

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

AGENDA

Commission Chambers, Tuesday, March 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) February 17, 2015 Regular Commission Meeting
7. Approval of Consent Agenda
 - a. Payroll/Accounts Payable/Budget/ Expenditures
 - b. Treasurer’s Financial Report for the Month ending February 28, 2015
 - c. Volunteer Firefighters Annual Reporting to PERA
 - d. Annual Law Enforcement Protection Fund
8. Board of Finance – County Treasurer
9. Smokey Bear District Ranger Update
10. Lincoln County Extension Service Update –Marsha Palmer
11. Recommendations for Lodger’s Tax Ordinance 2004-04 by the Lodger’s Tax Committee

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

12. **9:00 A.M.:** Consideration and Action on Lodger's Tax Applications with backup material:
- a. Funding Requested/Approved: \$5,000/\$4,000
Purpose: AspenCash
Date(s) of Event: May 14-17, 2015
Presenter: Patric Pearson; CP6, Solutions, LLC
 - b. **TABLED UNTIL MARCH LODGER'S TAX MTG:** Funding Request: \$5,000
Purpose: Golden Aspen Rally
Date(s) of Event: September 16-20, 2015
Presenter: Patric Pearson; CP6, Solutions, LLC
 - c. Funding Requested/Approved: \$500/\$500
Purpose: 12 Hours in the Wild West
Date(s) of Event: April 11, 2015
Presenter: Lindsay Mapes; Zia Rides
 - d. Funding Requested/Approved: \$1,750/\$1,750
Purpose: Ruidoso Grindstone Trails Runs
Date(s) of Event: July 25, 2015
Presenter: Frederic Moras; Ski Run Road Challenge
 - e. Funding Requested/Approved: \$23,247.26/\$2,500
Purpose: Old Lincoln Days
Date(s) of Event: August 7-9, 2015
Presenter: Cherie Hobbs,, Lincoln Pageant & Festivals

13. **9:30 A.M.:** PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY OFFICIALS (Items are for discussion only – no action will be taken)

14. Lincoln County Medical Center

- a. Request for Additional Mil levy Funding Calendar Year 2014
- b. Request for County to Reimburse NM Human Services Department \$193,503 for County Matching Funds for Period January 1, 2014 and June 30, 2014;
- c. Lincoln County / Presbyterian Healthcare Services Lease Amendment
- d. Lincoln County / Presbyterian Healthcare Services – First Amendment to Medical Center Agreement
- e. Robinson Property Purchase – 125 El Paso Road, Ruidoso New Mexico
- f. Termination of Contract - 129 El Paso Road, Ruidoso New Mexico

15. Capitan Senior Center Lease

16. McKinley County Juvenile Detention Center Agreement

17. Required Space for District Attorney Staff – County Annex Building

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18. Recovery of Historic County Documents – “Justice of the Peace Ledger from the 1800’s”
- Roberta Haldane
19. Providers/Vendors’ Advisory Council for the Senior Citizen Program – Non-Metro AAA
20. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims
21. Manager’s Report
22. **11:30a.m.:** Inspection of the Detention Center
23. Water issues/Forest/Wildlife Health Programs/Land and Natural Resources Advisory Committee (LANRAC)
24. Budget Preparation Procedures & Timeline Approval FY 2015-2016
25. **1:00 P.M.:** Public Hearing to consider the following Ordinance:
 - a. Amend Ordinance 2014-03 An Ordinance providing for Dedication to the Safety Net Care Pool Fund payment by Lincoln County by Ordinance 2015-01
26. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinance
 - a. Special Meeting and Public Hearing for Preliminary Budget Fiscal Year 2015-2016 for May 5, 2015
 - b. Ordinance 2004-04 Lincoln County Lodgers’ Tax
27. Consideration of Appointments and Removals from Boards/Commissioners/Committees:
 - a. Planning Commission
 - b. **Tabled**-Senior Citizens Olympic Committee
 - c. Southeast Regional Transportation Planning Organization
 - d. Western Homestead Legacy Alliance
 - e. JLUS Implementation Committee Board Member – Policy Rep
28. Potential Change to June Regular Meeting – NMAC 79th Annual Conference in Albuquerque, Bernalillo County
29. Dean Hood – Discussion on County Road Obligation in Twin Mountain Subdivision
30. 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).
31. Greentree Solid Waste Authority
 - a. GSWA - Update

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- b. GSWA Timeline of Required Events
- c. County Options re: GSWA
 - i. County of Lincoln to Manage Operations of GSWA
 - ii. Rewrite JPA
 - iii. County Contracting with Third Party for Solid Waste Collection Services

32. Day of Recognition for National Service – April 7th by Proclamation

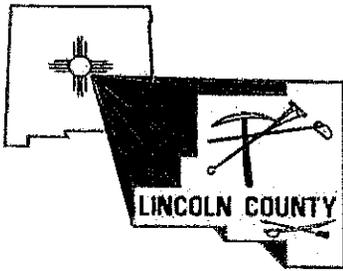
33. Signing of Official Documents

34. Next meetings:

- a. April 14, 2015 Special Commission Meeting – Financing Healthcare LCMC
- b. April 21, 2015 Regular Commission Meeting
- c. May 5, 2014, Special Commission Meeting – FY15-16 Budget Considerations

35. Adjourn

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County of Lincoln

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Agenda Item 6

SUBJECT

Approval of Minutes:

- a) February 17, 2015 Regular Commission Meeting

COUNTY OF LINCOLN

New Mexico Regular Meeting Board of County Commissioners

Preston Stone, Chair
Dallas Draper, Vice Chair

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

Minutes Tuesday, February 17, 2015

Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on February 17, 2015 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

1. Call to Order

Chair Stone called the Regular Meeting of the Board of County Commissioners to order at 8:30:25 AM.

2. Roll Call

Roll Call.

Present: Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard, Commissioner Draper.

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

3. Invocation

The invocation was presented by Commissioner Stone.

4. Pledge of Allegiance

- a. Pledge – US Flag
- b. Salute – NM Flag

5. Approval of Agenda

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

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.

6. Approval of Minutes

48 a. January 13, 2015 - Regular Commission Meeting

49
50 **Motion:** Approve the minutes of the January 13, 2015 Regular Commission Meeting, **Action:**
51 Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

55
56 **7. Approval of Consent Agenda**

- 57
58 a. Payroll/Accounts Payable/Budget/ Expenditures
59 b. Treasurer's Financial Report for the Month ending January 30, 2014
60 c. Annual Renewal Comprehensive Community DWI Prevention Program

61
62 **Motion:** Approval of Consent items as presented, **Action:** Approve, **Moved by** Commissioner
63 Stewart, **Seconded by** Commissioner Draper.

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

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

67
68 **SEE EXHIBIT A** Copies of Consent Items are attached hereto in reference thereto made a part
69 hereof.

70
71 **8. Smokey Bear District Ranger Update**

72
73 Ranger David Warnack reported the formal comment period for the Supplemental Draft
74 Environmental Impact Statement regarding the North Fork Eagle Wells Special Use
75 Authorization ended on January 28, 2015. Ranger Warnack stated there were twenty three
76 individual respondents with over 280 distinct comments. Ranger Warnack stated the 280
77 comments were sorted into categories such as economic or water rights and the US Forest
78 Service convened an interdisciplinary team to evaluate the comments. Ranger Warnack
79 anticipated publication of the Final Environmental Impact Statement (FEIS) and a draft Record
80 of Decision (ROD) followed by a 45 day Objection Period. Ranger Warnack anticipated
81 publication of final EIS and draft ROD in May and then an additional 60 to 90 days for the
82 Formal Objection Period.

83
84 Ranger Warnack stated the Lincoln National Forest was beginning a four year process to revise
85 the Forest Plan first published in 1987. Ranger Warnack stated the Forest Plan will provide
86 guidance for the management of all resources and activities on forest lands. Ranger Warnack
87 further stated the District was guided by the 2012 USFS Planning Rule which emphasized the
88 importance of working with all stakeholders including local government and advocacy groups.
89 Ranger Warnack stated an initial meeting was set for March 25, 2015 to determine
90 stakeholders, and to discuss the process.

91
92 Chair Stone stated the New Mexico State University Range Task Force encouraged
93 participation by the Lincoln County Land and Natural Resources Advisory Committee (LANRAC)
94 in revision of the Forest Plan to promote consistency with Lincoln County's land use policy.

95
96 **10. Lincoln County Juvenile Justice Board – Summary and Update of Program: Ted**
97 **Allen, Program Coordinator**

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Ted Allen, newly appointed Program Coordinator, reminded the Juvenile Justice Board operated under a NM Children Youth and Families Department grant in the amount of \$127,000. Mr. Allen explained the purpose of the Board was to work with local courts and youth in the area to divert eleven to eighteen year old juvenile offenders into six different programs. The programs include an intensive monitoring program; the Girl's Support Group and the Boy's Council for children with challenging family situations; the Restorative Justice Program to resolve juvenile actions which resulted in damage or harm; and the Citation Program for minor offenses to provide analysis of the situation and determine underlying cause for referral to other programs.

Commissioner Stewart questioned the amount of funding provided by the County for the program. Ms. Taylor stated the County annually budgeted \$8,000 in funding for the program. Mr. Allen explained the grant required a 40% match not encompassed by the \$8,000 but generally offset by in kind services. Commissioner Stewart expressed appreciation for the program as a cost savings to the County providing an alternative to juvenile incarceration.

11. 9:00 A.M.: Consideration and Action on Lodger's Tax Applications with Backup Material:

Commissioner Draper reminded of his request to include historical amounts awarded to applicants in prior years as part of supporting materials. Commissioner Draper also suggested the Lodger's Tax Committee consider a revision of the process to consider implementation of base limits and time constraints for expenditure of awarded funding. Commissioner Stewart supported a more intense management approach of the fund particularly the development of a time limit for an applicant to request reimbursement of expenses. Commissioner Stewart stated this would facilitate the release of any awarded but unused funding.

Ms. Taylor noted the minutes of the Lodger's Tax Committee reflected a discussion about the potential need for revision of the Lodger's Tax Ordinance. Ms. Taylor stated the Lodger's Tax Committee was considering options to present to the Board of Commissioners.

- 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

Motion: Approve High Mesa Artist Studio Tour Application for \$2000, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

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

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

- 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

Motion: Approve Smokey Bear Days Application for \$13,500, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.

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

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

150
151 **13. Southern New Mexico/EI Paso Joint land Use Study (JLUS) implementation MOA**
152

153 Ms. Taylor reminded of the Lincoln County's participation in the JLUS process and presented a
154 financial request for Lincoln County to participate with other local governments in the
155 implementation phase of this project.

156
157 Curt Temple, Planning Director informed the basic study was completed by the contractor
158 utilizing a \$1 million dollar grant for which Dona Anna County acted as fiscal agent. Mr. Temple
159 explained the next step involved implementation of study findings with an anticipated cost share
160 for Lincoln County of approximately \$2500 or 5% of the \$50,000 overall match.

