risks to sustainability to the Cibola's resources, goods, and service; public comments on the initial version of the assessment report, and the needs for change statements drafted in the spring, summer and fall of 2014. It provides another opportunity for the public to review and comment on the revised needs for change statements. The needs for change will drive the development of the proposed plan and alternatives. The information in the sustainability assessment report will be further used and updated to develop the EIS analysis. The *Federal Register* NOI can be viewed at the Cibola's Forest Plan Revision webpage [http://www.fs.usda.gov/detail/cibola/landmanagement/planning/?cid=fsbdev3\\_065627](http://www.fs.usda.gov/detail/cibola/landmanagement/planning/?cid=fsbdev3_065627).

The NEPA process is meant to inform the Forest Supervisor so she can decide which alternative best maintains and restores National Forest System terrestrial and aquatic resources while providing ecosystem services and multiple uses, as required by the National Forest Management Act and the Multiple Use Sustained Yield Act.

The revised Forest Plan will describe the strategic intent of managing the Forest for the next 10 to 15 years and will address the identified needs for change to the existing Cibola Forest Plan. The revised Forest Plan will provide management direction in the form of desired conditions, objectives, standards, guidelines, and suitability of lands. It will identify delineation of new management areas and geographic areas across the Forest; identify the timber sale program quantity; make recommendations to Congress concerning Wilderness designation; and list rivers and streams eligible for inclusion in the National Wild and Scenic Rivers System. The revised Forest Plan will also provide a description of the plan area's distinctive roles and contributions within the broader landscape, identify watersheds that are a priority for maintenance or restoration, include a monitoring program, and contain information reflecting expected possible actions over the life of the Plan.

The revised Forest Plan will provide strategic direction and a framework for decision making during the life of the plan, but it will not make site-specific project decisions and will not dictate day-to-day administrative activities needed to carry on the Forest Service's internal operations.



The authorization of project-level activities will be based on the guidance/direction contained in the revised plan, but will occur through subsequent project specific decision-making, including NEPA analysis.

The revised Forest Plan will not replace, overarching laws and regulations. Though strategic guidance will be provided, no decisions will be made regarding the management of individual roads or trails, such as those that might be associated with a Travel Management Plan under 36 CFR Part 212. Some issues, although important, are beyond the authority or control of a Forest Plan and will not be addressed during revision. For example, no plan direction conflicting with U.S. mining laws will be developed, though standards will, if appropriate, be brought forward or developed that would seek to mitigate impacts of mining-related operations which could occur.

The Cibola welcomes written comments on the Needs for Change Statements and the Proposed Action, which is the development of a proposed Forest Plan and alternatives and subsequent EIS analysis. Comments will be considered to complete the identification of the needs for change to the existing plan, further develop the proposed action, and identify potential significant issues. Significant issues will form the basis for developing alternatives to the proposed action. **Comments on the needs for change (see document listed below) and the proposed action will be most valuable if received by April 3, 2015**, and should clearly describe specific points.

We desire to fully engage the public in development of the proposed revised plan and alternatives and the associated EIS throughout the revision process. Please send written comments to:

Forest Planner, Cibola National Forest and National Grasslands, 2113 Osuna Rd. NE, Albuquerque, NM 87113, or electronically to: [comments-southwestern-cibola@fs.fed.us](mailto:comments-southwestern-cibola@fs.fed.us).

The Cibola has also posted updated versions of the following documents on the above website, for your reference.

- *Revising the Cibola National Forest Land and Resource Management Plan: Needs for Change to the Existing 1985 Plan*
- *Assessment Report of Ecological/Social/Economic Conditions, Trends, and Risks to Sustainability, Volumes 1 and 2 and Executive Summary of Key Findings.*

We are still reviewing public comments on the inventory of lands potentially suitable for wilderness consideration. We plan to release these second drafts of these maps in April. A comment period will follow the posting of these maps, and after consideration of comments received, an evaluation map will be posted later in the spring or summer.

We will continue to update you on this process and opportunities for involvement as this plan revision effort moves forward. For additional, up-to-date information, visit the Cibola's Forest Plan Revision Webpage at:

[http://www.fs.usda.gov/detail/cibola/landmanagement/planning/?cid=fsbdev3\\_065627](http://www.fs.usda.gov/detail/cibola/landmanagement/planning/?cid=fsbdev3_065627)

If you have any questions, please send to: [cibolamtnsplanrevision@fs.fed.us](mailto:cibolamtnsplanrevision@fs.fed.us) or write to the mailing address provided above. Thank you for your continued interest and participation in the Cibola's Forest Plan Revision effort.

Sincerely,

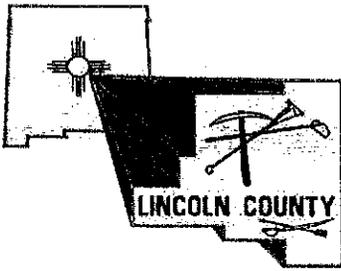
A handwritten signature in cursive script that reads "Elaine Kohrman". The signature is written in black ink and is positioned above the printed name.

ELAINE B. KOHRMAN  
Forest Supervisor

**Smokey Bear RD, Lincoln National Forest, Briefing Paper for  
Lincoln County Commissioners Meeting  
February, 2015**

**Critical Updates**

- North Fork Eagle Creek Wells Special Use Authorization
  - The formal comment period for the Supplemental Draft Environmental Impact Statement ended on January 28, 2015.
  - We received 23 individual responses, with each response containing multiple comments. In total, we have over 280 distinct comments to analyze and respond to.
  - Our interdisciplinary team now has the task of analyzing all of the public comments in order to develop a formal response to those comments. The team, along with Forest Supervisor Travis Moseley, will then decide if and how to change the analysis based on the public comments received. After analyzing and responding to the public comments, and making any warranted changes to the analysis as a result of public comments, we will issue a Final Environmental Impact Statement (FEIS) and a draft Record of Decision (ROD). The FEIS and draft ROD will then be subject to a formal 45-day Objection Period, during which time stakeholders that submitted comments during the initial 45-day comment period will be able to formally object to specific elements of the FEIS and draft ROD. After the Objection Period closes, our Regional Office will help to evaluate the objections and has the option of setting up an objection resolution meeting with all objectors in order to attempt to find resolution to issues. After that interface, the Regional Office will issue a formal response to objections including instructions to the Lincoln National Forest on what needs to change in the FEIS or the draft ROD in response to the objections and the outcomes of the resolution meeting with objectors, if applicable.
  - Bottom line – there is still a lot of process to go before we get to the end of this complex project.
- Forest Plan Revision
  - The Lincoln National Forest is currently beginning a process to revise our Forest Plan, which was first published in 1987. The National Forest Management Act (NFMA) of 1976 requires every national forest or grassland managed by the Forest Service to develop and maintain an effective Land Management Plan (also known as a Forest Plan). Plainly speaking, the Forest Plan is a document that provides guidance for the management of all resources and activities on the forest – and our current plan is acutely out of date. Starting right now, we are embarking on a 4 year process of revising this plan.
  - This is going to be a very complex and very important endeavor – and I invite this Commission and the staff of Lincoln County to be an important part of it. I also invite the public – either as individuals or as organized groups, to get involved in this process. To kick things off, we will be hosting an initial meeting with the community on March 25 from 6-9pm in Ruidoso. More information about this meeting will be shared as we get closer to the date. This is only the first of many opportunities for people to be a part of this effort – but it's an important one because it will lay the foundation for how we are going to work together through this process. I hope to see you all there.



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# County of Lincoln

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

## Agenda Item 20

February 10, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Resolution Approving FY 2015/2016 CAP/COOP/School Bus Programs

**Purpose:** To obtain commission approval of the FY2015/2016 State Highway Cooperative funding projects and the associated Resolution 2014-37.

**Discussion:** Attached at **Enclosure 1** is this year's Local Government Road Fund (LGRF) letter with a deadline of March 15, 2015 to the District Engineer; followed by County documentation

The Road Superintendent and County Manager propose next year's CAP/COOP/School Bus Route programs to include the following:

- **SCHOOL BUS ROUTE PROJECT:** County Road-Cora Dutton Road  
**Cora Dutton Road**-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton Road project begins and goes .70 miles. Double Pen Chip Seal with Prime Coat.  
**Design, Construction, Reconstruction, Pavement Rehabilitation/Improvements, Blading and Shaping, Drainage Improvements, Misc., on various county roads.**  
State \$58,593.15 County \$19,531.05 Total Cost \$78,124.20.
- **COOPERATIVE AGREEMENT:** County Road- Cora Dutton Road  
**Cora Dutton Road**-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton project begins and goes .80 miles. Double Pen Chip Seal with Prime Coat, Haul 1200 tons of Base Course.  
**Design, Construction, Reconstruction, Pavement Rehabilitation/Improvements, Blading and Shaping, Drainage Improvements, Misc., on various county roads.**  
State \$78,853.59 County \$26,284.53 Total Cost \$105,138.12
- **COUNTY ARTERIAL PROJECT:** County Road- Cora Dutton Road  
**Cora Dutton Road**-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton project begins and goes 2.00 miles. Double Pen Chip Seal with Prime Coat, Haul 1200 tons of Base Course. **Design, Construction, Reconstruction, Pavement Rehabilitation/Improvements, Blading and Shaping, Drainage Improvements, Misc., on various county roads.**  
State \$179,298.84 County \$59,766.28 Total Cost \$239,065.12

**Recommendation:** Approve Resolution 2014-37 (**Enclosure 2**) for the initial CAP, COOP and School bus projects with the State, and potentially further treatments as budgets allow.



**RESOLUTION NUMBER 2014-37  
NEW MEXICO DEPARTMENT OF TRANSPORTATION  
COOPERATIVE ROAD PROGRAMS**

**WHEREAS**, improvement of roads in Lincoln County is essential to the well-being of our citizens; and

**WHEREAS**, the Board of Commissioners studied, prioritized, and approved FY 2015-2016 cooperative program applications; and

**WHEREAS**, the New Mexico State Transportation Department has requested our FY 2015-2016 Local Government Road Fund Applications for the projects indicated:

1. **SCHOOL BUS ROUTE PROJECT:** County Road-Cora Dutton Road  
**Cora Dutton Road**-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton Road project begins and goes .70 miles. Double Pen Chip Seal with Prime Coat.  
**Design, Construction, Reconstruction, Pavement Rehabilitation/Improvements, Blading and Shaping, Drainage Improvements, Misc. on various county roads.**  
State \$58,593.15 County \$19,531.05 Total Cost \$78,124.20.
  
2. **COOPERATIVE AGREEMENT:** County Road- Cora Dutton Road  
**Cora Dutton Road**-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton project begins and goes .80 miles. Double Pen Chip Seal with Prime Coat, Haul 1200 tons of Base Course.  
**Design, Construction, Reconstruction, Pavement Rehabilitation/Improvements, Blading and Shaping, Drainage Improvements, Misc. on various county roads.**  
State \$78,853.59 County \$26,284.53 Total Cost \$105,138.12
  
3. **COUNTY ARTERIAL PROJECT:** County Road- Cora Dutton Road  
**Cora Dutton Road**-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton project begins and goes 2.00 miles. Double Pen Chip Seal with Prime Coat, Haul 1200 tons of Base Course.  
**Design, Construction, Reconstruction, Pavement Rehabilitation/Improvements, Blading and Shaping, Drainage Improvements, Misc. on various county roads.**  
State \$179,298.84 County \$59,766.28 Total Cost \$239,065.12

**NOW, THEREFORE**, the Lincoln County Board of Commissioners commits to the completion of the above projects as indicated.

PASSED, APPROVED AND ADOPTED this 17th day of February 2015

ENCL 2

Board of Commissioners  
Lincoln County, State of New Mexico

\_\_\_\_\_  
Preston Stone, Chairman

\_\_\_\_\_  
Dallas Draper, Vice-Chairman

\_\_\_\_\_  
Elaine Allen, Member

\_\_\_\_\_  
Thomas F. Stewart, Member

\_\_\_\_\_  
Dr. Lynn Willard, Member

ATTEST:

\_\_\_\_\_  
Rhonda B. Burrows, County Clerk

NEW MEXICO  
STATE HIGHWAY DEPARTMENT

**FACTORS**

FORM C-129  
REV. 9-66

SHEET 1 OF 1 SHEET

ESTIMATE 78,124.20 PROJECT NO. School Bus Project 2015-2016 COUNTY OF Lincoln  
COMPUTED \_\_\_\_\_ CHECKED \_\_\_\_\_

WORK DESCRIPTIONS:

1. **County Road-Cora Dutton Road**

Cora Dutton Road

Double Pen Chip Seal with Prime Coat

Contract Out

0.70 Miles

Total Cost \$78,124.20

Justification for work: The above listed road is on our Five Year Plan for the improvement of this road by pavement rehabilitation/improvements, blading and shaping, drainage improvements, misc on this Lincoln County Road. These are Lincoln County Maintained School Bus Route Roads.