161
162 Commissioner Draper questioned the study's report of a recent decline in population in Lincoln
163 County. Mr. Temple confirmed this was accurate but noted Lincoln County was not as
164 dependent economically as some other counties on military base activity. Mr. Temple also
165 stated the study did not capture the benefit of tourism and ancillary visits from military personnel
166 to Lincoln County in the statistics.

167
168 Commissioner Stewart recommended the County continue to monitor outcomes and consider
169 the benefits of participation to Lincoln County.

170
171 **Motion:** Approve the Memorandum of Agreement, **Action:** Approve, **Moved by** Commissioner
172 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 **14. Resolution 2014-38 Amending Resolution 2014-3 Adjusting the 2014-2015 Budget**
178

179 Ms. Taylor stated there were two inadvertent errors on Resolution 2014-3 to adjust the budget
180 as adopted. Ms. Taylor detailed the changes as: 1) a reduction of \$1000 in expenses in Fund
181 608 – CDBG Planning Grant and 2) correction of a double entry to reflect a transfer of \$3,074 in
182 Fund 683 – 1/8 GRT Debt Reserve.

183
184 **Motion:** Adopt Resolution 2014-38, **Action:** Approve, **Moved by** Commissioner Stewart,
185 **Seconded by** Commissioner Allen.

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

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

189
190 **SEE EXHIBIT B:** Copy of Resolution 2014-38 is attached hereto in reference thereto made a
191 part hereof.

192
193 **15. 2015 Annual Certified County Maintained Mileage by Resolution 2014-36**
194

195 Ms. Taylor stated NMSA 66-6-23 required the Board of County Commissioners certify the total
196 mileage of roads maintained by the County prior to April 1 of each year. Ms. Taylor stated the
197 Rural Addressing Department certified the total mileage maintained as 804.3914 miles including
198 703.0970 of regular county roads and 101.2944 of county roads in the US Forest.

199 **Motion:** Certify the mileage as 804.3914; Adopt Resolution 2014-36; and direct the Road
200 Department and Rural Addressing Department to file documentation as required by State
201 Statute, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner
202 Stewart.

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

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

206
207 **SEE EXHIBIT C:** Copy of Resolution 2014-36 is attached hereto in reference thereto made a
208 part hereof.

209
210 **16. Resolution 2014-34 Authorizing VOR to Participate in the Local DWI Grant &**
211 **Distribution Program**

212
213 Ms. Taylor presented the Resolution authorizing the Village of Ruidoso to participate in the
214 Local DWI Grant and Distribution Program on behalf of Lincoln County through a grant from the
215 Department of Finance and Administration's Local Government Division.

216
217 **Motion:** Adopt Resolution 2014-34, **Action:** Approve, **Moved by** Commissioner Stewart,
218 **Seconded by** Commissioner Allen.

219
220 Commissioner Draper questioned the County's level of participation in the DWI program.
221 Robert Shepperd Sheriff stated deputies assisted with program saturation patrols on a
222 volunteer basis. Sheriff Shepperd stated he does assign deputies to assist with the program at
223 particular times during increased DWI activity. Sheriff Shepperd commented on the various
224 specialty trainings required for deputies to participate in program activities and noted all current
225 Sheriff Deputies were fully qualified.

226
227 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

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

230
231 **SEE EXHIBIT D:** Copy of Resolution 2014-34 is attached hereto in reference thereto made a
232 part hereof.

233
234 **12. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY**
235 **OFFICIALS**

236
237 Commissioner Draper expressed appreciation for those who attended "Lincoln County Day" at
238 the New Mexico State Legislature in Santa Fe.

239
240 Commissioner Allen reported the County supported clinic, La Casa Medical Clinic in Hondo,
241 successfully contracted for onsite medical services with a physician for a period of three years.

242
243 Former Commissioner Jackie Powell discussed the discontinuation by the Greentree Solid
244 Waste Authority of previously established services for disposal of larger waste items in Hondo.
245 Ms. Powell requested the County work to reinstate these solid waste services in the Hondo
246 Valley.

247

248 Rhonda Burrows, Clerk provided a report on the recent New Mexico Association of Counties
249 (NMAC) Board of Directors meeting and an update on bills endorsed and tracked by the NMAC
250 for the 2015 Legislative Session.

251
252 Beverly Calaway, Treasurer provided a copy of a notice of the distribution of assets from the
253 Reserve Primary Fund in December 2014 received from Tim Eichenberg, State Treasurer. Ms.
254 Calaway stated as a result of this distribution and as an eligible Class Member of the NM Local
255 Government Investment Pool Lincoln County received \$1,311.79. Ms. Taylor stated as a result
256 of the distribution Lincoln County now had an uncollected balance of approximately \$891.50
257 from two pools involved in the Reserve's Class Action Litigation. Ms. Calaway stated the
258 Treasurer's office would continue to pursue distribution of those final funds.

259
260 Alan Morel, County Attorney commented on a bill introduced for significant revisions to the
261 Open Meetings Act. Attorney Morel stated the proposed revisions would expand the
262 requirements for public comment during meetings and also included language requiring a
263 "diversity of opinions". Attorney Morel expressed concern about the revisions as being
264 ambiguous and open to litigation. Attorney Morel also commented on a bill with proposed
265 language changes to the Mining Act to encompass sand and gravel operations as "mining
266 operations". Attorney Morel stated additionally the bill contained language to exempt
267 operations of five acres or less from the provisions of the Mining Act and could result in the
268 exclusion the El Capitan Mine operation from statutory requirements.

269
270 Becky Brooks of the Ruidoso Valley Chamber of Commerce commented on the attendance of
271 the local community and legislative representatives at the Lincoln County Days held in Santa
272 Fe. Ms. Brooks reminded several years ago the event was renamed by the Chamber of
273 Commerce as Lincoln County Day rather than Ruidoso Day in Santa Fe. Ms. Brooks noted
274 attendance at the event included the Lieutenant Governor, several NM State Department
275 Cabinet Secretaries, Legislative members, and various state departmental staff members. Ms.
276 Taylor expressed appreciation for Ms. Brooks' hard work and efforts on behalf of this event.

277
278 Commissioner Stewart commented the current Business Retention Gross Receipts Tax was
279 implemented in January 1, 2011 and would expire January 1, 2016. Commissioner Stewart
280 reminded of the need to consider the potential decline in revenue to the County in future budget
281 planning.

282
283 **17. Approval or Disapproval of Indigent Health Care Claims**

284
285 Scott Annala, Indigent Health Care Administrator presented the Sole Community
286 Provider/Safety Net Care Provider Pool claims for approval. Mr. Annala processed 15 claims
287 with 13 recommended for approval and 2 recommended for disapproval for a monthly
288 authorization of \$5,013. Mr. Annala stated the total approval for SCP/SNCP claims for Fiscal
289 Year 2014-2015 to date was \$179,227 with a monthly average of \$22,403.

290
291 Mr. Annala presented the Indigent Health Care Payments request for the month and stated he
292 processed 8 claims with 7 claims recommended for approval and 1 for disapproval for a total
293 payment this month of \$1,646. Mr. Annala stated this was a record low and pending approval,
294 the total expenditure for IHC claims for Fiscal Year 2014-2015 to date was \$38,062 for an
295 average monthly indigent claims payment of \$4,758. Mr. Annala anticipated expenditure of
296 approximately \$57,096 of a budgeted \$363,000 this fiscal year.

297

299 **Motion:** Approval and denial of the claims as indicated for SCP/SNCP and Indigent Health Care
300 as recommended, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by**
301 Commissioner Draper.

302
303 Mr. Stewart discussed the uncertainty regarding these funds and suggested the Ordinance be
304 reviewed in Public Hearing to identify appropriate ways to disburse this funding. Mr. Annala
305 suggested the County consider utilizing the fund for Safety Net Care pool obligations and
306 County Supported Medicaid payments.

307
308 Attorney Morel reminded SB 268 required counties to designate the funding source for Safety
309 Net Care Pool obligations. Attorney Morel suggested the Safety Net Care Pool Ordinance be
310 modified to provide for flexibility.

311
312 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).
313 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,
314 Commissioner Draper.

315
316 **SEE EXHIBIT E:** Copies of the Sole Community Provider and Indigent Health Care Payments
317 are attached hereto in reference thereto made a part hereof.

318
319 **18. Manager's Report**

320
321 **1. Hat's Off:** Marilyn Chewning, Appraiser earned a Certified Public Assessment Officer
322 designation from the New Mexico County College, a collaborative educational program
323 between the NM Association of Counties and NMSU Extension Service.

324
325 **Hat's Off:** to elected officials and county employees for successful completion of Year 1
326 of NMAC's Risk Awareness Program (RAP) and for reducing Workers' Compensation
327 Claims by 39%. Lincoln County received a plaque, as well an Honorable Mention Safety
328 Award (3rd place) for "Achieving a positive claim trend and the lowest frequency of
329 Workers' Compensation Claims for 2014" from NMAC.

330
331 **2. New Mexico Association of Counties (NMAC) Legislative Conference:** The
332 conference held January 20 through 22, 2015 was attended by a number of Lincoln
333 County elected officials and employees. In addition to Affiliate meetings opportunities
334 were taken to meet with legislators and attend NMAC Board and other Committee
335 meetings. The Manager informed she was elected to a second two-year term to serve
336 on the Multi-Line Pool Board of Directors for Population Category 1 representing the
337 Counties of Lincoln, Roosevelt, Socorro, Torrance, Colfax, Sierra, Quay, Hidalgo, Mora,
338 Guadalupe, Union, Catron, De Baca and Harding.

339
340 **3. Lincoln County Day at the Legislature:** The Manager stated this special day was
341 supported by Senate Memorial 41 introduced by Senator William F. Burt and Senator
342 Phil A. Griego which "*Declared February 4, 2015 as Lincoln County Day at the Senate.*"
343 The Manager reported the event was well attended by several elected officials and staff
344 along with municipal leaders and other residents of the County. The Manager noted this
345 was a unique opportunity to meet with the local legislative delegation and work to
346 promote capital expenditure requests. The Manager stated Senator Burt also sponsored
347 a Senate Resolution declaring "*Lincoln County be recognized as having one of the most*
348 *colorful and intriguing histories in America, epitomizing the legend of the Wild West and*
349 *as being a beautiful and exciting place to live and visit.* "

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4. Legislative Update: The Manager discussed the use of the New Mexico Legislative Report database by various elected officials and County departments to track and review bills and as they move through the legislature. The Manager reminded Tasia Young, NMAC Lobbyist, also provided routine updates to the counties.

5. Bonito Volunteer Fire Department: The Manager, Office of Emergency Services Director Joe Kenmore, and Coordinator Spencer Baldwin attended the Bonito Fire Department's annual Awards Banquet on February 10, 2015. The Manager stated Mr. Kenmore and Mr. Baldwin received special mention and an award for the valuable support they lend to all the volunteer fire departments.

6. El Capitan Mines: The Manager, Commissioner Stone, Commissioner Draper, Attorney Alan Morel, and Lincoln County resident Lee Arnone met with Fernando Martinez, Division Director of Mining and Minerals and his staff on January 21, 2015. Mr. Martinez and his staff were very aware of the El Capitan Mine operations, status and intentions. The Manager reported as of date the El Capitan Mine had requested modifications to its existing minimal impact permit with Department approval pending receipt of a \$75,000 fee for financial assurance.

Attorney Morel stated in response to written inquiry he received correspondence stating the Department was awaiting financial assurance to complete an amendment to the existing permit. Attorney Morel expressed belief, should an amended permit be approved, it would then become subject to the provisions of the Lincoln County Mining Ordinance.

7. Departmental Updates:

a. Curt Temple, Planning Director discussed the NM Department of Transportation's recent actions replacing existing County street signs on County right of ways. Mr. Temple stated his department conducted an inventory to identify which County signs were removed. Mr. Temple stated Department of Transportation (DOT) agreed to return and replace those signs when appropriate. Mr. Temple stated while working on mapping his department identified roads in the northeast part of Lincoln County which were maintained by the County but not previously included in the Road Inventory as reported to the State of New Mexico.

b. Carl Palmer, Road Superintendent commented on the decline in annual mileage as reported by Resolution to the State. Mr. Palmer clarified the decline was as a result of determining Los Altos Trail in the Loma Grande area was a forest service road not included in the cooperative maintenance agreement with the US Forest Service and was therefore removed from list of county maintained roads.

c. Joe Kenmore, Director of the Office of Emergency Services introduced Arron Griewahn, newly employed by OES as a Firefighter. Mr. Kenmore invited Commissioners and the public to view the department's new Pump Test trailer. Mr. Kenmore reminded the cost for the trailer was accommodated by a grant and a match of approximately \$2300 per department. Mr. Kenmore anticipated the departments would regain the expense in one or two years by completing the pump testing of all engines. Mr. Kenmore stated the Bonito and Lincoln Fire Departments recently received grant funding through the Department of Finance and Administration. Mr. Kenmore anticipated other fire departments might also receive

400 additional grant funding. Mr. Kenmore commented on the ongoing need for the
401 NMAC Risk Awareness Program (RAP) and safety education.
402

403 **9. New Mexico Workforce Connection, Eastern Area: John Hemphill Director for**
404 **Work Force Development and Adult Education.**
405

406 John Hemphill, Executive Director for Workforce Development and Education discussed the
407 Workforce Investment Act of 1998 which mandated the federally funded employment and
408 training program. Mr. Hemphill explained the adoption of this federal act led to the New Mexico
409 Workforce Investment Act – Local Governance which defined the roles of the Chief Elected
410 Officials and the Local Workforce Development Boards. Mr. Hemphill also provided an
411 overview of the Local Board’s organizational structure and articulated the purpose of and need
412 for County representation.
413

414 Mr. Hemphill discussed the various services offered through the New Mexico Workforce
415 Solutions One Stop program including occupational skills training; financial assistance to
416 employers who offer on the job training; career counseling; and education assistance such as
417 preparation for the High School Equivalency Exam
418

419 Ms. Taylor clarified the request was to appoint a Commissioner to serve as the Chief Elected
420 Official. Mr. Hemphill confirmed this was correct and also requested the Board of
421 Commissioners provide a recommendation for a private sector representative.
422

423 **19. Water issues/Forest/Wildlife Health Programs/Land and Natural Resources**
424 **Advisory Committee (LANRAC)**
425

426 **Water Rights Notices:** Ms. Taylor reported no new publications were posted to the State
427 Engineer’s website for Lincoln County. Ms. Taylor stated Kelly Cassels, the attorney
428 representing Lincoln County for pending litigation involving three separate transfer requests
429 from the Village of Ruidoso and Sea Gem for permits to change points of diversion, reported the
430 parties agreed to consolidate these applications to reduce litigation costs by approximately 50%.
431

432 **Hazard Mitigation Grant Program:** Ms. Taylor stated educational meetings funded through a
433 Federal Emergency Management (FEMA) grant for Education and Outreach and a sub-grant
434 agreement with the NM Department of Homeland Security where scheduled monthly through
435 April 2015. Ms. Taylor stated County personnel continued to work on the Phase II FEMA
436 Application to fund thinning projects.
437

438 **Intent to Revise National Forest Land and Resource Management Plan:** Ms. Taylor
439 informed the Cibola National Forest published a Notice of Intent to revise the 1985 Cibola
440 National Forest Land and Resource Management Plan and to prepare the associated
441 Environmental Impact Statement (EIS). Written comments for the Cibola Plan were requested
442 by April 3, 2015. Ms. Taylor stated the Lincoln National Forest planned an initial meeting on
443 March 25, 2015 to discuss the process for revision of the 1987 Lincoln National Forest Land and
444 Resource Management Plan.
445

446 There was discussion regarding the Cibola Range District's prior decision to remove grazing
447 permittees from that forest. Attorney Morel reported addition documentation was provided by
448 the District in support of the removal. Chair Stone stated a review of the documentation
449 confirmed regulations and protocol referenced were outdated and the Cibola Ranger District
450 lacked relevant data to support the action.

451
452 There was general consensus to direct the Manager to request the Land and Natural Resources
453 Advisory Council (LANRAC) assist with the Forest Plan review process and advise the Board of
454 Commissioners.
455

456 Former Commissioner Jackie Powell discussed Senate Bill 493/ House Bill 493 introduced
457 during this legislative session by Senator Peter Wirth and Representative Andy Nunez. Ms.
458 Powell explained the purpose of the bill was to clarify the responsibility of the State Engineer to
459 hold a hearing to consider protests prior to granting approval of a water right transfer for
460 "immediate use" under the Leasing Act. Ms. Powell requested support for this bill from the
461 Board of County Commissioners. Commissioner Willard questioned if the Acequia Association
462 was in support of the bill. Ms. Powell confirmed the Acequia Association was in support and
463 working to assist with passage.
464

465 Ms. Powell also informed on a recent meeting of the Interstate Stream Commission for the
466 purpose of updating Regional Water Plans. Ms. Powell opined from the discussions there was
467 intent to devalue the importance of agriculture and to emphasize tourism and municipal
468 interests. Ms. Powell discussed the need for accurate data and information to be included in
469 these regional water plans. Ms. Powell reminded she currently served as the Lincoln County
470 representative for this Commission and offered to continue in that capacity at the discretion of
471 the current Board of County Commissioners.
472

473 There was general consensus to write a letter of support for SB 493 / HB 493 to the Chairs of
474 the Senate Conservation and Senate Judiciary Committees, the New Mexico Association of
475 Counties and local legislators.
476

477 There was general consensus to reaffirm the appointment of Jackie Powell as the Lincoln
478 County Representative for the Lower Pecos Regional Water Association.
479

480 Rick Merrick, Rural Forester with the South Central Mountain RC and D reported no new
481 prescribed burns were scheduled but discussed future projects to thin 800 to 1000 acres of US
482 Forest Land. Mr. Merrick reported the Moon Mountain thinning project of 60 acres bid below
483 budgeted amount and anticipated remaining funding would complete a landscaping project near
484 the Ruidoso High School. Mr. Merrick discussed other combined education and outreach
485 efforts to provide information about Fire Wise Communities, defensible space and conduct risk
486 assessments.
487

488 **20. 2015/2016 Local Government Road Fund Projects/CAP/ COOP/School Bus**
489 **Programs by Resolution 2014-37**
490

491 Ms. Taylor presented the Resolution for approval of three separate projects to double chip seal
492 Cora Dutton road as the FY 2015–2016 State Highway Cooperative funding projects for Lincoln
493 County.
494

495 Carl Palmer, Road Superintendent presented the estimated costs for the three separate projects
496 to chip seal the complete estimated 3.5 mile road. Mr. Palmer stated Cora Dutton Road was
497 chosen due to the high number of complaints received about the road conditions and also
498 because it was a school bus routed utilized by two or three separate school buses twice daily.
499

500 There was general discussion about the lack of available funding from the US Forest Service or
501 the Bureau of Land Management for this project. Commissioner Stewart suggested a formal
502 notice to those agencies of the County's intent to proceed with the project.
503

504 **Motion:** Adopt Resolution 2014-37 and approve funding for the three projects, **Action:**
505 Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

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

507 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,
508 Commissioner Draper.
509

510 **SEE EXHIBIT F:** Copy of Resolution 2014-37 is attached hereto in reference thereto made a
511 part hereof.
512

513 **21. Approval of Disposition of Surplus Inventory via Donation to the 12th Judicial**
514 **District Court, Carrizozo**
515

516 Ms. Taylor presented Resolution 2014-39 for approval of the donation of an obsolete microfilm
517 reader and supporting computer server from the County Clerk's office to the District Court.
518

519 **Motion:** Adopt Resolution 2014-39, **Action:** Approve, **Moved by** Commissioner Stewart,
520 **Seconded by** Commissioner Allen.

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

522 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,
523 Commissioner Draper.
524

525 Ms. Howard requested three Elected Officials review the items prior to transfer. Clerk Burrows,
526 Sheriff Shepperd, and Commissioner Draper volunteered to conduct the review.
527

528 **SEE EXHIBIT G:** Copy of Resolution 2014-39 is attached hereto in reference thereto made a
529 part hereof.
530

531 **22. Resolution 2014-35 to Implement a Veterans Initiative Policy for the purpose of**
532 **increasing opportunities for Veterans to obtain County Employment**
533

534 Ms. Taylor explained Jim Cassidy, Disabled Veterans Outreach Program Specialist with the
535 New Mexico Workforce Connection requested the County implement a Veteran's Hiring Initiative
536 Policy to provide increased opportunities for veterans seeking County employment. Ms. Taylor
537 explained the Resolution created policy to provide veterans the opportunity to interview for
538 County positions when the veteran met or exceeded the minimum qualifications of the position.
539

540 **Motion:** Adopt Resolution 2014-35, **Action:** Approve, **Moved by** Commissioner Stewart,
541 **Seconded by** Commissioner Draper.

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

543 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,
544 Commissioner Draper.
545

546 **SEE EXHIBIT H:** Copy of Resolution 2014-35 is attached hereto in reference thereto made a
547 part hereof.
548

549 **23. Authorization to Schedule Public Hearing to Consider Other Outdated or New**
550 **Lincoln County Ordinance**

551
552 a) Lincoln County Indigent Hospital/Healthcare 2014-06
553

554 Attorney Morel expressed belief the Ordinance did not currently require revision.
555 Commissioner Stewart withdrew the request pending the outcome of current legislative action.
556

557 b) Safety Net Care Pool Fund Ordinance 2014-03
558

559 **Motion:** Schedule a public hearing to consider Ordinance 2014-03 for the next Regular
560 Meeting, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner
561 Willard.