**GRAND TOTAL**

**\$78,124.20**

75% State Participation

25% Lincoln County Participation

NEW MEXICO  
STATE HIGHWAY DEPARTMENT

**FACTORS**

FORM C-129  
REV. 9-66

SHEET 1 OF 1 SHEET

ESTIMATE 105,138.12 PROJECT NO. CO-OP Project 2015-2016 COUNTY OF Lincoln  
COMPUTED \_\_\_\_\_ CHECKED \_\_\_\_\_

WORK DESCRIPTIONS:

1. **County Road-Cora Dutton Road**

Cora Dutton Road

Contract Double Pen Chip Seal

Haul 1200 tons of Base Course to needed areas

.80 Miles

Total Cost      \$105,138.12

Justification for work: The above listed road is on our Five Year Plan for the improvement of this road by a Double Pen Chip Seal, and Prime Coat, with Base Course in needed areas. This is a Lincoln County Maintained Road.

**GRAND TOTAL**

**\$105,138.12**

75% State Participation

25% Lincoln County Participation

NEW MEXICO  
STATE HIGHWAY DEPARTMENT

**FACTORS**

FORM C-129  
REV. 9-66

SHEET 1 OF 1 SHEET

ESTIMATE 239,065.12 PROJECT NO. CAP Project 2015-2016 COUNTY OF Lincoln

COMPUTED \_\_\_\_\_

CHECKED \_\_\_\_\_

---

WORK DESCRIPTIONS:

1. **County Road-Cora Dutton Road**

Cora Dutton Road

Contract Double Pen Chip Seal

Haul 1200 tons of Base Course to needed areas

2.00 Miles

Total Cost      \$239,065.12

Justification for work: The above listed road is on our Five Year Plan for the improvement of this road by a Double Pen Chip Seal, and Prime Coat, with Base Course in needed areas. This is a Lincoln County Maintained Road.

**GRAND TOTAL**

**\$239,065.12**

75% State Participation

25% Lincoln County Participation

# LETTER OF INTENT

On February 17, 2015, the Board of Commissioners of Lincoln County approved the attached cooperative School Bus Route program.

The improvements of these Lincoln County roads are essential to the well being of our citizens; and are roads used by the school districts. These roads are on our Five-Year Plan for improvements of Lincoln County Roads.

Lincoln County is committed to doing and completing the attached cooperative School Bus Route program.

We are requesting that the State of New Mexico approve 75% participation of the total project cost and Lincoln County is committed to 25% participation.

The total project cost is \$78,124.20 with 75% being \$58,593.15 and 25% being \$19,531.05.

Sincerely,

Nita Taylor  
Lincoln County Manager

**SCHOOL BUS ROUTE PROJECT:** County Road-Cora Dutton Road.  
**Cora Dutton Road**-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton Road project begins and goes .70 miles.  
Pavement Rehabilitation/Improvements, New Double Pen Chip Seal with Prime Coat on .70 miles of county road.

Total Cost      \$78,124.20

## LETTER OF INTENT

On February 17, 2015, the Board of Commissioners of Lincoln County approved the attached cooperative County Arterial Project program.

The improvements of these Lincoln County roads are essential to the well being of our citizens; and are roads heavily used in the Capitan and Nogal areas. These roads are on our Five-Year Plan for improvements of Lincoln County Roads.

Lincoln County is committed to doing and completing the attached cooperative County Arterial Project program.

We are requesting that the State of New Mexico approve 75% participation of the total project cost and Lincoln County is committed to 25% participation.

The total project cost is \$239,065.12 with 75% being \$179,298. 84 and 25% being \$59,766.28.

Sincerely,

Nita Taylor  
Lincoln County Manager

**COUNTY ARTERIAL PROJECT:** Lincoln County Road- Cora Dutton Road  
**Cora Dutton Road**-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton Road project begins and goes 2.00 miles.  
Pavement Rehabilitation/Improvements, New Double Pen Chip Seal with Prime Coat and hauling 1200 tons of Base Course on 2.00 miles of county roads.

Total Cost \$239,065.12

# LETTER OF INTENT

On February 17, 2015, the Board of Commissioners of Lincoln County approved the attached cooperative CO-OP program.

The improvements of these Lincoln County roads are essential to the well being of our citizens. These roads are on our Five-Year Plan for improvements of Lincoln County Roads.

Lincoln County is committed to doing and completing the attached cooperative CO-OP program.

We are requesting that the State of New Mexico approve 75% participation of the total project cost and Lincoln County is committed to 25% participation.

The total project cost is \$105,138.12 with 75% being \$78,853.59 and 25% being \$26,284.53.

Sincerely,

Nita Taylor  
Lincoln County Manager

**COOPERATIVE AGREEMENT:** County Road-Cora Dutton Road.  
**Cora Dutton Road**-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton Road project begins and goes .80 miles  
Pavement Rehabilitation/Improvements, New Double Pen Chip Seal with Prime Coat,  
1200 tons of Base Course

Total Cost \$105,138.12

NEW MEXICO STATE HIGHWAY & TRANSPORTATION DEPARTMENT

2015'-2016' CAP PROJECT DETAIL ESTIMATE

PROJECT NO: \_\_\_\_\_ DATE: FEB 2015

Name of Road Cora Dutton Road  
 County of Lincoln  
 Type CAP Project  
 Prepared by Carl Palmer

Length 28160 Ft. 2.00 Miles  
 Length of R/W \_\_\_\_\_ Miles  
 Gravel 24' Ft Wide  
 Title Road Superintendent

**ALL ESTIMATES LISTED BELOW COULD BE SUBJECT TO BE BID OUT TO PRIVATE CONTRACTORS WHICHEVER IS MOST COST EFFECTIVE TO LINCOLN COUNTY**

Item No.	Item	Unit	Quantity	Price	Amount
	<b>County Road</b>				
	Cora Dutton Road	2.00			
	<b>Total</b>	<b>2.00 Miles</b>			
	<b>Origin: Capitan- Cora Dutton Road –Capitan South on Hwy 48 to MM 18.5 turn West onto Cora Dutton Road project begins goes 2.00 miles.</b>				
	<b>DESCRIPTION</b>				
	Double Pen Chipseal And Prime Coat 24' Wide 2.00 Miles of Road				
	<b>MATERIALS</b>				
	<b>Contract out:</b> Double Pen Chipseal with ¾ & 5/8 chips And Prime Coat Base Course				\$211,200.00
	Tax 5.6875%				\$ 12,012.00
	Haul 1200 tons of Spec Base Course				\$15,000.00
	Tax 5.6875%				\$ 853.12
	<b>TOTAL</b>				<b>\$239,065.12</b>

NEW MEXICO STATE HIGHWAY & TRANSPORTATION DEPARTMENT  
 2015'-2016' COOP PROJECT PROJECT DETAIL ESTIMATE

PROJECT NO: \_\_\_\_\_ DATE: FEB 2015

Name of Road Cora Dutton Road Length 11,264 Ft. .80 Miles  
 County of Lincoln Length of R/W \_\_\_\_\_ Miles  
 Type COOP Project Gravel 24' Ft Wide  
 Prepared by Carl Palmer Title Road Superintendent

**ALL ESTIMATES LISTED BELOW COULD BE SUBJECT TO BE BID OUT TO PRIVATE CONTRACTORS WHICHEVER IS MOST COST EFFECTIVE TO LINCOLN COUNTY**

Item No.	Item	Unit	Quantity	Price	Amount
	<b>County Road</b>				
	Cora Dutton Road	.80 miles			
	<b>Total</b>	.80 Miles			
	<b>Origin: Capitan, Cora Dutton Road-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton Road project begins and goes .80 miles. Project is .80 miles of 24' road way on Cora Dutton Road</b>				
	<b>DESCRIPTION</b>				
	Double Pen Chipseal And Prime Coat 24' Wide .80 Miles of Road				
	<b>MATERIALS</b>				\$84,480.00
	<b>Contract out:</b> Double Pen Chipseal ¾ & 5/8 chips And Prime Coat Base Course				
	Tax 5.6875%				\$ 4,805.00
	Haul 1200 tons of Spec Base Course				\$15,000.00
	Tax 5.6875%				\$ 853.12
	<b>Total</b>				<b>\$105,138.12</b>

NEW MEXICO STATE HIGHWAY & TRANSPORTATION DEPARTMENT  
 2015'-2016' SCHOOL BUS ROUTE PROJECT DETAIL ESTIMATE

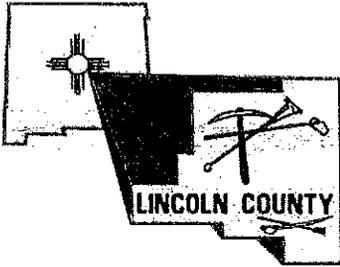
PROJECT NO: \_\_\_\_\_ DATE: FEB 2015

Name of Road Cora Dutton Road Length 9,856 Ft. .70 Miles  
 County of Lincoln Length of R/W \_\_\_\_\_ Miles  
 Type School Bus Route Project Pavement 24' Ft Wide  
 Prepared by Carl Palmer Title Road Superintendent

**ALL ESTIMATES LISTED BELOW COULD BE SUBJECT TO BE BID OUT TO PRIVATE CONTRACTORS WHICHEVER IS MOST COST EFFECTIVE TO LINCOLN COUNTY**

Item No.	Item	Unit	Quantity	Price	Amount
	<b>County Road</b>				
	Cora Dutton Road	.70			
	<b>Total</b>				
		<b>.70 Miles</b>			
	<b>Origin: Capitan, Cora Dutton Road-South of Capitan on Hwy 48 MM 18.5 turn West onto Cora Dutton Road project begins and goes .70 miles. Project is .70 miles of 24' road way on Cora Dutton Road</b>				
	<b>DESCRIPTION</b>				
	Double Pen Chipseal And Prime Coat				
	24' Wide .70 Miles of Road				
	<b>MATERIALS</b>				
	<b>Contract out:</b> Double Pen Chipseal ¾ & 5/8 chips And Prime Coat plus tax 5.6875%				\$73,920.00
					\$4,204.20
	<b>Total</b>				\$78,124.20





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# County of Lincoln

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## AGENDA ITEM 21

February 10, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, County Manager

**SUBJECT:** Donation of County Clerk's HP COMPAQ Computer and Canon Digital Scanner

**Purpose:** To obtain approval to donate County Clerk's HP COMPAQ Computer and Canon Digital Scanner to the 12<sup>th</sup> Judicial District Court, Carrizozo

### Discussion:

Approval is sought to donate the County Clerk's HP COMPAQ Computer and Canon Digital Scanner to the 12<sup>th</sup> Judicial District Court in Carrizozo. The Digital Scanner was purchased in 2004 and is obsolete. It has already been replaced with a new system. The HP Computer is formatted just for the Canon Digital Scanner for microfilm reading.

DEPARTMENT	DESCRIPTION	SERIAL NO.	INVENTORY NO.
CLERK	CANNON SCANNER	MS300	8703870
CLERK	HP COMPAQ	2UA22000P9	8705990

**Recommendation:** Approve the listed property for reporting to the State Auditor and DFA and request at least three elected officials to review the actual property to be donated to the 12<sup>th</sup> Judicial District Court, Carrizozo, NM.

**RESOLUTION 2014-39**

**APPROVAL OF DISPOSITION OF SURPLUS INVENTORY VIA DONATION TO THE 12<sup>TH</sup> JUDICIAL DISTRICT COURT CARRIZOZO**

**WHEREAS**, the Lincoln County Board of Commissioners meeting in regular session on February 17, 2015 did review the listed surplus inventory that is recommended for donation to the 12<sup>th</sup> Judicial District Court Carrizozo; and

**Whereas**, the item was valued over \$5000 at time of purchase

<b>DEPARTMENT</b>	<b>DESCRIPTION</b>	<b>SERIAL NO.</b>	<b>INVENTORY NO.</b>
CLERK	CANNON SCANNER	M5300	8703870
CLERK	HP COMPAQ	2UA22000P9	8705990

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Lincoln County, approves the listed surplus inventory be disposed via donation.

**PASSED, APPROVED AND ADOPTED** this 17<sup>th</sup> day of February, 2015

**BOARD OF COMMISSIONERS OF  
LINCOLN COUNTY, NEW MEXICO**

\_\_\_\_\_  
Preston Stone, Chairman

\_\_\_\_\_  
Dallas Draper, Vice Chairman

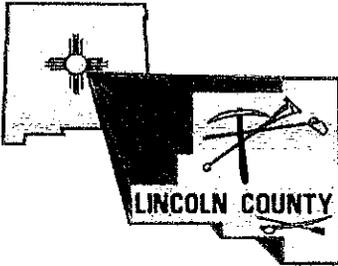
\_\_\_\_\_  
Elaine Allen, Member

\_\_\_\_\_  
Tom Stewart, Member

\_\_\_\_\_  
Lynn Willard, Member

ATTEST:

\_\_\_\_\_  
Rhonda Burrows, Lincoln County Clerk



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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. 22

February 10, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Resolution to Implement a Veteran's Initiative Policy for the Purpose of Increasing opportunities for Veterans to obtain County Employment

**Purpose:** To obtain approval of Resolution 2014-35

#### Discussion:

Jim Cassidy, Disabled Veterans Outreach Program Specialist (DVOP) with New Mexico Workforce Connection has requested the Board of County Commissioners to approve the attached Resolution to implement a Veteran's Initiative Policy for the purpose of increasing opportunities for Veteran's to obtain County Employment.

**Recommendation:** Approve Resolution 2014-35.

**RESOLUTION 2014-35**

**A RESOLUTION TO IMPLEMENT A VETERANS INITIATIVE POLICY FOR THE PURPOSE OF INCREASING OPPORTUNITIES FOR VETERANS TO OBTAIN COUNTY EMPLOYMENT**

**WHEREAS**, Lincoln County Board of Commissioners recognizes veterans who have served and sacrificed for our Country with honor, courage and dignity; and

**WHEREAS**, such high performance veterans could add significant value to the County of Lincoln because they are highly skilled individuals who have benefited from training and development during their military service, possess a wide variety of skills and experiences, as well as the motivation for public service that will help fulfill City staffing needs; and

**WHEREAS**, the Lincoln County Board of Commissioners desires to enhance the recruitment of veterans and promote employment opportunities for veterans within the County of Lincoln that are consistent with veterans' preferences prescribed by law; and

**WHEREAS**, the Lincoln County Board of Commissioners desires to honor our veterans by establishing and implementing a Veterans' Hiring Initiative policy; and

**NOW, THEREFORE, BE IT RESOLVED BY THE LINCOLN COUNTY BOARD OF COMMISSIONERS**, that the Human Resources Office is directed to implement the following Veterans' Hiring Initiative policy in order to provide opportunities for veterans who meet the minimum qualifications for County employment to obtain County employment;

1. The Human Resources Office shall institute a Veterans' Certification Form, which shall be included in every job posting. The Veterans' Certification Form will identify and certify veterans who are applying for vacancies within the County; and
2. Upon review of a veterans' application, the Human Resources Office shall verify that the veteran applicant has an honorable discharge from the military or verify that the applicant is a member of the National Guard who has successfully completed basic training, and
3. When a veteran applicant meets or exceeds the minimum qualifications on a job posting, and has completed and passed any testing procedures required by the department for employment qualification, the applicant shall be identified by the Human Resources Office on the list of eligible applicants for the department seeking to fill a position that the applicant is a "veteran;" and
4. The department seeking to fill a position shall interview the identified veterans.

**BE IT FURTHER RESOLVED** that by adopting this Resolution,

- the Lincoln County Board of Commissioners does not guarantee that a veteran shall be hired for the position being applied for, only that the veteran will be given an interview.

**PASSED, APPROVED AND ADOPTED** this 17<sup>th</sup> day of February 2015.

Board of Commissioners  
Lincoln County, State of New Mexico

\_\_\_\_\_  
Preston Stone, Chairman

\_\_\_\_\_  
Dallas Draper, Vice Chairman

\_\_\_\_\_  
Elaine Allen, Member

\_\_\_\_\_  
Thomas F. Stewart, Member

ATTEST:

\_\_\_\_\_  
Lynn Willard, Member

\_\_\_\_\_  
Rhonda Burrows, County Clerk

COUNTY OF LINCOLN  
VETERAN'S CERTIFICATION FORM  
FOR JOB APPLICATION

APPLICANT'S NAME: \_\_\_\_\_

Pursuant to County of Lincoln Resolution 2014-35, the County of Lincoln Human Resources/Recruitment Office has implemented a Veterans' Hiring Initiative policy. When a veteran applicant meets or exceeds the minimum qualifications on a job posting, and has completed and passed any testing procedures required by the department for employment qualification, the applicant shall be identified by the Human Resources/Recruitment Office on the list of eligible applicants for the department seeking to fill a position that the applicant is a "veteran."

The purpose of this form is to allow job applicants the opportunity to identify and certify that they are a veteran who has an honorable discharge from the military or to verify that the job applicant is a member of the National Guard or Reserve who has successfully completed basic training.

Once verified and/or certified as a veteran AND if it is determined that the veteran applicant meets or exceeds the minimum qualifications on a job posting, the Human Resources/Recruitment Office will identify the veteran applicant on the list of eligible applicants for the department seeking to fill the position. Once certified and identified by the Human Resources/Recruitment Office, the department shall interview the identified veteran.

In further accordance with the County of Lincoln Resolution 2014-35, the Governing Body does not guarantee that a veteran shall be hired for the position being applied for, only that the veteran will be given an interview.

To identify yourself as a veteran or a member of the National Guard or Reserve who has successfully completed basic training, answer the following questions:

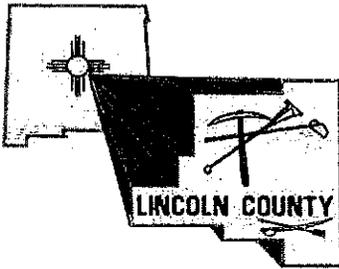
- |   | <u>Yes</u> | <u>No</u> |
|---|------------|-----------|
| 1. Have you ever served in the United Military on Active, Guard, or Reserve Status?                 | ___        | ___       |
| 2. Did you receive an honorable discharge?  | ___        | ___       |
| 3. Are you a member of the National guard or Reserve who has successfully completed basic training. | ___        | ___       |

To certify your veteran status, please attach a copy of your "DD214" or DD215" form, and/or proof of current Active, Guard, or Reserve enlistment.

Please ensure your application clearly indicates your military experience and identify any education, job duties and/or responsibilities.

Signature \_\_\_\_\_ Date. \_\_\_\_\_

Print Name \_\_\_\_\_



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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

February 10, 2015

### MEMORANDUM

**TO:** County Commissioners

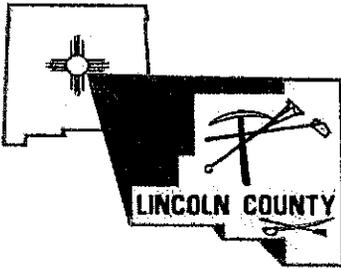
**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Schedule Public Hearing

**Purpose:** Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinances

- a. Lincoln County Indigent hospital / Healthcare 2014-06
- b. Safety Net Care Pool Fund Ordinance 2014-03

**Recommendation:** Schedule public hearing



[www.lincolncountynm.net](http://www.lincolncountynm.net)

# *County of Lincoln*

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## Agenda Item 24

### **SUBJECT**

Consideration of Appointments and Removals from Boards/  
Commissions/Committees:

- A. Board of Registration
- B. Land and Natural Resources Advisory Committee
- C. Lodger's Tax Committee
- D. Planning Commission
- E. Senior Citizens Olympic Committee
- F. Eastern Area Workforce Development Board

**ASSOCIATION OF COUNTIES, NEW MEXICO - 2 YEAR TERM ( this term is up in June)**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	RHONDA BURROWS	PO BOX 338 CARRIZOZO, NM 88301		04/16/13	04/15

BOARD MEMBER SHALL BE ELECTED BY ALL ELECTED OFFICIALS EVERY ODD YEAR. ELECTION SHALL BE CONDUCTED BY THE COUNTY CLERK.

**BOARD OF REGISTRATION (CLERK'S OFFICE) 2 YEAR TERM (STATE STATUTES, SECTION 1-4-34)**

DISTRICT NO	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	MARCI BUTCHOFKY	2814 SUDDERTH #372, RUIDOSO	2	02/19/13	02/15
	JIM DICKINSON	PO BOX 315, ALTO, NM	4	02/19/13	02/15
	MARIA A. QUINTANA	PO BOX 96, HONDO 88336	5	02/19/13	02/15
	ALTERNATE - DIANE HARLAN	453 SANTIAGO CIRCLE ALTO 88312	4	02/19/13	02/15
	ALTERNATE -- BETSY SEILER	139 BEGONIA RD, RUIDOSO 88345	2	02/19/13	02/15

NO MORE THAN TWO OF THE THREE PERSONS APPOINTED TO THE BOARD OF REGISTRATION SHALL BE MEMBERS OF THE SAME MAJOR POLITICAL PARTY AT THE TIME OF THEIR APPOINTMENT. IN ADDITION, THE BOARD OF COUNTY COMMISSIONERS SHALL APPOINT TWO ALTERNATES WHO SHALL NOT BELONG TO THE SAME POLITICAL PARTY AT THE TIME OF THEIR APPOINTMENT. IN MAKING ALL APPOINTMENTS TO THE BOARD OF REGISTRATION OR AS ALTERNATES TO THE BOARD OF REGISTRATION FROM THE LISTS OF THE COUNTY CHAIRMEN, THE BOARD OF COUNTY COMMISSIONERS SHALL GIVE PREFERENCE TO THE NAMES IN THE ORDER INDICATED BY THE NUMBERS ON THE LIST.

**COALITION OF COUNTIES**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	NITA TAYLOR	BOX 93, LINCOLN, NM	1	01/13/15	01/16
	PRESTON STONE	BOX 484, CAPITAN 88315 575-808-0729	1	01/13/15	01/16

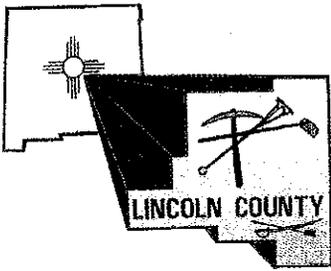
(NOTIFY SUE HUTCHINSON (505/539-2692))

**COOPERATIVE WEED MANAGEMENT**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
PRIMARY	LYNN WILLARD	109 NOGAL PLACE, RUIDOSO	2	01/13/15	INDEFINITE
ALTERNATE	ELAINE ALLEN	BOX 74, LINCOLN, NM	5	01/13/15	INDEFINITE

**EMERGENCY PROGRAM MANAGER - 2 YEAR TERM (file folder #860)**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	JOE KENMORE	BOX 7057 RUIDOSO, NM		03/19/13	WITH OFFICE



# 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](http://www.lincolncountynm.net)

## MEMO

**TO:** Board of County Commissioners  
**FROM:** Rhonda B. Burrows, Lincoln County Clerk  
**DATE:** February 9, 2015  
**SUBJECT:** 2015 Board of Registration

Pursuant to Section 1-4-34A, NMSA 1978, The Board of County Commissioners shall at its first regular scheduled meeting in February of each odd numbered year appoint three voters who shall constitute the board of registration for the county.

The statute provides that not more than two of the three persons appointed to the board of registration shall be members of the same major political party at the time of their appointment. In addition there shall be appointed two alternates who shall not belong to the same political party at the time of their appointment.

Appointments to the board of registration or as alternates should be made from the lists provided by the county chair. The Board of County Commissioners shall give preference to the names in the order indicated by the numbers on the list.

The major party chair's in Lincoln County submitted the following names in order of preference.