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

563 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,
564 Commissioner Draper.
565

566 There was a general consensus consider a public hearing to revise the Lodger's Tax Ordinance
567 pending receipt of recommendations from the Lodger's tax committee.
568

569 **24. Consideration of Appointments and Removals from Boards /Commissioners/
570 Committees:**

571
572 a) Board of Registration
573

574 **Motion:** Appoint Diane Harlan, Jack Nesbitt, and Daryl Snyder as Members and Marvel Reed
575 and Nina Grunseth as Alternate Members to the Board of Registration, **Action:** Approve,
576 **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

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

578 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,
579 Commissioner Draper.
580

581 b) Land and Natural Resources Advisory Committee
582

583 **Motion:** Reappoint Pete Gnatowski and appoint Robert Barber to the Land and Natural
584 Resources Advisory Committee, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded**
585 **by** Chair Stone.

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

587 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,
588 Commissioner Draper.
589

590 c) Lodger's Tax Committee
591

592 **Motion:** Reappoint James Hobbs to the Lodger's Tax Committee, **Action:** Approve, **Moved by**
593 Chair Stone, **Seconded by** Commissioner Stewart.

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

595 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,
596 Commissioner Draper.
597

598 d) Planning Commission
599

600 No action was taken.

601

602

e) Senior Citizens Olympic Committee

603

604 **Motion:** Appoint Paul Kunkle to the Senior Citizens Olympic Committee, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.

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

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

607

608

609

f) Eastern Area Workforce Development Board - Tabled

610

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

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

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

614

615 **Motion:** Appoint Commissioner Willard, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Chair Stone.

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

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

618

619 Chair Stone recessed the Regular Meeting a 11:51:17 AM and reconvened at 1:00:56 PM.

620

621 **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).**

622

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

624

625 **New or Updated Matters since last report = ***

626

627 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.

628 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 Mechanics 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.

629 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

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649

650 Dec. 24, 2014 and Order Denying Writ of Prohibition filed by the Supreme Court Dec. 24, 2014.
651 GSWA filed its Motion for Clarification Jan. 6, 2015.

652 *4. *Greentree Solid Waste Authority v. Lincoln County D-1226-CV-2014-00095*. Suit filed
653 May 1, 2014 Verified Petition for Declaratory and Supplemental Relief: Injunction, Motion to
654 Waive Time to Reassign District Judge (Judge Karen Parsons was disqualified). County was
655 served May 14, 2014. Mr. Paul Melendres has been retained by the County and filed Answer,
656 Motion to Disqualify Mr. Beauvais and Change of Venue. Motion to Join the New Mexico
657 Finance Authority as an Indispensable Party filed July 22, 2014. GSWA filed its Motion for
658 Summary Judgment on Sept. 26, 2014. County filed its Response to GSWA's Motion for
659 Summary Judgment on Oct. 13, 2014. Scheduling Conference and Hearing on All Pending
660 Motions was Nov. 20 both with Judge Ritter, who found Mr. Beauvais had a conflict of interest
661 and was disqualified from representing GSWA. Stipulated Partial Dismissal was entered and
662 GSWA's Motion to Reconsider was filed Dec. 5, 2014. GSWA has retained Robert Doughty as
663 new counsel, who filed a Limited Entry of Appearance Dec. 13, 2014. Preliminary Injunction
664 Hearing was scheduled Dec. 17, 2014 with Judge Ritter. Lincoln County's Response to
665 Plaintiff's Motion to Reconsider was filed Dec. 19, 2014. GSWA filed its Reply of the Motion to
666 Reconsider Jan. 5, 2015. Hearing regarding GSWA's Motion First Amended Verified Emergency
667 Motion Seeking Further Relief on GSWA's Request for Preliminary Injunction Concerning the
668 Rate at which the County Will Bill and Lincoln County's Motion for Sanctions is scheduled for
669 May 12, 2015 at 9 a.m.

670 *5. *Greentree Solid Waste Authority v. Lincoln County, et. al. D-0101-CV-2013-00104*. Suit
671 filed January 9, 2013. Petition for Declaratory Judgment; Preliminary and Permanent Injunction.
672 Mr. Beauvais filed an appeal Feb. 27, 2014. Ruling on Reconsidering Stay denied by Judge
673 Singleton June 11, 2014. GSWA's Brief in Chief filed Sept. 9, 2014. Record Proper was filed
674 Sept. 25, 2014. Alto Lakes Water and Sanitation District's and Lincoln County's Joint Response
675 Brief was filed with the Court of Appeals Oct. 24, 2014. GSWA filed its Reply Brief Dec. 1, 2014.
676 The case has been submitted to a panel of judges for decision and the County received Notice
677 of Submission from the Court of Appeals Jan. 2, 2015.

678 *6. *Barbara Diane Latham, et al v. Neal Cox, Ben Hazen, Lincoln County Sheriff's*
679 *Department and the County of Lincoln D-1226-CV-2013-00191 to Federal No: 2:13-CV-00822-*
680 *RB-SMV*. Suit filed July 19, 2013. Complaint for Violation of Civil Rights, Wrongful Death and
681 Damages by Attorney Gary Mitchell. Tort Claim Notice was filed on October 27, 2011. LCSO
682 and LC Manager were served on August 5, 2013. Advised NMAC assigned the case to
683 Brennan and Sullivan Law Firm Sept. 5, 2013. Case was moved to Federal Court August 30,
684 2013. Ms. Latham filed a new action in federal court against Village of Capitan and Police
685 Officer Kevin Kennedy filed July 25, 2014. The court Sua Sponte consolidated both cases via
686 Order from Judge Brack filed Sept. 29, 2014. Memorandum and Order filed Feb. 2, 2015
687 granting Defendant's Motion for Summary Judgment on the Basis of Qualified Immunity and
688 Other Grounds and Motion to Dismiss Plaintiff's First Amended Complaint and/or Motion for
689 Summary Judgment and for Qualified Immunity by Judge Brack. Judgment filed Feb. 2, 2015 in
690 favor of Defendants Kevin Kennedy, Neal Cox, Ben Hazen, LCSO, County and the Village of
691 Capitan. Memorandum and Order filed Feb. 2, 2015 granting Defendant's Motion for Summary
692 Judgment on the Basis of Qualified Immunity and Other Grounds and Motion to Dismiss
693 Plaintiff's First Amended Complaint and/or Motion for Summary Judgment and for Qualified
694 Immunity by Judge Brack. Judgment filed Feb. 2, 2015 in favor of Defendants Kevin Kennedy,
695 Neal Cox, Ben Hazen, LCSO, County and the Village of Capitan.

696 7. *Bank of America, N.A. v. Howard D. Schafer, et. al. (County of Lincoln through LCSWA)*
697 *D-1226-CV2014-00162* County was served Sept. 2, 2014. Complaint for Foreclosure filed Aug.
698 19, 2014 Lincoln County filed an Alarm Ordinance Lien and a LCSWA Lien. Mr. Morel entered
699 his appearance on behalf of the County Sept. 23, 2014. Disclaimer of Interest has been filed by
700 Lincoln County.

- 701 8. *Water Rights Protests: New Mexico State Engineer Hearing Numbers: 14-039 and 14-*
702 *041.* Protests of Applications 01300-1, 01300-2, 01300-3, 0826-2 into 0275 *et. al.* and H-272 *et*
703 *al* (T) and H-50-1 into H-272 *et. al.* (T) filed July 15, 2013 pertaining to movement / transfer of
704 water rights from the Hondo Valley to the Village of Ruidoso and the City of Ruidoso Downs.
705 Docketing Order filed Sept. 18, 2014. Kelly Cassels/Sanders, Bruin, Coll & Worley, P.A. has
706 been retained by the County, entered his appearance Sept. 22, 2014 and has responded in
707 behalf of the County.
- 708 9. *Wesmax, Ltd. V. Paul Baca, Lincoln County Assessor D-1226-CV-201400188* Appeal of
709 the Final Order from Lincoln County Valuation Protest Board. Appeal filed Oct. 8, 2014. Case
710 assigned to Basham & Basham/Dwyer. Record of Appeal and Transcript of Proceedings was
711 filed Oct. 23, 2014.

Tort Claims Notices Received or Threatened

2015

714
715 **Cherry, Doris** – Tort Claim Notice posted in Lincoln County News Jan. 1, 2015 stating
716 possible Civil Rights Violation lawsuits regarding alleged Americans with Disabilities Act non-
717 compliance in remodeling the Lincoln County Courthouse buildings.

718 **McDaniel, Carl** – Tort Claim Notice received Jan. 23, 2015 alleging violation of the
719 Unfair Trade Practices Act and engaging in unfair or deceptive trade practices and/or
720 unconscionable trade practices by GSWA.

2014

721
722 **Ramos, Aaron** – Tort Claim Notice received from Mr. Ramos March 18, 2014 alleging
723 his rights were violated during incarceration at Lincoln County Detention Center. Mr. Ramos
724 alleges damages by not being granted detainee to detainee correspondence.

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

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

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

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

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

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

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

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

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

749 **Rider, Edward Allen and Moorhead, Brennon** – Tort Claim Notice received Oct. 20,
750 2014 by attorney W. Chris Nedbalek alleging Lincoln County Narcotics Enforcement Unit

751 officers destroyed items in a home.
752 **Caughron, Brittany and Anderson, Amie** – Tort Claim Notice received Oct. 24, 2014
753 by attorney W. Chris Nedbalek alleging overcrowding of Lincoln County Detention Center as a
754 violation of 8th Amendment Rights.
755 **Ryen, Allen**- Tort Claim Notice received Oct. 27, 2014 by attorney W. Chris Nedbalek
756 alleging Mr. Ryen was exposed to unsanitary conditions at Lincoln County Detention Center.
757 **Inmate Group** – Tort Claim Notice received Oct. 27, 2014 by attorney W. Chris
758 Nedbalek alleging overcrowding and unsanitary conditions at Lincoln County Detention Center.
759 **McMurray, Cody** – Tort Claim Notice received Nov. 6, 2014 by attorney W. Chris
760 Nedbalek alleging lack of adequate medical care at Lincoln County Detention Center.
761 **Caughron, Brittany and Anderson, Amie** – Tort Claim Notice received Nov. 14, 2014
762 by attorney W. Chris Nedbalek alleging inadequate medical care and overcrowding at Lincoln
763 County Detention Center.
764 **Inmate Group** – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris
765 Nedbalek alleging overcrowding and unsanitary conditions at Lincoln County Detention Center.
766 **Long, Cameron** – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris
767 Nedbalek alleging mistreatment by an Officer with Adult Probation and Parole.
768 **McClarnon, Brian** – Tort Claim Notice received Nov. 14, 2014 by attorney W. Chris
769 Nedbalek alleging violations of U.S. Constitutional Amendment rights.
770 **Diana Martwick, 12th Judicial District Attorney** – Tort Claim Notice received Nov. 25,
771 2014 alleging lack of adequate office space provided by the County of Lincoln.
772 ***Inmate Group** – Tort Claim Notice received Dec. Dec. 22, 2014 by attorney W. Chris
773 Nedbalek alleging inmates were mistreated at Lincoln County Detention Center.
774
775 **2013**
776 **Allen, Katherine Elizabeth**- Notice of Tort Claim received Sept. 12, 2013 from
777 Katherine Allen against Lincoln County Detention Center for alleged injuries sustained during
778 transport.
779 **Borrego, Albert** - Tort Claim Notice received from attorney Gary Mitchell on June 14,
780 2013, alleging continued harassment to Albert G. Borrego by police while responding to a noise
781 complaint at Mr. Borrego's residence on February 28, 2013, and a separate incident resulting in
782 Mr. Borrego's arrest on March 5, 2013, due to an outstanding warrant, during which Mr. Borrego
783 allegedly sustained injuries while in custody due to an existing broken back injury. Claim has
784 been denied by NMAC.
785 **Espinoza, Robert** - Tort Claim Notice received from Robert Espinoza on June 4, 2013,
786 alleging property damage from vehicle accident while Linda Mullins, driving the LC Senior
787 Center meal delivery van ran off road hitting chain link fence, poles and railroad ties.
788 **Harrisburg Documents**- Attempts to recover Lincoln County documents illegally taken
789 from the county. County Clerk Rhonda Burrows has been in contact with Harrisburg, PA in
790 recovery efforts.
791 **Montoya, Emilia L.** - Tort Claim Notice received by attorney Freda Howard McSwane
792 on April 23, 2013, alleging injuries sustained by Ms. Montoya when a physical altercation took
793 place at the LCDC.
794 **Ramos, Aaron** - Tort Claim Notice received by attorney Robert J. Beauvais on April 18,
795 2013, (correspondence dated September 13, 2011) alleging concerns about Mr. Ramos's safety
796 and welfare and violation of his U.S. Constitutional rights.
797 **Silva, Elmo** - Tort Claim Notice received from attorney Richard Marquez November 6, 2013.
798 Alleges false imprisonment for Mr. Silva, who was sentenced in the 12th Judicial District Court to
799 38 years filed on July 3, 1990.
800 **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Stewart.

802 Commissioner Draper attested that matters discussed in the closed meeting were limited to those
803 specified in the motion for closure or in the notice of separate closed meeting
804

805 **26. GSWA System Analysis Presentation – Operational Consultant Joe Lewandowski**
806

807 Ms. Taylor stated as a result of a joint meeting to discuss the billing transition from GSWA to the
808 County, GSWA committed to conduct an analysis related to the costs of providing solid waste
809 services to County residents.
810

811 Joe Lewandowski, Operational Consultant for GSWA presented an initial operational analysis of
812 services provided to each of the Authority's members. Mr. Lewandowski expressed belief this
813 analysis supported GSWA's assertion the County was not financially subsidizing services
814 provided to other members.
815

816 Mr. Lewandowski discussed the revenue breakdown and stated Lincoln County provided 41% of
817 revenues for the GSWA. Mr. Lewandowski stated services in the County were supported by
818 various equipment amounting to 74% of GSWA's total inventory. Mr. Lewandowski stated while
819 County services provided the highest revenues of any member, County services were also the
820 most expensive to maintain.
821

822 Mr. Lewandowski stated GSWA's recycling program was self-sustaining. Mr. Lewandowski
823 discussed the "True Net Savings" associated with recycling by GSWA including estimated annual
824 savings of \$31,990 in landfill fees and \$30,000 in transportation by diverting materials from the
825 landfill.
826

827 Mr. Lewandowski commented on the lack of language in current agreements regarding the
828 responsibility for management of illegal dumping and reminded GSWA provided this service to
829 Lincoln County.
830

831 **27. Consideration of Options relating to Payment by Lincoln County to GSWA for**
832 **services rendered to Lincoln County Citizens**
833

834 Ms. Taylor presented the three options provided by GSWA for payment for solid waste services
835 to County residents as follows:
836

- 837 1) Per Account – payment to equal number of active accounts times monthly rate
838 2) Per Customer Paid – all payments received by the County directed to GSWA in full
839 3) Lump Sum – an agreed monthly payment amount
840

841 Ms. Taylor stated the County previously agreed to and did forward payments received for solid
842 waste services by the County through January 31, 2015 directly to GSWA.
843

844 **Motion:** Reimburse GSWA for solid waste services by the "Per Customer Paid" method, **Action:**
845 **Approve, Moved by** Commissioner Draper, **Seconded by** Commissioner Allen.

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

847 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,
848 Commissioner Draper.
849

850 Mr. Lewandowski stated January payments to GSWA were 40% below past January billings and
851 discussed the current "customer confusion". Mr. Lewandowski discussed the effects of the billing
852 transition on GSWA revenues and advocated for a monthly lump sum payment. Mr.

853 Lewandowski expressed concern the current decision to reimburse on a "per customer paid" basis
854 would lead to a revenue deficit, a potential default on the current DFA loan, and a decrease in
855 services.

856
857 Ms. Taylor commented on the lack of actual and specific cost data from GSWA and suggested
858 the Board of Commissioners could reconsider the method of payment once the requested data
859 was provided by GSWA.

860
861 Mr. Lewandowski requested both Boards convene for a rate hearing in early March. Mr.
862 Lewandowski also requested additional meetings with County staff to discuss each method of
863 payment, agree upon a rate, complete the billing transition, and discuss other issues.

864
865 Commissioner Willard questioned if GSWA would provide the specific information requested by
866 the County as an Inspection of Public Records request. Mr. Lewandowski stated some of the
867 items requested were not available in the format requested. Mr. Lewandowski again expressed
868 belief his presentation answered the question as to whether the County was subsidizing other
869 entities.

870
871 Chair Stone informed the Board of County Commissioners was considering three options
872 including withdrawal from GSWA, remaining as a GSWA member contingent upon a rewrite of
873 the Joint Powers Agreement, or assuming management of GSWA.

874
875 Mr. Lewandowski objected to the process as detrimental to the survival of GSWA and the
876 continuation of services.

877
878 Ms. Taylor reminded the lack of actual cost data continued to hinder determination of an
879 appropriate County rate.

880
881 Ray Dean, Trustee for the Town of Carrizozo and Chair of GSWA reminded he had served on the
882 GSWA board for more than ten years. Mr. Dean stated all cost data related to GSWA operations
883 was available and expressed frustration with the current situation. Mr. Dean expressed belief
884 the County had appropriate membership on the GSWA Board. Mr. Dean stated GSWA rates
885 were consistent with other solid waste providers in the State. Mr. Dean suggested as the County
886 was dissatisfied the best course of action was for the County to withdraw from GSWA.

887
888 Chair Stone expressed disappointment with the perception this was a personal issue and objected
889 to the characterization of the County's position.

890 Ms. Taylor questioned Mr. Lewandowski if GSWA would provide the cost data as requested by
891 the County. Mr. Lewandowski predicated agreement to provide the information based on an
892 assurance from the County the staff from both entities would begin working together on issues
893 immediately and the data would not be used to simply facilitate the County's withdrawal from the
894 Authority. Ms. Taylor reiterated only GSWA could provide the cost data necessary to determine
895 rates. Mr. Lewandowski stated he would present the request and question to the GSWA Board.

896
897 **28. Consideration of GSWA Petition requesting formation of the Lincoln County**
898 **Special District Commission**

899
900 **Motion:** Table the item due to ongoing litigation, **Action:** Approve, **Moved by** Commissioner
901 Draper, **Seconded by** Commissioner Allen.

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

902 Authority. Ms. Taylor reiterated only GSWA could provide the cost data necessary to determine
903 rates. Mr. Lowendowski stated he would present the request and question to the GSWA Board.
904

905 **28. Consideration of GSWA Petition requesting formation of the Lincoln County**
906 **Special District Commission**
907

908 **Motion:** Table the item due to ongoing litigation, **Action:** Approve, **Moved by** Commissioner
909 Draper, **Seconded by** Commissioner Allen.

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

911 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,
912 Commissioner Draper.
913

914 **29. Potential Action Regarding GSWA Litigation**
915

916 No action was taken.
917

918 **30. Consideration of Options regarding Renovation of County Annex Building –**
919 **Carrizozo**
920

921 Ms. Taylor discussed the process and costs associated with the remediation and renovation of
922 the County Annex Building. Ms. Taylor stated remediation activities for the Annex Building
923 were complete and paid. Ms. Taylor stated as renovation activity commenced additional costs
924 were identified including the need for the chemical treatment of the water system, flotation of the
925 ground level floor prior to tile installation; mechanical modifications to the heating and cooling
926 unit and additional repair and replacement of first floor light fixtures.
927

928 Ms. Taylor reminded of the prior authorization for renovation in the amount of \$270,000 and
929 estimated the cost for these additional repairs as \$54,917.
930

931 Commissioner Willard suggested the County contact PNM to consider if grant funding might be
932 available to assist with lighting upgrades.
933

934 Ms. Taylor requested approval of the presented expenses of \$54,917 with understanding she
935 would inquire about any available grant from PNM for lighting.
936

937 Ms. Taylor also requested from FacilityBuild a design and estimated cost for restoration of
938 restrooms to ADA standards in the Annex Building. Ms. Taylor stated the quote for the remodel
939 and upgrade to ADA standards was \$62,997.
940

941 Commissioner Draper questioned the total estimated additional costs. Ms. Taylor clarified the
942 total estimated cost for these changes as \$117,897 in addition to the \$270,000 previously
943 approved for a total cost of \$387,897.
944

945 Commissioner Willard questioned the source of any approved additional funding. Ms. Taylor
946 clarified the previously approved \$270,000 was budgeted as Capital Outlay and anticipated
947 budgeting additional costs from the same fund or the building maintenance fund.
948

949 **Motion:** Approve additional appropriations for a total expenditure of \$387,897, **Action:**
950 Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

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

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

953 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper.
954 **No:** Commissioner Willard.

955
956 **Signing of Official Documents**

957
958 **29. Next meetings:**

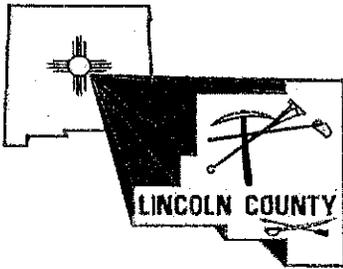
959
960 March 17, 2015 - Regular Commission Meeting

961
962 **30. Adjourn**

963
964 There being no further business to come before the Board of County Commissioners, Chair
965 Stone adjourned the meeting at 3:35:02 PM.

966
967 Respectfully submitted by,
968 Rhonda B. Burrows
969 Lincoln County Clerk

DRAFT



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County of Lincoln

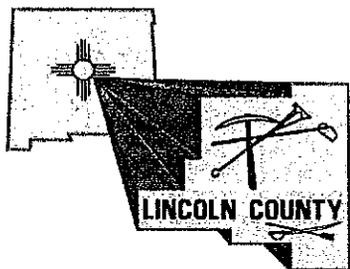
P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

Agenda Item 7

SUBJECT

Approval of Consent Agenda:

- a. Payroll/Accounts Payable/Budget/Expenditures
- b. Treasurer's Financial Report for the Month ending February 28, 2015
- c. Volunteer Firefighters Annual Reporting to PERA
- d. Annual Law Enforcement Protection Fund



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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 February 1 through February 28, 2015 in the amount of \$1,887,950.23.