### **The Republican Party:**

1. Diane Harlan
2. Jack Nesbitt
3. Marvel Reed
4. Andy Reed
5. Sandi Lowrance

### **The Democratic Party:**

1. Daryl Snyder
2. Nina Grunseth
3. Chris Edstrom

**Please appoint three members (at least one from each party) and two alternates of different parties to serve on the 2015 Board of Registration.**

JOHN MARTINEZ, MANAGEMENT ASSOCIATES (505/821-0933)  
**LAND AND NATURAL RESOURCES ADVISORY COMMITTEE - 2 YEAR TERM (ORDINANCE NO. 2008-4)**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
DIST 1	Pete Gnatkowski Vice Chairman <a href="mailto:lincoln@nmsu.edu">lincoln@nmsu.edu</a>	HC 31, Box 48, Carrizozo, NM		02/19/13	02/15
DIST 2	Mary Ann Siegel-Russ siegiegl@hotmail.com	104 Plumas Place, Ruidoso 575-937-0720		10/12/14	10/2016
DIST 3	Bob Johnson <a href="mailto:bobj@valornet.com">bobj@valornet.com</a>	Box 464, Alto, NM 88312 (575)336.4002		01/13/15	01/2017
DIST 4	Douglas Fuqua <a href="mailto:dfuqua1@hotmail.com">dfuqua1@hotmail.com</a>	Box 1042 Alto, NM 88312 (575)336.1832		9/17/13	09/2015
DIST 5	<b>TABLED</b>				
AT LARGE	Duane Frost <a href="mailto:dsfrost@plateaute1.net">dsfrost@plateaute1.net</a>	Box 81, Claunch, NM 87011 (849.4950)		01/13/15	01/2017
AT LARGE	Rick Simpson, Chairman <a href="mailto:justeuz@swwmail.net">justeuz@swwmail.net</a>	HC66, Box 70, Glencoe, NM 88324 (575)653.4249		02/19/13	02/2015

NO REQUIREMENT FOR AN APPOINTEE TO BE DOMICILED IN ANY PARTICULAR VOTING DISTRICT OF THE COUNTY. PUBLICATION IS REQUIRED. TWO AT-LARGE MEMBERS WILL BE SLECTED AND APPOINTED BY A MAJORITY VOTE OF THE BOARD OF COUNTY COMMISSIONERS.

**LINCOLN HISTORIC PRESERVATION BOARD - 2 YEAR TERM (ORDINANCE NO. 2004-5 (BOX 65, LINCOLN 88338))**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
DIST 1	BILL STRAUSSER	BOX 197, LINCOLN (653-4670)	5	12/17/13	12/15
DIST 2	LEE ABBOTT (CELL 614-507-3210)	BOX 177, LINCOLN, (653-4153)	5	01/13/15	01/17
DIST 3	L.M. SMITH	#5 MERCEDES CT, ROSWELL, NM	5	04/16/13	04/15
DIST 4	MELISSA BOUTE	BOX 162, LINCOLN, NM 88338	5	09/17/13	09/15
DIST 5	GINGER MOORE (653-4073) <a href="mailto:gemoore105@yahoo.com">gemoore105@yahoo.com</a>	BOX 57, LINCOLN, NM 88338	5	02/18/14	02/16

MEMBERS MUST BE PROPERTY OWNERS IN THE HISTORIC DISTRICT. PUBLICATION IS REQUIRED.

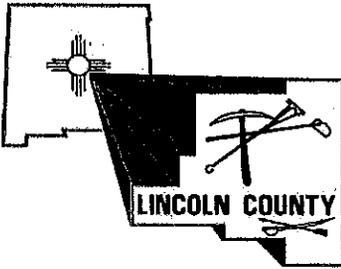
**LOCAL WORKFORCE INVESTMENT ACT ADVISORY BOARD - 03/03/00**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	CHET SOUTHARD	BOX 609, ALTO 88312	4		
	GARY COZZENS	709 MECHEM DRIVE, RUIDOSO 88345	4		

NOMINATIONS ARE MADE BY CHAMBERS OF COMMERCE AND APPOINTED BY OTHER MUNICIPALITIES.

**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	BOX 2505 RUIDOSO 88355	4	02/19/13	02/15
973-8244	GENERAL PUBLIC - SUE HUTCHISON <a href="mailto:Suehutch1958@gmail.com">Suehutch1958@gmail.com</a>	1149 SHOESHONE TRAIL ALTO	4	08/20/13	08/15
653-4609	LODGING INDUSTRY - DAVID VIGIL	BOX 15, LINCOLN 88338	5	06/10/14	06/16
505-3506127	TOURIST RELATED- ALICE SEELY;	BOX 166	5	04/25/14	04/16



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# County of Lincoln

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RECEIVED

FEB 12 2015

ADMINISTRATION  
LINCOLN COUNTY NM

February 2, 2015

Pete Gnatkowski  
HC 31, Box 48  
Carrizozo, NM 88301

Dear Mr. Gnatkowski:

Your term for the Land and Natural Resources Advisory Committee (LANRAC) will expire February 2015. If you would like to serve an additional two year term and be re-appointed at the next commission meeting, February 17, 2015, 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.

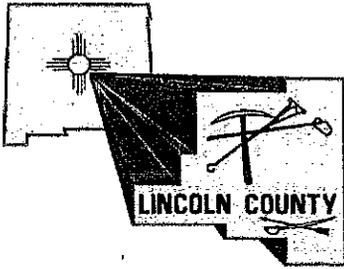
Sincerely,

Billie-Jo Guevara  
Administrative Assistant/  
Human Resources

Yes I would like to be re-appointed to the Land & Natural Resources Advisory Committee

No I would not like to be re-appointed at this time.

Pete Gnatkowski



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# County of Lincoln

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

February 2, 2015

Rick Simpson  
HC 66, Box 70  
Glencoe, NM 88324

Dear Mr. Simpson:

Your term for the Land and Natural Resources Advisory Committee (LANRAC) will expire February 2015. If you would like to serve an additional two year term and be re-appointed at the next commission meeting, February 17, 2015, 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 Land & Natural Resources Advisory Committee

No I would not like to be re-appointed at this time.

\_\_\_\_\_  
Rick Simpson

## Billie-Jo Guevara

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**From:** Rhonda Burrows  
**Sent:** Monday, February 09, 2015 3:02 PM  
**To:** Billie-Jo Guevara; Elaine Allen  
**Subject:** FW: Land and Natural Resources Advisory Committee (LANRAC)

Billie Jo/Commissioner Allen:

Please consider this email from my brother as a letter of interest for serving on the LANRAC committee. Robert retired here after 25+ years with the Air Force. He has a small ranch and an associated USFS grazing permit and is very interested in Land Issues here in the County. Currently serves as Chair of the Road Advisory Committee. I told him the vacancy on LANRAC was for your District and he lives in Preston Stone's Commission District (Cora Dutton Road) but thought I would forward this should you have trouble finding a "volunteer".

Thanks Rhonda

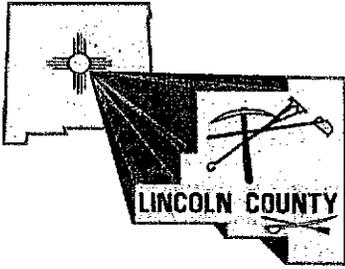
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**From:** Robert Barber [<mailto:twob1601@hotmail.com>]  
**Sent:** Monday, February 09, 2015 2:12 PM  
**To:** Rhonda Burrows  
**Subject:** Land and Natural Resources Advisory Committee (LANRAC)

I understand there is a vacancy on the LANRAC. I'm interested in serving on this committee and if appropriate would like to apply for the vacancy.

I'm currently serve as the Chairman on the Road Review Committee. I am also a Red Cross Volunteer. But since, I'm retired I have enough free time that I could use serving on this Committee.

Robert Barber  
(H) 575-354-7018  
(C) 575-808-9814  
270 Cora Dutton Rd  
Capitan, NM 88316



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# County of Lincoln

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

February 2, 2015

James Hobbs  
PO Box 2505  
Ruidoso, NM 88355

Dear Mr. Hobbs:

Your term for the Lodger's Tax Committee will expire February 2015. If you would like to serve an additional two year term and be re-appointed at the next commission meeting, February 17, 2015, 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 Lodger's Tax Committee.

No I would not like to be re-appointed at this time.

\_\_\_\_\_  
James Hobbs

653-4300	alice@aliceseely.com LODGING INDUSTRY – VICTOR GARRISON	HONDO, NM 88336 BOX 236, LINCOLN, 88338	5	08/19/14	08/16
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**NEW MEXICO COUNTY INSURANCE AUTHORITY – WORKERS' COMPENSATION**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	TOM STEWART	PO BOX 515 ALTO, NM	4	01/13/15	01/16
	ALTERNATE – NITA TAYLOR	BOX 93, LINCOLN, NEW MEXICO	1	01/13/15	01/16

**NEW MEXICO COUNTY INSURANCE AUTHORITY – MULTI-LINE POOL**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	DALLAS DRAPER	113 ALPINE VILLAGE, RUIDOSO	3	01/13/15	01/16
	ALTERNATE – TOM STEWART	PO BOX 515 ALTO, NM	4	01/13/15	01/16

**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	04/25/14	04/16
DIST 2	DENNIS DUNNUM jthrczz@tularosa.net	443 JICARILLA RD, WHITE OAKS (648-1022)	COMM. POWELL	03/18/14	03/16
DIST 3	MARY ANN RUSS sieggiel@hotmail.com	104 PLUMAS PL., RUIDOSO 575-937-0720	COMM. POWELL	01/14/14	01/16
DIST 4	MARY DOKIANOS (336-7640) mbd@valornet.com	103 WINTER HAWK HEIGHTS, ALTO	COMM. MINTER	09/17/13	09/15
DIST 5	TOM MANN MEMBER-AT-LARGE – ANNELLA HATTER	BOX 77, LINCOLN NM (653-4272) 112 BULLION LOOP, WHITE OAKS (648-2702) ANN@ABLELINCOLN.NET	COMM. POWELL	07/15/14 01/13/15	07/16 01/17
	MEMBER-AT-LARGE – KARYL WILLIAMS KARYL.WILLIAMS@MIG-TECH.COM	PO BOX 1707 CAPITAN (354-5300) 575-808-9776		01/13/15	01/17

**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

RECEIVED

Box 77  
Lincoln, NM 88338  
January 13, 2015

JAN 16 2015  
ADMINISTRATION  
LINCOLN COUNTY NM

Board of County Commissioners  
Box 711  
Carrizozo, NM 88301

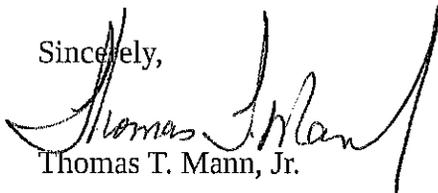
Re: Resignation

Commissioners:

Effective immediately, please accept my resignation from the Lincoln County Planning Commission.

Thank you for allowing me to serve on the commission, it has been a pleasure.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas T. Mann, Jr.", written in a cursive style.

Thomas T. Mann, Jr.

**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		05/20/14	05/16
	DONDA RICHARDSON	BOX 9, CAPITAN, NM 88316		05/20/14	05/16
	ALTERNATE - DEREK MOORHEAD	1201 MECHEM DR, RUIDOSO 88345		05/20/14	05/16

**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 575-430-9060	BOX 745 RUIDOSO DOWNS, 88346	1	08/20/13	08/15
DIST 2	ROBERT BARBER	BOX 126, CAPITAN, NM	1	10/21/14	10/16
DIST 3	JAMES RUSS	PO BOX 2362 RUIDOSO NM	3	08/20/13	08/15
DIST 4	J.BRYAN WHITE (336-2619 OR 208-610-5464; COCHCH@BAJABB.COM	PO BOX 237, ALTO, NM 88312		01/13/15	01/17
DIST 5	BILLY SEELBACH (258-1704)	406 GAVILAN CANYON, DOSO 88345	2	07/15/14	07/16

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		03/18/14	03/16
	LUCY SERVIES	107 JACK LITTLE DR. B3, RUIDOSO		01/13/15	01/17
	JIM CLEMENTS	101 POW WOW TR, RUIDOSO 88345		12/17/13	12/15
	<b>TABLED</b>				
	GENE NITZ	218 JACK LITTLE DR, RUIDOSO		12/17/13	12/15

PUBLICATION IS REQUIRED.

**SOUTHEASTERN NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT (SNMEDD) 2 YEAR TERM**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
/	DALLAS DRAPER	113 ALPINE VILLAGE, RUIDOSO	3	01/13/15	01/17
	ALTERNATE - LYNN WILLARD	109 NOGAL PLACE, RUIDOSO	2	01/13/15	01/17
	PRIVATE SECTOR - REBECCA BROOKS	720 SUDDERTH DR, RUIDOSO (575)257-7395		01/09/15	01/17

**SOLID WASTE AUTHORITY, LINCOLN COUNTY - 2 YEAR TERM (AGREEMENT NO. 343)**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION

RECEIVED

JAN 16 2015

ADMINISTRATION  
LINCOLN COUNTY NM

BILLIE-JO CUEVARA  
ADMINISTRATIVE ASSISTANT  
COUNTY OF LINCOLN  
POB 711, CORRIZOZO, NM 88301-0711

DEAR BILLIE-JO CUEVARA:

Since I am moving to IOWA THIS  
MONTH AFTER 21 years in Ruidoso  
I must resign my appointment  
as a member of the Senior Citizen  
Olympic Committee.