NOW, THEREFORE, the above bills are hereby approved.

ADOPTED, PASSED AND SIGNED the 17th day of March 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



PUBLIC EMPLOYEES RETIREMENT ASSOCIATION OF NEW MEXICO

PUBLIC EMPLOYEES RETIREMENT BOARD

P.O. Box 2123, Santa Fe, New Mexico 87504-2123

(505) 476-9401 fax (505) 476-9300 voice

www.pera.state.nm.us

RECEIVED

MAR 13 2015

ADMINISTRATION
LINCOLN COUNTY NM

Volunteer Firefighters Annual Reporting

SECTION A – VOLUNTEER FIREFIGHTER DEPARTMENT – GENERAL INFORMATION

1. Department Name: Arabela Volunteer Fire Department
2. Department Mailing Address: PO Box 262
City, State: Tinnie, New Mexico Zip Code: 88351
3. PERA Number: 09983
4. Fire Chief: Fernando B Montoya Phone (work): 575-653-4019 (home) 575-653-4019
5. Email Address: arabellavolunteer@pvtnetworks.net

SECTION B – DEPARTMENT TOTALS

1.	New Member enrollments (Applications for Membership enclosed):	4
2.	Member with prior service reported this year:	11
3.	Total number of volunteer firefighters reported this year:	15

SECTION C - CERTIFICATION

I, Fernando B. Montoya, fire chief of Arabela Volunteer Fire Department

Volunteer Firefighter Department, affirm that the records submitted to PERA are true and correct.

✓ Please Check One: Report Submitted Online Qualification Record Attached

Fernando Montoya

Signature of Fire Chief

Date

3-10-15

Municipal Mayor or Chairman of County Commission

Date

State of New Mexico)
) SS:
County of _____)

Subscribed and sworn to before me by _____ on this the _____ day of _____.

My Commission Expires _____ Notary Public Telephone No: _____

Notary Signature _____

Return this Summary on or before March 31 of each calendar year to the Public Employees Retirement Association. Reports received after that date will not be processed. Keep copies for your records.



Volunteer Firefighters Annual Reporting

SECTION A – VOLUNTEER FIREFIGHTER DEPARTMENT – GENERAL INFORMATION

1. Department Name: Lincoln Volunteer Fire Department

2. Department Mailing Address: PO Box 7
 City, State: Lincoln, New Mexico Zip Code: 88338

3. PERA Number: 09710

4. Fire Chief: Bennie Long Phone (work): 575-354-2748 (home) _____

5. Email Address: bennie.long@state.nm.us

SECTION B – DEPARTMENT TOTALS

1.	New Member enrollments (Applications for Membership enclosed):	3
2.	Member with prior service reported this year:	811
3.	Total number of volunteer firefighters reported this year:	1214

SECTION C - CERTIFICATION

I, Bennie Long, fire chief of Lincoln Volunteer Fire Department

Volunteer Firefighter Department, affirm that the records submitted to PERA are true and correct.

Please Check One: Report Submitted Online Qualification Record Attached

Bennie Long Signature of Fire Chief 11 March 2015 Date

 Municipal Mayor or Chairman of County Commission Date

State of New Mexico)
) SS:
 County of _____)

Subscribed and sworn to before me by _____ on this the _____ day of _____.

My Commission Expires _____ Notary Public Telephone No: _____

Notary Signature _____

Return this Summary on or before March 31 of each calendar year to the Public Employees Retirement Association. *Reports received after that date will not be processed.* Keep copies for your records.



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 PUBLIC EMPLOYEES RETIREMENT BOARD
 P.O. Box 2123, Santa Fe, New Mexico 87504-2123
 (505) 476-9401 fax (505) 476-9300 voice
 www.pera.state.nm.us

Volunteer Firefighters Annual Reporting

SECTION A – VOLUNTEER FIREFIGHTER DEPARTMENT – GENERAL INFORMATION

1. Department Name: Glencoe Volunteer Fire Dept.

2. Department Mailing Address: 27661 US Hwy 70
 City, State: San Patricio, NM Zip Code: 88348

3. PERA Number: 09673

4. Fire Chief: Bill Dunlap Phone (work): _____ (home) 575-937-4337

5. Email Address: _____

SECTION B – DEPARTMENT TOTALS

1.	New Member enrollments (Applications for Membership enclosed):	<u>0</u>
2.	Member with prior service reported this year:	<u>13</u>
3.	Total number of volunteer firefighters reported this year:	<u>13</u>

SECTION C - CERTIFICATION

I, _____, fire chief of _____

Volunteer Firefighter Department, affirm that the records submitted to PERA are true and correct.

Please Check One: Report Submitted Online Qualification Record Attached

William R Dunlap Signature of Fire Chief March 12, 2015 Date

Municipal Mayor or Chairman of County Commission Date

State of New Mexico)
 County of Lincoln) SS:

Subscribed and sworn to before me by William R Dunlap this the 12 day of March, 2015

My Commission Expires 12/27/17 Notary Public Telephone No: 575-378-4697
 Notary Signature [Signature]

Return this Summary on or before March 31 of each calendar year to the Public Employees Retirement Association. Reports received after that date will not be processed. Keep copies for your records.



Volunteer Firefighters Annual Reporting

SECTION A – VOLUNTEER FIREFIGHTER DEPARTMENT – GENERAL INFORMATION

1. Department Name: WHITE OAKS VOLUNTEER FIRE DEPARTMENT

2. Department Mailing Address: P.O. Box 158
 City, State: Carrizozo, NM Zip Code: 88301

3. PERA Number: 09970

4. Fire Chief: Roy Dose Phone (work): 575-686-9677 (home) _____

5. Email Address: dosdzit@aol.com

SECTION B – DEPARTMENT TOTALS

1.	New Member enrollments (Applications for Membership enclosed):	1
2.	Member with prior service reported this year:	17
3.	Total number of volunteer firefighters reported this year:	18

SECTION C - CERTIFICATION

I, Roy Dose, fire chief of White Oaks

Volunteer Firefighter Department, affirm that the records submitted to PERA are true and correct.

✓ Please Check One: Report Submitted Online Qualification Record Attached

Roy Dose
 Signature of Fire Chief

2-17-2015
 Date

 Municipal Mayor or Chairman of County Commission Date

State of New Mexico)
) SS:
 County of _____)

Subscribed and sworn to before me by _____ on this the _____ day of _____.

My Commission Expires _____ Notary Public Telephone No: _____ - _____ - _____

Notary Signature _____

Return this Summary on or before March 31 of each calendar year to the Public Employees Retirement Association. Reports received after that date will not be processed. Keep copies for your records.



PUBLIC EMPLOYEES RETIREMENT ASSOCIATION OF NEW MEXICO
 PUBLIC EMPLOYEES RETIREMENT BOARD
 P.O. Box 2123, Santa Fe, New Mexico 87504-2123
 (505) 476-9401 fax (505) 476-9300 voice
 www.pera.state.nm.us

Volunteer Firefighters Annual Reporting

SECTION A – VOLUNTEER FIREFIGHTER DEPARTMENT – GENERAL INFORMATION

1. Department Name: Bonito Fire Department
2. Department Mailing Address: PO Box 135
 City, State: Alto NM Zip Code: 88312
3. PERA Number: 09621
4. Fire Chief: Carl Bartley Phone (work): 5752582265 (home) 5753367099
5. Email Address: cbartley@citybankonline.com david.a.sepkowitz@usps.gov

SECTION B – DEPARTMENT TOTALS

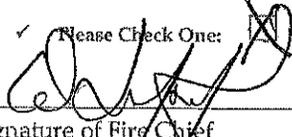
1.	New Member enrollments (Applications for Membership enclosed):	0
2.	Member with prior service reported this year:	24
3.	Total number of volunteer firefighters reported this year:	24

SECTION C - CERTIFICATION

I, Carl Bartley, fire chief of Bonito Fire

Volunteer Firefighter Department, affirm that the records submitted to PERA are true and correct.

✓ Please Check One: Report Submitted Online Qualification Record Attached


 Signature of Fire Chief

2/19/25
 Date

 Municipal Mayor or Chairman of County Commission Date

State of New Mexico)
) SS:
 County of _____)

Subscribed and sworn to before me by _____ on this the _____ day of _____.

My Commission Expires _____ Notary Public Telephone No: _____-_____-_____

Notary Signature _____

Return this Summary on or before March 31 of each calendar year to the Public Employees Retirement Association. *Reports received after that date will not be processed.* Keep copies for your records.

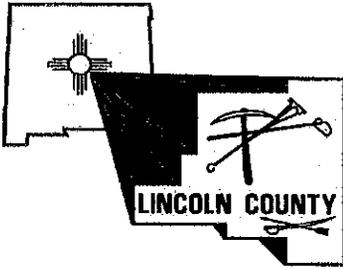
APPLICATION FOR LAW ENFORCEMENT PROTECTION FUNDS
FOR MUNICIPALITIES AND COUNTIES
PURSUANT TO CHAPTER 29, ARTICLE 13 NMSA 1978
FOR THE JULY 1, 2015 - JUNE 30, 2016 FISCAL YEAR

SUPPLEMENTAL SCHEDULE

Instructions: List the name, certificate number, and date of certification of all full-time police officers and sheriff deputies certified by the New Mexico Law Enforcement Academy pursuant to Section 29-7-8 NMSA 1978 or authorized to act as a New Mexico peace officer pursuant to Section 29-1-11 NMSA 1978. Please photocopy this form if additional space is needed.

Name of Full-Time Certified Police Officers and Sheriff Deputies	Certificate Number	Cert. Date
1) BEARD, REX	97-0101-P	4-08-1997
2) BRAWLEY, DANIEL G.	90-0126-P	6-08-1990
3) CHRISTIAN, MATTHEW	03-0127-P	9-09-2009
4) COULTER, JAMES M.	00-0137-P	6-23-2000
5) COX, NEAL E.	03-0110-P	3-18-2003
6) CRAMER, KENNETH L.	00-0271-P	11-21-2000
7) GREEN, JASON	04-0120-P	6-03-2004
8) HIEBERT, JOHN A.	09-0251-P	8-27-2009
9) HIGHTOWER, DAVID	79-0077-P	4-30-1979
10) KENNEDY, KEVIN	09-0216-P	8-28-2009
11) MERRITT, RAYMOND	03-0233-P	8-16-2003
12) MONTES, ELOY PAT	02-0186-P	8-22-2002
13) PRESTON, DEANNA	08-0005-P	3-26-2008
14) RAINS, BRACK	97-0268-P	8-13-1997
15) ROMO, BALTAZAR O.	83-0300-P	12-16-1983
16) SHEPPERD, ROBERT L.	99-0128-P	4-23-1999
17) WALL, PHILLIP	06-0089-P	6-08-2006
18) WARREN, WILLIAM D.	08-0197-P	8-08-2008
19) WILSON, KIRK	00-0097-P	5-15-2000
20) WOOD, MICHAEL	91-0096-P	3-15-1991
21)		

NOTE: Please use name that has been reported to The Department of Public Safety (DPS), e.g. if female officer has married/divorced and has changed last name and has not been reported to DPS.



County of Lincoln

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AGENDA ITEM NO. 8

March 12, 2015

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Board of Finance

Purpose: To recess the Board of County Commissioners and convene as the Board of Finance.

Discussion:

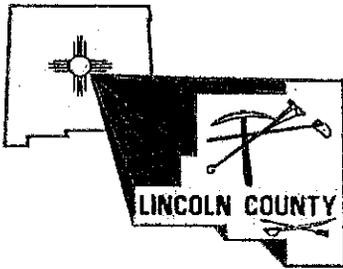
With regard to investment decision-making, the county treasurer determines how to deposit and invest county funds. That decision must then be approved by the board of county commissioners, sitting as the county board of finance. The board of finance has no power to modify the county treasurer's decision without the treasurer's concurrence. On the other hand, the county treasurer cannot impose a unilateral decision upon the board of finance.

State statute 6-10-8 reads as follows: "The board of county commissioners in each count in the state shall, ex officio and without additional compensation, constitute a county board of finance and as such shall, subject to the limitations of this act, have supervision over the determination of the qualifications and selection of bands, savings and loan associations and credit unions, whose deposits are insured by an agency of the United States, to receive the public money of their respective counties and of independent rural school districts, rural school districts and municipal school districts of municipalities having less than twenty-five thousand population according to the next preceding United States census and of any special or other districts in their respective counties for which the respective county treasurers of such counties as a ex-officio tax collectors. The county clerk in each county shall, ex officio and without additional compensation, act as clerk of such county board of finance. Every county board of finance shall hold meetings whenever necessary for the discharge of its duties, and the chairman shall convene such board whenever necessity therefore exists or when requested so to do by two of its members or at any time when the county treasurer shall advise the chairman that he has in his custody public money in excess

of the aggregated amount which depositories qualified by law are entitled to hold. A majority of the board shall constitute a quorum for the transaction of business.

The county treasurer of each county in the state shall have supervision of the deposit and safekeeping of the public money of his county and all the money which may at anytime come into or be in his possession as county treasurer and ex-officio tax collector for the use and benefit of the state or of any county, municipality or district or of any subdivision of any county or of any state or public institution and by and with the advice and consent of the respective boards of finance having jurisdiction over the respective funds shall designate banks, savings and loan associations and credit unions, whose deposits are insured by an agency of the United States, to receive on deposit all moneys entrusted in his care.”

Recommendation: Receive the treasurer’s report and discussion.



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County of Lincoln

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Agenda Item No. 9

March 12, 2015

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

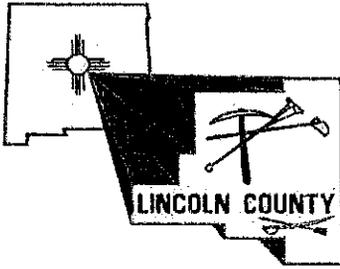
SUBJECT: Monthly Smokey Bear District Ranger Report

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

Discussion:

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

Recommendation: None – information only at this time.



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County of Lincoln

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Agenda Item No. 10

March 12, 2015

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

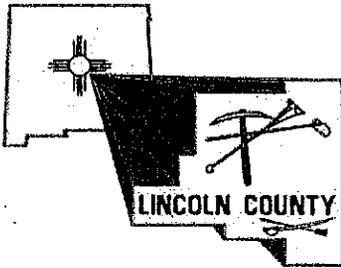
SUBJECT: Extension Service Update

Purpose: To provide an opportunity for the County Program Director Marsha Palmer to present a update on the program.

Discussion:

New Mexico State University Lincoln County Cooperative Extension Service update to the Commissioners on programming for FY 2014-2015. Presented by Marsha Palmer- County Program Director, Audra Lyon - Agent, and Wade Stearns – Lincoln County 4-H member and New Mexico State 4-H President. The 15 minute power point presentation will give information about the current programs, selected program impacts, and time to answer questions about programs in Lincoln County

Recommendation: None – information only at this time.



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AGENDA Item No. 11

March 12, 2015

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *nt*

SUBJECT: Lodger's Tax Committee Recommended Modifications to Current Lodger's Tax Ordinance 2004-04

DISCUSSION: At the Commission's last several meetings, there has been discussion regarding the processes utilized by organizations / event coordinators to request approval for total funding from the Lodger's Tax, and the need for additional information than what is currently being provided. Additional process changes required include the provisioning of proper documentation when submitting for reimbursement of funds spent, and for the development of timelines under which reimbursement must be requested. The Lodger's Tax Committee has developed recommendations for modifications to the current Lodger's Tax Ordinance that will result in adequate information being provided by the requestor to enable the Committee to make informed decisions, timely requests for reimbursement and an assurance that funding levels approved do not exceed funding levels available. See **Enclosure 1**.

Changes to this Ordinance are scheduled for public hearing at the April 21st Commission meeting.

Recommendation: Review changes recommended by Lodger's Tax Committee and provide additional direction as necessary.

To the Lincoln County Board of Commissioners:

The Lincoln County Lodger's Tax Committee met February 24, 2015 at our regularly scheduled meeting to consider five funding requests in addition to discussing Lincoln County Ordinance 2004-04.

Due to the fact that Ordinance 2004-04 neither addresses the procedure for County entities to request funds, nor does the Ordinance place a time limit for entities to return adequate documentation for the acquisition of encumbered funds, the Committee took into consideration the addition of a section to Ordinance 2004-04.

Below, please find our recommendation to the Commission regarding the addition of a Section to Lincoln County Ordinance 2004-04. Understanding there is currently a Section 14 of the Ordinance, it is our recommendation that the following Section be added as Section 14, and that Sections 14-19 of the current Ordinance be shifted to Sections 15-20.

Potential addition to Ordinance 2004-04

Section 14: Procedures for entities requesting Lodger's Tax funds

Lodger's Tax Fund Requests shall comply with the usage requirements set forth in §3-38-21 NMSA 1978 and may be requested through the following procedure:

1. **Entities requesting consideration and recommendation from the Lodger's Tax Committee and approval from the County of Lincoln Board of Commissioners for Lodger's Tax funds shall request and complete the most current form of the Lodger's Tax Application for Funding Request from the County of Lincoln at a minimum of four (4) months prior to the entity's event. In addition to supplying the Request form, the County shall also provide guidance for completing the Request form and which necessary background documents are required from the requesting entity.**
2. **Upon receipt of a completed Application for Funding form by the County, consideration shall be given for each entity's fund request at the next regularly scheduled Lodger's Tax Committee meeting for approval or disapproval of recommendation to the Board of County Commissioners for funding request.**
3. **Upon Lodger's Tax Committee approval of recommendation for funding, the County of Lincoln Board of Commissioners shall consider approval or disapproval of the request at the next regularly scheduled County Commission meeting.**
4. **If funds are approved by the Board of County Commissioners, entities shall have a period of ninety (90) days from the date of the Event which was approved to retrieve approved funds from the County by submitting a completed Reimbursement form accompanied by appropriate documentation. If entities do not retrieve funds during the allocated time, all approved funds shall be replaced to**

unencumbered status in the Lodger's Tax Fund and shall be considered available funds for future requests.

The Committee additionally recommends to the Commission that verbiage on the Lincoln County Lodger's Tax Reimbursement Form be changed to state:

"By signing below, I attest that I will provide Lincoln County with a brief after-action report along with necessary receipts and a completed Awarded Funds Reimbursement Form within ninety (90) days of the Event which was approved to validate that funds received from the County for reimbursement were spent in accordance with Lincoln County Lodger's Tax Ordinance specifications."

**LINCOLN COUNTY LODGER'S TAX
AWARDED FUNDS
REIMBURSEMENT FORM**

Mail This Completed Form to the
Lincoln County Manager's Office
PO Box 711
Carrizozo, NM 88301
575-648-2385

DATE: _____

Lincoln County Lodger's Tax Application For Funding #: _____

Lincoln County Purchase Order #: _____

The Following Must Be Attached:

**INVOICES, RECEIPTS
&
PROOF OF PAYMENT**

Mark All That Are Applicable. (Attach Coy/Sample)

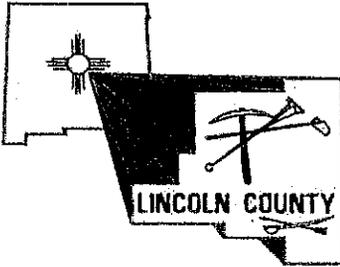
_____ Brochure	_____ Fire Protection
_____ Certified Copy of Newspaper	_____ Sanitation Service
_____ Sample of Radio Advertisement	_____ Other - Explain _____
_____ Copy of Other Media Advertisement	_____
_____ Picture of Billboard or Sign	_____
_____ Police Protection	_____

By signing below, I attest that I will provide Lincoln County with a brief after-action report along with necessary receipts and a completed Awarded Funds Reimbursement Form within ninety (90) days of the Event which was approved to validate that funds received from the County for reimbursement were spent in accordance with Lincoln County Lodger's Tax Ordinance specifications.

Signature

Title

Phone Number



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County of Lincoln

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Agenda Item No. 12

SUBJECT

9:00 A.M.: Consideration and Action on Lodger's Tax Applications with backup Material:

- A. Funding Requested/Approved: \$5,000/**\$4,000**
Purpose: AspenCash
Date(s) of Event: May 14-17, 2015
Presenter: Patric Pearson; CP6, Solutions, LLC
- B. **TABLED UNTIL MARCH LODGER'S TAX MTG:** Funding Request:
\$5,000
Purpose: Golden Aspen Rally
Date(s) of Event: September 16-20, 2015
Presenter: Patric Pearson; CP6, Solutions, LLC
- C. Funding Requested/Approved: \$500/**\$500**
Purpose: 12 Hours in the Wild West
Date(s) of Event: April 11, 2015
Presenter: Lindsay Mapes; Zia Rides
- D. Funding Requested/Approved: \$1,750/**\$1,750**
Purpose: Ruidoso Grindstone Trails Runs
Date(s) of Event: July 25, 2015
Presenter: Frederic Moras; Ski Run Road Challenge
- E. Funding Requested/Approved: \$23,247.26/**\$2,500**
Purpose: Old Lincoln Days
Date(s) of Event: August 7-9, 2015
Presenter: Cherie Hobbs,, Lincoln Pageant & Festivals

The Lodger's Tax Committee made the motion to table the Golden Aspen Rally and the balance of the Old Lincoln Days for their March meeting.

Recommendation: Approve the \$8,750.00 as recommended by the Lodger's Tax Committee.

Lincoln County
Lodgers Tax Committee
Regular Meeting

James Hobbs, Tourist Related
Sue Hutchison, General Public

Alice Seely, Tourist Related
Victor Garrison, Lodging Industry

David Vigil, Lodging Industry

AGENDA

Village of Capitan (Council Chambers) Capitan, New Mexico
Tuesday, February 24, 2015 @ 10 A.M.