Our members have asked two  
senior athletes in the county to  
be members of our board to  
fill my position and the other  
vacant position. They are  
Corey Bard and Paul Kunkle.  
They have been asked to write  
to you their interest in  
serving on our 5 member board  
which next meets in February  
with county senior olympics  
COORDINATOR ANTHONY MONTES  
of the Ruidoso Community Center.

It has been a pleasure working  
with local senior olympics for  
the past 20 years.

Bart Young

OTHER MEMBERS ARE

Jim Clements

Lucy Servies

Gene Nitz

To: Billie Jo Guevara  
Administrative Assistant  
County of Lincoln

RECEIVED  
JAN 28 2015  
ADMINISTRATION  
LINCOLN COUNTY NM

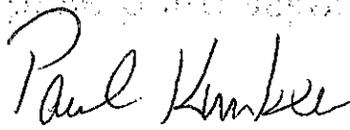
From: Paul Kunkle  
352 Country Club Dr.  
Ruidoso, NM 88345  
575-630-1099

575-630-1099

I have been asked by the local committee to be a member of Senior Citizens Olympic Committee. I have participated in local and state competition for the senior Olympics in pickleball.

I would be happy to be on the committee.

575-630-1099

  
Paul Kunkle

**FACT FINDING COMMITTEE FOR A COUNTY VISION (07/17/2007)**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION	APPOINTED BY
DISTR 1	TONA MACKEN	HC66 BOX 117, NOGAL 88341	1	07/17/07		COMM. LOVELACE
DISTR 2	ROBERT MOELLER	BOX 190, NOGAL 8831		07/17/07		COMM. WILLIAMS
DISTR 3	LEN STOKES	BOX 1067, CAPITAN 88316		07/17/07		COMM. BATTIN
DISTR 4	LLOYD DAVIS, JR.	BOX 67, RUIDOSO 88355		07/17/07		COMM. PARKS
DISTR 5	MARY DOKIANOS	BOX 762, ALTO 88312		07/17/07		COMM. POWELL
	BOBBI SHEARER	BOX 373, CAPITAN 88316		07/17/07		NOMINATED BY COMM. PARKS
	TOM MANN	BOX 77, LINCOLN 88338		07/17/07		NOMINATED BY COMM. POWELL

*Tabled*

**\* EASTERN AREA WORKFORCE DEVELOPMENT**

**BOARD**

Eileen Sedillo Appointed 3/17/09

**FORT STANTON DEVELOPMENT COMMISSION**

**(STATE STATUTES)**

TONY HOFFMAN, L.C. DESIGNEE  
 MIKE RUNNELS, GOVERNOR'S APPOINTMENT  
 L. RAY NUNLEY, MAYOR, VILLAGE OF RUIDOSO  
 BILL HIRSCHFELD, GOVERNOR'S APPOINTMENT  
 KATHERINE SLICK, NMHP (HISTORIC PRESERVATION)  
 DAVE SIMON, NMNR (NATURAL RESOURCES)  
 LYNDA SANCHEZ, GOVERNOR'S APPOINTMENT  
 (SUSAN -- BOARDS & COMMISSIONS -- 800/432-4406)

**RECLASSIFICATION ADVISORY COMMITTEE (01-12-**

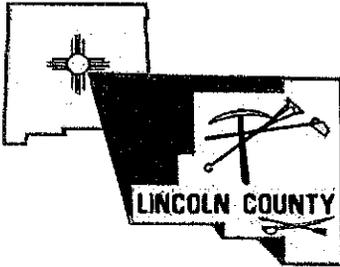
**06)**

(REPORTS TO COUNTY MANAGER/RECOMMENDS TO COMMISSION)  
 COMMISSIONER - EILEEN M. LOVELACE  
 ASSESSOR - RICK SHEVA Paul Bacon  
 CLERK - TAMMIE MADDOX Elizabeth Burrows  
 PROBATE - CARRIE SPENCER Shirley Spence  
 SHERIFF - RICK WARDEN Robert Shepherd  
 TREASURER - BEVERLY CALAWAY  
 ASSISTANT COUNTY MANAGER - MARTHA GUEVARA

**ROAD TASK FORCE (STEERING COMMITTEE)**

**09/28/2006**

COMMISSIONER - TOM BATTIN  
 COMMISSIONER - EILEEN LOVELACE  
 COUNTY MANAGER - NITA TAYLOR  
 ROAD SUPERINTENDENT - ALBERT HERNANDEZ  
 PRIVATE CITIZEN -



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# *County of Lincoln*

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

## Agenda Item 25

### 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.

# Alan P. Morel, P.A.

Attorney at Law

700 Mechem Drive, Suite 12  
Post Office Box 1030  
Ruidoso, New Mexico 88355-1030

Jira Plaza  
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February 17, 2015

**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. *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. Hearing took place Dec. 18, 2013, and Conclusion of Law/Order was filed May 15, 2014 entered in favor of Ms. Cooper. Ms. Cooper filed an appeal June 10, 2014, and Judge John F. Davis was assigned Aug. 3, 2014.
2. *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. Motion for Summary Judgment filed Jan. 29, 2014. Motion for Grant of Summary Judgment filed July 18, 2014. Judgment, Decree of Foreclosure, Order of Sale filed Dec. 16, 2014. Master Sale was scheduled Feb. 2, 2015.
3. *J. Robert Beauvais and Greentree Solid Waste Authority v. Judge Jerry Ritter and the County of Lincoln in the State of New Mexico Supreme Court No. 35,053*: Verified Emergency Petition for Writ of Prohibition; Alternatively, Superintending Control; Request for Stay received Dec. 24, 2014 and Order Denying Writ of Prohibition filed by the Supreme Court Dec. 24, 2014. GSWA filed its Motion for Clarification Jan. 6, 2015.
- \*4. *Greentree Solid Waste Authority v. Lincoln County D-1226-CV-2014-00095*. Suit filed May 1, 2014 Verified Petition for Declaratory and Supplemental Relief: Injunction, Motion to Waive Time to Reassign District Judge (Judge Karen Parsons was disqualified). County was served May 14, 2014. Mr. Paul Melendres has been retained by the County and filed Answer, Motion to Disqualify Mr. Beauvais and Change of Venue. Motion to Join the New Mexico Finance Authority as an Indispensable Party filed July 22, 2014. GSWA filed its Motion for Summary Judgment on Sept. 26, 2014. County filed its Response to GSWA's Motion for Summary Judgment on Oct. 13, 2014. Scheduling Conference and Hearing on All Pending Motions was Nov. 20 both with Judge Ritter, who found Mr. Beauvais had a conflict of interest and was disqualified from representing GSWA. Stipulated Partial Dismissal was entered and

GSWA's Motion to Reconsider was filed Dec. 5, 2014. GSWA has retained Robert Doughty as new counsel, who filed a Limited Entry of Appearance Dec. 13, 2014. Preliminary Injunction Hearing was scheduled Dec. 17, 2014 with Judge Ritter. Lincoln County's Response to Plaintiff's Motion to Reconsider was filed Dec. 19, 2014. GSWA filed its Reply of the Motion to Reconsider Jan. 5, 2015. Hearing regarding GSWA's Motion First Amended Verified Emergency Motion Seeking Further Relief on GSWA's Request for Preliminary Injunction Concerning the Rate at which the County Will Bill and Lincoln County's Motion for Sanctions is scheduled for May 12, 2015 at 9 a.m.

\*5. *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. Mr. Beauvais filed an appeal Feb. 27, 2014. Ruling on Reconsidering Stay denied by Judge Singleton June 11, 2014. GSWA's Brief in Chief filed Sept. 9, 2014. Record Proper was filed Sept. 25, 2014. Alto Lakes Water and Sanitation District's and Lincoln County's Joint Response Brief was filed with the Court of Appeals Oct. 24, 2014. GSWA filed its Reply Brief Dec. 1, 2014. The case has been submitted to a panel of judges for decision and the County received Notice of Submission from the Court of Appeals Jan. 2, 2015.

\*6. *Barbara Diane Latham, et al v. Neal Cox, Ben Hazen, Lincoln County Sheriff's Department and the County of Lincoln. D-1226-CV-2013-00191 to Federal No: 2:13-CV-00822-RB-SMV*. Suit filed July 19, 2013. Complaint for Violation of Civil Rights, Wrongful Death and Damages by Attorney Gary Mitchell. Tort Claim Notice was filed on October 27, 2011. LCSO and LC Manager were served on August 5, 2013. Advised NMAC assigned the case to Brennan and Sullivan Law Firm Sept. 5, 2013. Case was moved to Federal Court August 30, 2013. Ms. Latham filed a new action in federal court against Village of Capitan and Police Officer Kevin Kennedy filed July 25, 2014. The court Sua Sponte consolidated both cases via Order from Judge Brack filed Sept. 29, 2014. Memorandum and Order filed Feb. 2, 2015 granting Defendant's Motion for Summary Judgment on the Basis of Qualified Immunity and Other Grounds and Motion to Dismiss Plaintiff's First Amended Complaint and/or Motion for Summary Judgment and for Qualified Immunity by Judge Brack. Judgment filed Feb. 2, 2015 in favor of Defendants Kevin Kennedy, Neal Cox, Ben Hazen, LCSO, County and the Village of Capitan. Memorandum and Order filed Feb. 2, 2015 granting Defendant's Motion for Summary Judgment on the Basis of Qualified Immunity and Other Grounds and Motion to Dismiss Plaintiff's First Amended Complaint and/or Motion for Summary Judgment and for Qualified Immunity by Judge Brack. Judgment filed Feb. 2, 2015 in favor of Defendants Kevin Kennedy, Neal Cox, Ben Hazen, LCSO, County and the Village of Capitan.

7. *Bank of America, N.A. v. Howard D. Schafer, et. al. (County of Lincoln through LCSWA) D-1226-CV2014-00162* County was served Sept. 2, 2014. Complaint for Foreclosure filed Aug. 19, 2014 Lincoln County filed an Alarm Ordinance Lien and a LCSWA Lien. Mr. Morel entered his appearance on behalf of the County Sept. 23, 2014. Disclaimer of Interest has been filed by Lincoln County.

8. *Water Rights Protests: New Mexico State Engineer Hearing Numbers: 14-039 and 14-041.* Protests of Applications 01300-1, 01300-2, 01300-3, 0826-2 into 0275 *et. al.* and H-272 *et al* (T) and H-50-1 into H-272 *et. al.* (T) filed July 15, 2013 pertaining to movement / transfer of water rights from the Hondo Valley to the Village of Ruidoso and the City of Ruidoso Downs. Docketing Order filed Sept. 18, 2014. Kelly Cassels/Sanders, Bruin, Coll & Worley, P.A. has been retained by the County, entered his appearance Sept. 22, 2014 and has responded in behalf of the County.

9. *Wesmax, Ltd. V. Paul Baca, Lincoln County Assessor D-1226-CV-201400188* Appeal of the Final Order from Lincoln County Valuation Protest Board. Appeal filed Oct. 8, 2014. Case assigned to Basham & Basham/Dwyer. Record of Appeal and Transcript of Proceedings was filed Oct. 23, 2014.

### Tort Claims Notices Received or Threatened

#### 2015

**Cherry, Doris** – Tort Claim Notice posted in Lincoln County News Jan. 1, 2015 stating possible Civil Rights Violation lawsuits regarding alleged Americans with Disabilities Act non-compliance in remodeling the Lincoln County Courthouse buildings.

**\*McDaniel, Carl** – Tort Claim Notice received Jan. 23, 2015 alleging violation of the Unfair Trade Practices Act and engaging in unfair or deceptive trade practices and/or unconscionable trade practices by GSWA.

#### 2014

**Ramos, Aaron** – Tort Claim Notice received from Mr. Ramos March 18, 2014 alleging his rights were violated during incarceration at Lincoln County Detention Center. Mr. Ramos alleges damages by not being granted detainee to detainee correspondence.

**Millerden, Kenneth and Anita** – Tort Claim Notice received May 9, 2014 alleging negligence from staff at Lincoln County Medical Center during prepartum care for their infant son.

**Ogden, John D** – Tort Claim Notice received May 26, 2014 alleging mistreatment while incarcerated at LCDC on March 11, 2014.

**Rounds, Christopher** – Tort Claim Notice received June 4, 2014 alleging being held in LCDC without being advised of his charges.

**Herbert, Crystal** – Tort Claim Notice received June 23, 2014 alleging false imprisonment, due process violations, unlawful detention of a minor, emotional distress.

**Class Action** – Tort Claim Notice received June 23, 2014 alleging false imprisonment, false arrest, deprivation of rights at LCDC that arise with Immigration and Customs Enforcement charges.

**Atwell, Stacey** – Tort Claim Notice received June 25, 2014 alleging unlawful seizure of her two minor children during a request for a deputy to assist in keeping the peace.

**McGarry, Sean** – Tort Claim Notice received July 25, 2014 alleging wrongful arrest, false imprisonment, malicious prosecution, intentional or negligent infliction of emotional distress, abuse of process, wrongful termination and retaliatory discharge regarding discharge from the Capitan Police Department.

**Ramos, Aaron** – Tort Claim Notice received August 7, 2014 alleging lack of Due Process for inmates at LCDC.

**Lambert, David and Bonnie** - Tort Claim Notice received Sept. 8, 2014 by attorney W. Chris Nedbalek alleging damage to Lambert property due to Mr. Rodney Bunsen using his own equipment to alter a platted County right of way without the authorization or knowledge of the County.

**Rider, Edward Allen and Moorhead, Brennon** – Tort Claim Notice received Oct. 20, 2014 by attorney W. Chris Nedbalek alleging Lincoln County Narcotics Enforcement Unit officers destroyed items in a home.

**Caughron, Brittany and Anderson, Amie** – Tort Claim Notice received Oct. 24, 2014 by attorney W. Chris Nedbalek alleging overcrowding of Lincoln County Detention Center as a violation of 8<sup>th</sup> Amendment Rights.

**Ryen, Allen**- Tort Claim Notice received Oct. 27, 2014 by attorney W. Chris Nedbalek alleging Mr. Ryen was exposed to unsanitary conditions at Lincoln County Detention Center.

**Inmate Group** – Tort Claim Notice received Oct. 27, 2014 by attorney W. Chris Nedbalek alleging overcrowding and unsanitary conditions at Lincoln County Detention Center.

**McMurray, Cody** – Tort Claim Notice received Nov. 6, 2014 by attorney W. Chris Nedbalek alleging lack of adequate medical care at Lincoln County Detention Center.

**Caughron, Brittany and Anderson, Amie** – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris Nedbalek alleging inadequate medical care and overcrowding at Lincoln County Detention Center.

**Inmate Group** – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris Nedbalek alleging overcrowding and unsanitary conditions at Lincoln County Detention Center.

**Long, Cameron** – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris Nedbalek alleging mistreatment by an Officer with Adult Probation and Parole.

**McClarnon, Brian** – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris

Nedbalek alleging violations of U.S. Constitutional Amendment rights.

**Diana Martwick, 12<sup>th</sup> Judicial District Attorney** – Tort Claim Notice received Nov. 25, 2014 alleging lack of adequate office space provided by the County of Lincoln.

**\*Inmate Group** – Tort Claim Notice received Dec. Dec. 22, 2014 by attorney W. Chris Nedbalek alleging inmates were mistreated at Lincoln County Detention Center.

## **2013**

**Allen, Katherine Elizabeth-** Notice of Tort Claim received Sept. 12, 2013 from Katherine Allen against Lincoln County Detention Center for alleged injuries sustained during transport.

**Borrego, Albert** - Tort Claim Notice received from attorney Gary Mitchell on June 14, 2013, alleging continued harassment to Albert G. Borrego by police while responding to a noise complaint at Mr. Borrego=s residence on February 28, 2013, and a separate incident resulting in Mr. Borrego=s arrest on March 5, 2013, due to an outstanding warrant, during which Mr. Borrego allegedly sustained injuries while in custody due to an existing broken back injury. Claim has been denied by NMAC.

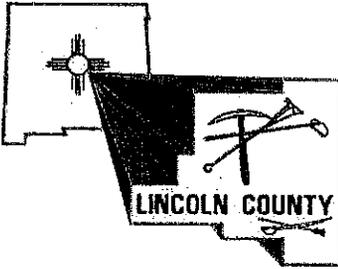
**Espinoza, Robert B** Tort Claim Notice received from Robert Espinoza on June 4, 2013, alleging property damage from vehicle accident while Linda Mullins, driving the LC Senior Center meal delivery van ran off road hitting chain link fence, poles and railroad ties.

**Harrisburg Documents-** Attempts to recover Lincoln County documents illegally taken from the county. County Clerk Rhonda Burrows has been in contact with Harrisburg, PA in recovery efforts.

**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. Constitutional rights.

**Silva, Elmo B** Tort Claim Notice received from attorney Richard Marquez November 6, 2013. Alleges false imprisonment for Mr. Silva, who was sentenced in the 12<sup>th</sup> Judicial District Court to 38 years filed on July 3, 1990.



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# County of Lincoln

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## AGENDA Item No. 26

February 13, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** GSWA System Analysis Presentation – Joe Lewandowski

At the Joint Billing Transition Meeting between GSWA and the County held on Monday, February 2, GSWA committed to conducting the analysis that would provide the County with GSWA's costs of providing solid waste collection services to Lincoln County residents. GSWA's Operational Consultant, Mr. Joe Lewandowski has completed a portion of that analysis. See **Enclosure 1**. Per a request of GSWA Chairman Ray Dean, GSWA would like to make a short presentation of this report and answer any questions related to the report.

**Recommendation:** Based on presentation and subsequent discussion, consider whether action is required.

# *GREENTREE SOLID WASTE AUTHORITY*

**P. O. Box 2405  
Ruidoso Downs, NM 88345**

February 12, 2015

Chairman Preston Stone  
& Commissioners  
County of Lincoln  
P. O. Box 711  
Carrizozo, NM 88310

Re; Presentation from Greentree solid Waste Authority  
Commission Meeting February 17, 2015

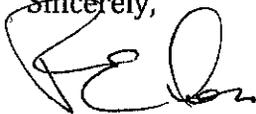
Dear Chairman Stone & Commissioners,

Attached is the first draft of the GSWA System Analysis prepared by Mr. Joe Lewandowski, Operational Consultants. Due to time restraints, the report has not been completed. The financial analysis portion is continuing to be prepared for future submittal for your consideration. What is provided has very valuable information on the solid waste and recycling operations that are provided by GSWA. This information had to be prepared first to allow for the in-depth analysis of the financial relationship between the members and GSWA.

We are requesting to be allowed to make a presentation to the Commission on February 17, 2015. It is our understanding we are on that agenda. At that meeting we will present a short version of this report and answer any questions related to the report. The financial analysis will most likely be completed by that time. We will differ to you, if that portion should be discussed at that time or at a later date. I understand that the Commissioners would prefer to have the information prior to the meetings to study the item.

If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,



Ray Dean, GSWA Chairman

ENCL 1

**GREENTREE  
SOLID WASTE  
AUTHORITY**

**SYSTEM ANALYSIS**

**February 12, 2015**

**1<sup>st</sup> Draft**

**Performed by:**

**Joe Lewandowski  
Operational Consultants  
110 24<sup>th</sup> Street  
Alamogordo, NM 88310**

# Greentree Solid Waste Authority

## System Analysis

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**5. FINANCIAL ANALYSIS**

**To Be Completed**

**ATTACHMENTS**

- A. GSWA - F.Y. 2014-15 Budget / Actuals as of December 31, 2014
- B. GSWA – F. Y. 2013-14 Audited Financial Statements

**1. REPORT SUMMARY**

**To Be Completed**

## 2. GENERAL INFORMATION – OTHER ENTITIES

GSWA is a governmental entity formed through a joint powers agreement between County of Lincoln, Town of Carrizozo, City of Ruidoso Downs, Villages of Corona, Captain and Ruidoso. Village of Ruidoso does not participate in GSWA solid waste collection services. Ruidoso is a member on landfill matters and recycling services only. The other members do participate in the GSWA solid waste and recycling services.

Each of the members utilizing the GSWA collection services has a system designed to meet their needs. They are similarities, but each has its own unique system. The following provides a brief description of those systems.

### A. Village of Corona

Corona utilizes a collection center type system. Corona does not provide house to house or 3 cu. yd. container collection. Each user must haul their waste and recyclables to the collection center.

Corona oversees and maintains the collection center with Village staff. GSWA provides the equipment, equipment maintenance and the hauling of the waste and recyclables.

Corona handles all billing and collection of revenues from the users. GSWA is paid by the Village for actual volumes and trips needed to haul the solid waste. Recyclables are handled by GSWA with revenues from sale of materials remaining with GSWA.

Solid waste from the Corona area is hauled and disposed at the Torrance/Bernalillo County Regional Landfill. Corona is responsible for the payment of the landfill fees, which are approximately \$47.00 per ton for loose waste and \$35.00 per ton for compacted solid waste.

Equipment provide by GSWA:

- 2 each Self-contained compactors for solid waste
- 1 each Self-contained compactors for cardboard
- 1 each 30 c.y. open-top container for scrap metal
- 1 each 30 c.y. open-top container for mixed recyclables

GSWA does provide on-call service for picking up scrap tires. In the near future, a container may be placed on site for the tires.

**B. Village of Capitan**

Capitan has 3 methods of collection of solid waste and recyclables. Residential and small commercial accounts utilize the 96 gallon poly carts. Larger commercial accounts utilize the 3 cu. yd. containers. For bulky items, tires, and scrap metal the Village operates a collection center.

Capitan oversees and maintains the collection center with Village staff. GSWA provides the equipment, equipment maintenance and the hauling of the solid waste and recyclables.

Capitan handles all billing and collection of revenues from the residential accounts. GSWA is paid by the Village at the agreed upon rate times the number of actual active accounts (Per Account). GSWA handles all billing and collection of revenues from the commercial accounts.

Waste from the Village is hauled to the Greentree Transfer Station for transporting to the Otero/Greentree Regional Landfill.

Equipment provided by GSWA:

1 each	30 c.y. open-top container for solid waste
51 each	3 c.y. containers for commercial users
723 each	96 gallon poly carts for residential/commercial

**C. Town of Carrizozo**

Carrizozo has 3 methods of collection of solid waste and recyclables. Residential and small commercial accounts utilize the 96 gallon poly carts. Larger commercial accounts utilize the 3 cu. yd. containers. For bulky items, tires, and scrap metal the Town operates a collection center.

Carrizozo oversees and maintains the collection center with Town staff. GSWA provides the equipment, equipment maintenance and the hauling of the waste and recyclables.

Carrizozo handles all billing and collection of revenues from the residential accounts. GSWA is paid by the Town at the agreed upon rate times the number of actual active accounts (Per Account). GSWA handles all billing and collection of revenues from the commercial accounts.

Waste from the Town is hauled to the Greentree Transfer Station for transporting to the Otero/Greentree Regional Landfill.

Equipment provide by GSWA:

1 each 30 c.y. open-top container for solid waste  
1 each 40 c.y. open-top container for scrap metal  
39 each 3 c.y. containers for commercial waste  
470 each 96 gallon poly carts for residential/commercial

**D. City of Ruidoso Downs**

Ruidoso Downs has three methods of collection of solid waste and recyclables. Residential and small commercial accounts utilize the 96 gallon poly carts. Larger commercial accounts utilize the 3 cu. yd. containers. For Bulky items, tires and scrap metal, the Village utilizes the Greentree Transfer Station located in Ruidoso Downs.

Ruidoso Downs handles all billing and collection of revenues from the residential accounts. GSWA is paid by the City the agreed upon the amount received by the City from the users (Per Customer Paid). As the City collects the past due amounts those revenues are then paid to GSWA. GSWA handles all billing and collection of revenues from the commercial accounts.

Waste from the Town is hauled to the Greentree Transfer Station for transporting to the Otero/Greentree Regional Landfill.

Equipment provided by GSWA:

2 each 40 c.y. open-top containers for solid waste  
101 each 3 c.y. containers for commercial users  
706 each 96 c.y. poly carts for residential users

### 3. DETAILED INFORMATION – COUNTY OF LINCOLN

The following are brief descriptions of the services provided and made available to accounts outside the municipalities and the Alto Lakes Water & Sanitation District. Cost associated for each of these services will be discussed in another section of this report.

#### A. Household Solid Waste (Also known as MSW)

There are four methods available to the residential accounts serviced by the GSWA county collection system. Each region of the county was analyzed and the appropriate method is being utilized. Not all methods are available in each region. Availability of the various types of services was evaluated based upon cost and feasibility.

##### 1) Collection Centers

Collection centers utilize roll-off compactors and open-top containers. Currently there are 12 collection centers available to the county residents.

These are located at:

Alto Alps	Loma Grande
Buckhorn	Nogal
Cedar Creek	Ranches-Sonterra
Glencoe	San Patricio
Hist. Lincoln	Sun Valley
Hondo	Bonito Nazarene

From these sites approximately 1,076 tons of waste was transported to the Otero/Greentree Regional Landfill in 2014.

##### 2) Container Sites

Throughout the County there are container (dumpster) sites for household solid waste disposal. There are currently 213 each 3 cu. yd. containers being utilized for residential use. Locations are emptied once or twice per week depending on volumes of waste and seasonal needs.

##### 3) Poly Cart Services

In areas where it was found feasible, poly cart services have been implemented. These areas have density of homes, lot layout compatible for poly-cart and pay at a higher rate than the residential accounts utilizing the collection centers or container sites. Currently, there are approximately 352 County accounts receiving this service.

##### 4) Greentree Transfer Station

The Greentree Transfer Station located in Ruidoso Downs is also available for disposal of household solid waste and recyclable materials.

**B. Yard Waste Disposal**

Again based upon feasibility and cost, yard waste disposal services are offered to the residential and/or commercial users in the County.

The "12 cubic yard per Year Program" is offered to residents within certain regions of the County. There are approximately 1,850 residential accounts participating in this program. These accounts have included into the quarterly billing fee the first 12 cubic yards of yard waste/tree trimming at no charge. GSWA has two grappler trucks operating to provide these services. The yard waste is delivered to Bio-Grind located in Ruidoso Downs. GSWA pays approximately \$5.35 plus applicable gross receipts tax per cubic yard for disposal of this material. In 2013/14 the annual cost of disposal was \$55,367. The residential accounts have the option of disposal of volumes of materials greater than the 12 cubic yards at a cost of approximated \$15.00 per cubic yard, included in that rate is pickup by grappler and disposal fees. In 2014, GSWA hauled 11,511 cubic yards for disposal.

**C. Large Item/Bulk Waste Disposal**

Residents have the Greentree Transfer Station available for large item/bulk waste disposal. The rate is \$20.00 per cubic yard. A grappler service at the resident's location is also available. Rate for this service varies depending on volume and distance.

**D. Scrap Metal/White Goods**

Residents can dispose of scrap metal/white goods at the Greentree Transfer Station/Recycling Center. There is no charge to the resident for this disposal. In fact, GSWA will pay the residents for this material. The rate paid is based upon weight and current market prices. GSWA currently sells this material to Commercial Metals in El Paso, Texas.

**E. Electronic Recycling**

GSWA does accept electronic equipment for recycling. The charge is approximately \$10.00 per computer system. There is minimal participation in this program. From July through December 2014 only \$67.00 had been generated. The majority of the electronic recycling occurs during the annual collection event in the All-American Park, Ruidoso Downs. The last event generate approximately 6,900 pounds of materials to be recycled. Even though there is minimal revenue generated there is minimal expense associated with this program. Albuquerque Recycling picks up the material at the Greentree Transfer Station at no charge.

**F. Waste Oil/Antifreeze/Paints**

Recycling of waste oil, anti-freeze and paints is available at the Greentree Transfer Station/Recycling Center. The majority of the waste oil is utilized in the recycling center and maintenance shop heater systems.

**G. Tire Disposal**

Tire disposal is also available to residential and commercial accounts. Current rate for disposal is \$2.00 per passenger vehicle tire and \$5.00 per truck tire. Tires larger, such as backhoes are not accepted. The tires are then transported to either the Otero County – La Luz Site for baling or to the Otero/Greentree Regional Landfill for disposal. Tire revenue for the period of July thru December 2014 was \$2,846. Residents also can participate in the disposal of tires at no charge twice per year at the All-American Park, Ruidoso Downs.

**H. Special Events**

GSWA sponsors a wide variety of special events throughout the year for county residents. Clean-up events including some of the ones described in the prior narrative. Collected are solid waste, recyclables, tires, metal, and electronics. These events are at no additional costs to the resident.

#### 4. COMPONENT COMPARISONS

This section of the report compares/identifies items for each of the GSWA members.

##### A. GSWA Revenue Breakdown

GSWA receives revenues are from multiple sources such as user's fees (residential and commercial), roll-off services, recycling sales, special services, disposal fees, rental payments, sale of surplus equipment and grants. The following is a breakdown of these revenues by grouping for the F.Y. 2014-2015 budget.

1) Residential Fees

These fees are billed directly to the residential accounts.

Capitan	\$183,424	12%
Carrizozo	136,483	9%
Ruidoso Downs	211,803	14%
Lincoln County	<u>1,033,568</u>	<u>65%</u>
TOTAL	\$1,565,280	100%

2) Commercial Fees

GSWA has all the commercial revenues for all members lumped under one line item "Commercial". The following is an estimated breakdown of those commercial revenues by member.

Capitan	\$ 81,250	13%
Carrizozo	62,500	10%
Ruidoso Downs	250,000	40%
Lincoln County	175,000	28%
Federal Contracts	<u>56,250</u>	<u>9%</u>
TOTAL	\$625,000	100%

3) Other Collection Fees

The following are fees collected from other services provided by GSWA. Corona is in this grouping due to the method of payment utilized. The majority of these revenues are collected from users throughout the whole region.

Roll-off Rentals	\$ 70,000	31%
Roll-off Dumping	92,098	39%
Yard Waste Disposal Fees	47,860	21%
Village of Corona	8,840	4.5%
Special Services	2,500	1.5%
Capitan LF Closure	<u>5,000</u>	<u>3%</u>
TOTAL	\$226,298	100%

4) Miscellaneous Revenues

The following are revenues not related to collection or service fees.

Property Payment (rent)	\$ 15,000	5%
Coll. Fee Reimbursement	5,525	2%
Interest (combined)	863	.5%
Miscellaneous	3,785	1%
Sale Surplus Equipment	40,000	13.5%
ESGRT Fund	<u>225,000</u>	<u>78%</u>
TOTAL	\$290,173	100%

5) Recycling Revenues

The following are revenues from the collecting, processing and selling of various recyclable materials.

Recycling Revenues	\$208,640	100%
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6) Revenue Breakdown By Member/Source

The following identifies revenues generated from the jurisdiction of each member or sources not directly a tribute to each member.

Corona (Residential/Commercial)	\$ 8,840	.5%
Capitan (Residential/Commercial)	264,674	9%
Carrizozo (Residential/Commercial)	198,985	7%
Ruidoso Downs (Residential/Commercial)	461,803	16%
Lincoln county (Residential/Commercial)	1,208,568	41%
Federal Contracts	56,250	2%
Recycling	208,640	7%
Other Collection Fees	217,458	7.5%
Miscellaneous Revenues	<u>290,173</u>	<u>10%</u>
TOTAL	\$2,915,391	100%

**B. Service Levels Comparisons**

Simple comparing rates or a fee between the different members is not a true comparison of this situation. Each member has a different relationship with GSWA from collection service, recycling, collection method, special services, billing/payment process, etc. Each of the tasks identified effects the cost to each member.

On the following page is a chart that clearly identifies the tasks by member and who is responsible for each of those tasks, the member or GSWA.

Service Tasks by Member  
Prior to Lincoln County assuming residential billing

Issue Description	LINCOLN CO.		RUIDOSO DNS.		CARRIZO		CAPITAN		CORONA	
	GSWA	Co.	GSWA	CITY	GSWA	TOWN	GSWA	VILLAGE	GSWA	VILLAGE
Residential Pickup										
Commercial Pickup										
Provide Containers										
Billing Residential										
Billing Commercial										
Receivable Uncollected										
Yard Waste Pickup										
Landfill Fees										
Operate Collect. Center										
Equip. Collect Center										
Haul - Collect Center										
Hauling Fee Collect Center										
Illegal Dump Cleanup										
Illegal Dump Investigation										
Operate Recycling Center										



Member

**C. Container/ Compactor Comparisons**

The following charts identify the containers and compactors with their values being provide by GSWA to service each of the members.

1) Detailed Container / Compactor Inventory by Member

MEMBER	DESCRIPTION	UNIT COST	QUANTIT Y	TOTAL COST
Corona	RO Compactors	\$30,000	3	\$ 90,000
	RO Open Top 30 cu. yd.	5,390	2	10,780
				Total \$100,780
Capitan	RO Open Top 30 cu. yd.	\$ 5,390	1	\$ 5,390
	Poly Carts	55	723	39,765
	3 cu. yd. Containers	498	51	25,398
			Total \$ 70,553	
Carrizozo	RO Open Top 40 cu. yd.	\$ 5,390	1	\$ 5,390
	RO Open Top 30 cu. yd.	5,695	1	5,695
	Poly Carts	55	470	25,850
	3 cu. yd. Containers	498	39	19,422
			Total \$ 56,357	
Ruidoso Downs	RO Open Top 40 cu. yd.	\$ 5,695	2	\$ 11,390
	Poly Carts	55	706	38,830
	3 cu. yd. Containers	498	101	50,298
			Total \$100,518	
Lincoln County	RO Compactors	\$30,000	14	\$420,000
	Poly Carts	55	352	19,360
	3 cu. yd. Containers	498	419	208,662
			Total \$648,022	

There are additional containers that are utilized as swap out units. Those units have not been included in the above totals except for 2 compactors that are utilized by the County.

2) Cost / Percentage Breakdown by Member

MEMBER	TOTAL COST	%
Corona	\$100,780	10%
Capitan	70,553	7%
Carrizozo	56,357	6%
Ruidoso Downs	100,518	10%
County	648,022	67%
TOTAL	\$976,230	100%

**D. Labor Percentage Breakdown**

The following are the average percentage of time for each position within GSWA. The region that is serviced by GSWA has a drastic seasonal fluctuation due to the tourist/vacation status of the area, which effects the work hours and costs.

1) Collection Operations

POSITION	LINCOLN COUNTY	CARRIZOZO	CAPITAN	CORONA	RUIDOSO DOWNS	OTHER COMM.
Side Loader 1	80%	0	0	0	20%	0
Side Loader 2	88%	6%	6%	0	0	0
Resident SL. 1	10%	25%	35%	0	30%	0
Roll-off 1	100%	0	0	0	0	0
Roll-off 2	20%	5%	5%	10%	10%	50%
Grappler 1	95%	0	0	0	5%	0

During the summer season there is sometimes a second grappler truck and a third roll-off truck utilized.

2) Transport Operations

Transport percentages calculated based upon tonnage from each member being transported.

POSITION	LINCOLN COUNTY	CARRIZOZO	CAPITAN	RUIDOSO DOWNS
Transport Loads	59%	6%	11%	24%

3) Support Operations

Support Operation is based upon equipment and volume percentages by member.

POSITION	LINCOLN COUNTY	CARRIZOZO	CAPITAN	CORONA	RUIDOSO DOWNS
Attendant	59%	6%	11%	0	24%
Mechanic	65%	10%	10%	5%	10%
Illegal Dump	100%	0	0	0	0

4) Administration

POSITION	LINCOLN COUNTY	CARRIZOZO	CAPITAN	CORONA	RUIDOSO DOWNS
Op Supervisor	92%	2%	2%	2%	2%
Administrator	60%	10%	10%	10%	10%
Billing Clerk	92%	2%	2%	2%	2%
Payable Clerk	60%	10%	10%	10%	10%
Technician	88%	3%	3%	3%	3%

No recycling positions were included in these calculations due to recycling operations being a self-supporting department without user fees from any of the members.

**E. Side Loader Routes – 3 cu. yd. Containers**

GSWA side loader routes are co-mingled routes with all members' solid waste picked up on the same route. This makes it difficult to clearly define the actual tonnage being collected from each member. The con-mingling of these routes reduces the cost of collections for all entities. We can estimate the volumes by entity by using the container quantities, frequency of pickup and container capacity (3 cu. yd.) being utilized. Using this method the following are the calculations by member and type of account (commercial and residential). There are 2 full time drivers / trucks assigned to these routes.

Containers Picked Up per Route – Weekly

DESCRIPTION	ROUTE 1	ROUTE 2	TOTAL	%
County Residential	193	176	369	38
County Commercial	148	137	285	30
Ruidoso Downs Commercial	197	0	197	19
Capitan Commercial	0	62	62	7
Carrizozo Commercial	0	51	51	6
<b>TOTALS</b>	<b>538</b>	<b>426</b>	<b>964</b>	<b>100</b>

**F. Side Loader Route – Poly Cart**

All poly cart accounts receive once per week service. This is only one driver / truck assigned to this route.

DESCRIPTION	CARTS	%
County- Palo Verde	99	5
County- Rancho Ruidoso	253	11
Ruidoso Downs Residential	706	31
Capitan Residential	690	30
Capitan Commercial	33	1.5
Carrizozo Resident	441	20
Carrizozo Commercial	29	1.5
<b>TOTAL</b>	<b>2,251</b>	<b>100</b>

**G. Landfill Tonnage Comparison**

The following tonnage numbers are based upon actual volumes from 2014. The following chart breaks down the source and the member where the waste was transported from.

1) Landfill Tonnage - All Sources

SOURCE	LINCOLN COUNTY	CARRIZOZO	CAPITAN	CORONA	RUIDOSO DOWNS	OTHER
Compactor Sites	1,076.31	0	0	99.05	0	0
Collection Centers	2.28	36.38	38.32	16.22	271.35	405.15
Transporter	3,843.44	390.85	716.57	0	1,563.43	0
Other Services	0	0	0	0	0	1,459.10
Illegal Dumping	201.66	0	0	0	0	0
<b>TOTALS</b>	<b>5,123.69</b>	<b>427.23</b>	<b>754.89</b>	<b>175.27</b>	<b>1,834.78</b>	<b>1,864.34</b>
Percentage	50%	4%	7%	2%	18%	19%

The sideloader - 3 cu.yd. container routes and the sideloader – cart route utilizes the Greentree Transfer Station. The solid waste is co-mingled from Lincoln County, Carrizozo, Capitan and Ruidoso Downs. The method to calculate what percentage of the tonnage is from each member, was utilizing container volumes. The percentage of container volumes from the side loader routes were provided in Sections E. and F of this report. The total tonnage for 2014 from the Greentree Transfer Station in the transport trucks was 6,514.29 tons. The calculation for the container volume of a 96 gallon poly cart is 1/3 cu. yd.

2) Cubic Yard – Container Volume Calculations

SOURCE	CU. YD.	%
Lincoln County (58%)		
3 cu. yd. Containers Residential	1,107	31%
3 cu. yd. Containers Commercial	855	24%
Poly carts - 252 each times 1/3 c.y.	83	3%
Ruidoso Downs (24%)		
3 cu. yd. Containers Commercial	591	17%
Poly carts - 706 each times 1/3 c.y.	233	7%
CAPITAN (11%)		
3 cu. yd. Containers Commercial	186	5%
Poly carts - 723 each times 1/3 c.y.	219	6%
Carrizozo (7%)		
3 cu. yd. Containers Commercial	99	3%
Poly carts - 470 each times 1/3 c.y.	155	4%
TOTAL	3,528	100%

By utilizing the percentage of each member container volume calculations, we are able to calculate the tonnage per member that was transported in the transport trucks from the Greentree Transfer Station.

3) Transporter Tonnage from Greentree Transfer Station

TOTAL TONS	LINCOLN COUNTY	RUIDOSO DOWNS	CAPITAN	CARRIZOZO
6,514.29	3,843.44	1,563.43	716.57	390.85
100%	59%	24%	11%	6%

## H. Recycling Operations

Throughout the report, costs associated with the recycling operations have not been allocated to any member. The recycling operations are self-supporting with the revenues received from the sale of recyclable materials.

There are two primary financial methods to evaluate the recycling operations. First is the normal business practice of revenues versus expenditures. The second is what is called the "True Net" of a recycling operation. Both are applicable to GSWA recycling operations.

The following are the numbers from the financial reports of F.Y. 2014 – 2015 as of December 31, 2015. In Attachment A is the detailed recycling revenues and expenditures report.

### Recycling Revenue --v- Expenditures

DESCRIPTION	YEAR TO DATE ACTUALS	APPROVED BUDGET	% OF BUDGET
Revenues			
Total Sales	75,072	208,640	36%
Expenditures			
Personnel	(27,809)	(52,278)	53%
Operating	(25,846)	(50,636)	51%
Net Revenue	21,417	105,726	21%

Notice the revenues are currently at 36% of the projected budget. This is not of any concern. Lincoln County has a drastic fluctuation of the volumes of solid waste and recyclables due the seasonal changes. The number one material to generate revenues for the recycling operation is cardboard generated by the commercial sector. The commercial sector starts the stocking of their items and the sales of items increase in this period from March to July of each year. With that trend, the volumes of cardboard will increase, along with the revenues for that material and other recyclable materials.

Recycling "True Net" is the calculation of savings for the solid waste collection and disposal operations are received from recycling materials versus landfilling those same items. By landfilling materials GSWA would have the additional costs of the landfill tipping fee and the transportation of those materials 150 miles round trip to the Otero/Greentree Regional Landfill. Certain recyclable materials such as cardboard and mixed paper, the vendor purchasing the material will pick up those materials at the Greentree Recycling Center at no additional cost to GSWA.

In 2014, GSWA recycled 2,212.37 tons of materials. This is a savings on the landfill tipping fees of approximately \$31,990, plus savings of over \$30,000 in transportation costs to the landfill. So not only is GSWA Recycling Center profitable utilizing revenues –v- expenditures, there is a reduction of operational costs for the GSWA solid waste collection operations of over \$60,000 in landfill fees and transportation costs.

## **I      Illegal Dumping**

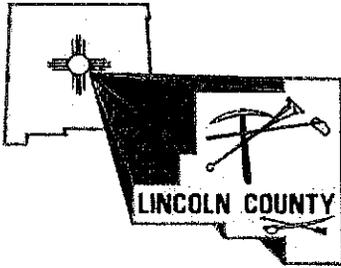
GSWA has a full time person dedicated to the illegal dumping clean-up and investigation. This person does work on various other projects, but almost 100% of his time is related to illegal dumping

GSWA constantly monitors approximately 57 of the most common locations that are illegal dumping areas. Cameras are placed in these areas. GSWA compiles information and photographs to provide to the Lincoln County Sheriff Office for further investigation and possible prosecution.

From July 2013 to June 2014, GSWA staff has collected over 2,741.7 cubic yards of illegally dumped materials around the containers sites. The majority of material is construction debris, furniture, appliance, yard/tree waste, etc. The illegal dump clean-ups performed were almost 100% in the County not in the municipalities. This is very costly problem, which GSWA has under taken. There is no legal obligation that requires GSWA to perform this service and no revenue is received by GSWA from the County to offset the costs. The funding of these clean-ups has been through other GSWA revenue sources such as roll-off services and recycling sales.

**5. FINANCIAL ANALYSIS**

**To Be Completed**



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# County of Lincoln

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## AGENDA Item No. 27

February 13, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager 

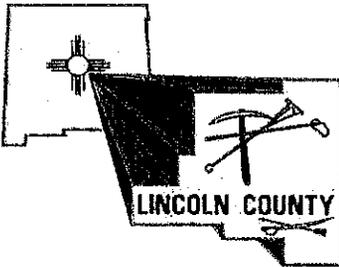
**SUBJECT:** Payment by Lincoln County to GSWA for Solid Waste Collection Services Rendered to Lincoln County Residents.

At the Joint Billing Transition Meeting between GSWA and the County held on Monday, February 2, GSWA provided three options for the County to consider in paying GSWA for solid waste collection services rendered to Lincoln County residents:

1. **Per Account** -- Payment to GSWA would be calculated as follows: Each month -- number of active accounts times the agreed monthly rate would be paid to GSWA. This would be the same formula if quarterly billing was utilized. *Payment or non-payment does not affect the calculations.*
2. **Per Customer Paid** -- Payment to GSWA would be calculated as follows: All payments for services received by the County would be directed to GSWA in full.
3. **Lump Sum** -- Payment is made upon an agreed monthly payment amount. Normally that amount is for 12 months unless there is any major change in the levels of service and customer count. There would be a formula in the agreement that determines how this would be recalculated.

Based on the discussion during the February 2, 2013 Billing Transition Meeting, and the County's cognizance of the criticality of turning over revenues to GSWA for services rendered in a timely manner, the County representatives agreed to make payment to GSWA immediately the total revenues it had received through January 31, 2013. The County does not have sufficient information to consider either Option 1 or 3 at this time, since cost data from GSWA is not available.

**Recommendation:** Use Option 2 -- pay GSWA all payments received for services rendered by GSWA.



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# *County of Lincoln*

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## AGENDA Item No. 28

February 13, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager

**SUBJECT:** GSWA's Request for Lincoln County Clerk to Convene the Special District Commission

**DISCUSSION:** Refer to Counsel

**Recommendation:** Refer to Counsel

# *Greentree Solid Waste Authority*

*P.O. Box 2405/26590 Hwy 70*

*Ruidoso Downs, NM 88346*

*(575) 378-4697 \* Fax (575) 378-4896*

RESOLUTION 2014-12-03

WHEREAS the Municipalities of CARRIZOZO, CAPITAN, CORONA, RUIDOSO and RUIDOSO DOWNS, by and through their respective governing bodies, and the COUNTY OF LINCOLN, by and through its Board of County Commissioners, adopted a Joint Resolution on or about November and December, 1990; and

WHEREAS they, in their resolution, resolved that the LINCOLN COUNTY SPECIAL DISTRICT COMMISSION created by Section 4-53-1, et seq., NMSA (1978 Comp), after public hearing held on November 1, 1990, created a Special Community District to be known as the LINCOLN COUNTY SOLID WASTE AUTHORITY; and

WHEREAS pursuant to further JPA Amendment for the name was changed to the GREENTREE SOLID WASTE AUTHORITY; and

WHEREAS the resolution further provided at Section 11-1-1 et seq., NMSA (1978 Comp) provided a statutory mechanism for the local governments to contract with one another by Joint Powers Agreement; and

WHEREAS the same entities entered into the *Lincoln County Solid Waste Authority Joint Powers Agreement* that created the LINCOLN COUNTY SOLID WASTE AUTHORITY, the name of which was later changed to GREENTREE SOLID WASTE AUTHORITY;

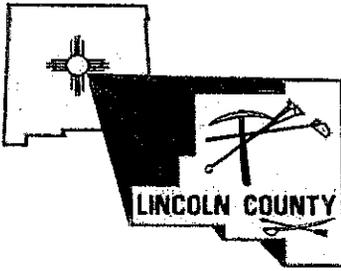
THEREFORE BE IT RESOLVED by the GREENTREE SOLID WASTE AUTHORITY Board of Directors that the GREENTREE SOLID WASTE AUTHORITY send a request to the Lincoln County Clerk to convene the Special District Commission, in accordance with law, to address the application of the County of Lincoln to withdraw from the GREENTREE SOLID WASTE AUTHORITY.



Ray Dean, GSWA Chairman

Attest:

  
Gary L. Williams, Secretary



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# *County of Lincoln*

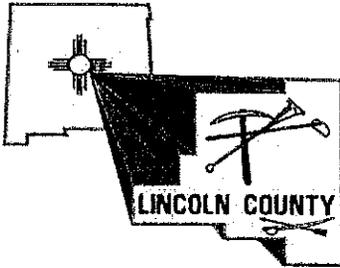
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## Agenda Item 29

### SUBJECT

Potential Action Regarding GSWA Litigation



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# County of Lincoln

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## AGENDA Item No. 30

February 13, 2015

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager *NT*

**SUBJECT:** Options Regarding Renovation of County Annex Building, Carrizozo

**DISCUSSION:** At its December, 2013 meeting, the Commission approved expenses for the mold remediation of the County Annex Building, and the subsequent replacement of damaged infrastructure (water pipes, floor tile and ceiling grid and tiles). Based on best cost estimations presented to the Commission at that time, they authorized a budget of \$270,000 for that work.

As the tear down/ build back up process has moved forward, additional mandatory repair has been identified:

- Chemical treatment for water system
- Floating of ground level floor prior to installing tile
- Mechanical modifications to enable heating / cooling to work properly
- Repair / replacement of first floor light fixtures

I am working with the contractor to determine precise costs and will have that prior to the Commission meeting. Based on my best estimate at this time, I am seeking additional funding approval for the above infrastructure fixes in the amount of \$100,000.

**Recommendation:** After true-up of estimated costs, consider and approve reasonable funding to complete the renovation of the County Annex Building.