1. Call to Order
2. Roll Call
3. Approval of Minutes: January 27, 2015 Regular Lodger's Tax Meeting
4. **TABLED:** Funding Request: \$5,000
Purpose: AspenCash
Date(s) of Event: May 14-17, 2015
Presenter: Patric Pearson; CP6, Solutions, LLC
5. **TABLED:** Funding Request: \$5,000
Purpose: Golden Aspen Rally
Date(s) of Event: September 16-20, 2015
Presenter: Patric Pearson: CP6, Solutions, LLC
6. Funding Request: \$500
Purpose: 12 Hours in the Wild West
Date(s) of Event: April 11, 2015
Presenter: Lindsay Mapes; Zia Rides
7. Funding Request: \$1,750
Purpose: Ruidoso Grindstone Trails Runs
Date(s) of Event: July 25, 2015
Presenter: Frederic Moras; Ski Run Road Challenge
8. Funding Request: \$23,247.26
Purpose: Old Lincoln Days
Date(s) of Event: August 7-9, 2015
Presenter: Cherie Hobbs,, Lincoln Pageant & Festivals
9. Acceptance –
 - A. Expense Budget Report Ending January 31, 2015
10. Other Items (for discussion only - no action will be taken)
 - A. Outstanding Purchase Orders as of January 30, 2015
 - B. Awarded Funds as of January 2015

11. Next meeting:

A. March 31 ,2015 Regular Meeting

10. Adjourn

Lincoln County
Lodgers Tax Committee
Regular Meeting

James Hobbs, Tourist Related
Sue Hutchison, General Public

Alice Seely, Tourist Related
Victor Garrison, Lodging Industry

David Vigil, Lodging Industry

AGENDA

Village of Capitan (Council Chambers) Capitan, New Mexico
Tuesday, February 24, 2015 @ 10 A.M.

1. Call to Order
2. Roll Call
3. Approval of Minutes: January 27, 2015 Regular Lodger's Tax Meeting
4. **TABLED:** Funding Request: \$5,000
Purpose: AspenCash
Date(s) of Event: May 14-17, 2015
Presenter: Patric Pearson; CP6, Solutions, LLC
5. **TABLED:** Funding Request: \$5,000
Purpose: Golden Aspen Rally
Date(s) of Event: September 16-20, 2015
Presenter: Patric Pearson; CP6, Solutions, LLC
6. Funding Request: \$500
Purpose: 12 Hours in the Wild West
Date(s) of Event: April 11, 2015
Presenter: Lindsay Mapes; Zia Rides
7. Funding Request: \$1,750
Purpose: Ruidoso Grindstone Trails Runs
Date(s) of Event: July 25, 2015
Presenter: Frederic Moras; Ski Run Road Challenge
8. Funding Request: \$23,247.26
Purpose: Old Lincoln Days
Date(s) of Event: August 7-9, 2015
Presenter: Cherie Hobbs, Lincoln Pageant & Festivals
9. Acceptance –
 - A. Expense Budget Report Ending January 31, 2015
10. Other Items (for discussion only - no action will be taken)
 - A. Outstanding Purchase Orders as of January 30, 2015
 - B. Awarded Funds as of January 2015

11. Next meeting:

A. March 31 ,2015 Regular Meeting

10. Adjourn

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.

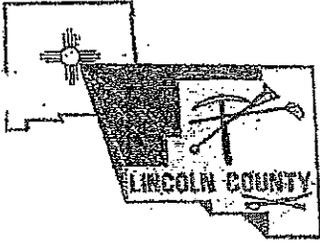
10. The next meeting for the committee will be February 24, 2015.

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

Respectfully submitted,



Sue Hutchison



County of Lincoln

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

www.lincolncountynm.net

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

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: CPL 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? ALL 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>8000.00</u>
OTHER:	\$ <u>1000.00</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>CPL SOLUTIONS, LLC</u>	
SIGNATURE OF APPLICANT: <u>[Signature]</u>	
ADDRESS/CITY/ZIP: <u>PO Box 1467</u>	
PHONE: <u>575.973.4977</u>	EMAIL ADDRESS: <u>INFO@MOTORCYCLERALLY.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

AspenCash Poker Run

2014 Income Statement

Revenue:

Lodger's Tax Fund	\$9,000.00
Seed Money	\$15,000.00
Rally Receipts	\$107,452.00
	<hr/>
	\$131,452.00

Expenses:

Fees & Dues	\$396.96
Bank & Credit Card Fees	\$335.00
Printing	\$6,418.95
Advertising	\$8,225.65
Office Supplies	\$3,765.40
Postage & Shipping	\$9,267.54
Pins & Patches	\$3,215.00
Security Expense	\$1,968.00
Insurance	\$2,327.89
Food Costs	\$2,981.46
Janitorial Expense	\$1,252.40
Prize Costs	\$12,394.99
Officer Expenses	\$767.43
Telephone & Utilities	\$631.22
Computer Services	\$2,000.00
Travel & Trade Shows	\$3,037.51
Rents	\$15,842.13
Taxes	\$2,356.72
Contract Labor	\$5,000.00
Utilities	\$2,000.00
Equipment	\$1,611.25
Donations	\$4,000.00
	<hr/>
	\$89,795.50

Net Revenue \$41,656.50

Seed Money \$15,000.00

***Net Income* \$26,656.50**

AspenCash Poker Run
Proposed Budget for 2015

Revenue:

Lodger's Tax Fund	\$8,000.00
Seed Money	\$10,000.00
Rally Receipts	\$92,000.00
	<hr/>
	\$110,000.00

Expenses:

Fees & Dues	\$800.00
Bank & Credit Card Fees	\$600.00
Printing	\$6,500.00
Advertising	\$7,500.00
Office Supplies	\$2,500.00
Postage & Shipping	\$9,750.00
Pins & Patches	\$2,800.00
Security Expense	\$2,500.00
Insurance	\$1,500.00
Food Costs	\$1,800.00
Janitorial Expense	\$1,500.00
Prize Costs	\$12,000.00
Officer Expenses	\$700.00
Telephone & Utilities	\$1,500.00
Computer Services	\$3,000.00
Travel & Trade Shows	\$3,500.00
Rents	\$8,500.00
Taxes	\$3,000.00
Contract Labor	\$4,000.00
Utilities	\$200.00
	<hr/>
	\$74,150.00

Net Revenue \$35,850.00

Seed Money \$10,000.00

***Net Income* \$25,850.00**

2014 AspenCash Motorcycle Rally

Event Benefit Estimates

Approximately 10,652 people attended at least one of our official events. We estimate that another 3,000 people visited the Lincoln County area during the event, but chose not to participate in the official activities.

This represents a 2% increase in attendance over last year.

The staff at the CVB utilized a figure of \$495.00 spent per person attending a multi-day convention when they were calculating the economic benefits of a convention on a community.

The travel industry has historically used a figure of \$100.00 per day per person in calculating the economic impact of people who travel.

We were a four day event.

At \$400.00 per person, our event had an estimated direct impact on the Ruidoso area economy of over \$3,300,000.00

Even if the attendees only average spending half of that, the impact would still be over \$1,650,000.00

If 40% of these figures were lodging, there were from \$660,000.00 to \$1,320,000.00 in lodging receipts during what would have otherwise been a slow week.

This amounts to between \$26,400.00 and \$52,800.00 in Lodger's Tax and between \$118,593.00 and \$237,188.00 in Gross Receipts Tax.

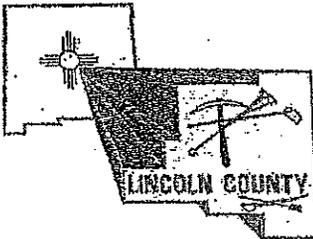
This was the 17th year for the AspenCash Motorcycle Rally.

74 plus vendors filled the 33,000 sq. ft. convention center to Capacity.

The \$10,000.00 in cash prizes were divided between six happy winners.

Economic Impact of Special Event- Golden Aspen Rally 2007

Lodging - hotels, motels, cabins, lodges, condos, B&Bs, property mgmt, RV Parks # of available units in Ruidoso Downs 3395 # of available units in Mesalero 720 # of available units in Capitlan 273 # of available units in Carrizo and County 46 174 Total available rooms & RV Units 4608 (Source: 2007-08 Ruidoso Visitor Guide & Ruidoso Visitor Center Availability List)								
Estimated number of occupied rooms (provided by participating lodgers and RV Parks) Wed- 85.38% 3934 Thur- 88.27% 4067 Fri- 97.70% 4502 Sat- 97.92% 4512 Total occupied rooms 17016								
Average Daily Rate (ADR) for rally (Source: list of lodgers & rally rates listed on brochure & website) \$129.77								
Lodging revenue before taxes \$2,208,161.34 Gross receipts tax @ 7.8125% \$172,512.60 Lodgers tax @ 5.0% \$110,408.07								
Daily Attendance (based on registration, trade show attendance and figures from NM State Police)								
Tuesday	2,000	\$100,000.00	\$120,000.00	\$150,000.00				
Wednesday	10,000	\$600,000.00	\$600,000.00	\$750,000.00				
Thursday	25,000	\$1,250,000.00	\$1,500,000.00	\$1,875,000.00				
Friday	41,000	\$2,050,000.00	\$2,460,000.00	\$3,075,000.00				
Saturday	41,000	\$2,050,000.00	\$2,460,000.00	\$3,075,000.00				
Total Spending on gas, food, drink, entertainment (excludes lodging)		\$5,950,000.00	\$7,140,000.00	\$8,925,000.00				
Gross receipts tax @ 7.8125%		\$464,843.75	\$557,812.50	\$697,265.63				



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 Race 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 CAMPAIGN TO TARGET NATIONALWIDE 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>9,000.00</u>
TOTAL:	\$ <u>24,000.00</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>CPA SOLUTIONS, LLC</u>	
SIGNATURE OF APPLICANT: <u>[Signature]</u>	
ADDRESS/CITY/ZIP: <u>PO Box 1467, Carrizozo, NM 88355</u>	
PHONE: <u>575.973.4977</u>	EMAIL ADDRESS: <u>NEED@MOTORCYCLEPARK.COM</u>
DATE SUBMITTED: <u>11/21/2015</u>	PRESENTED AT MEETING ON: <u>11/17/2015</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

Golden Aspen Rally
Proposed Budget for 2015

Revenue:

Lodger's Tax Fund	\$9,000.00
Seed Money	\$20,000.00
Rally Receipts	\$221,000.00
	<hr/>
	\$250,000.00

Expenses:

Fees & Dues	\$900.00
Bank & Credit Card Fees	\$1,750.00
Printing	\$10,000.00
Advertising	\$8,000.00
Office Supplies	\$3,000.00
Postage & Shipping	\$12,000.00
Pins & Patches	\$6,000.00
Trophies	\$5,000.00
Security Expense	\$5,000.00
Insurance	\$4,800.00
Food Costs	\$10,000.00
Janitorial Expense	\$3,000.00
Prize Costs	\$20,000.00
Stunt Show Expense	\$5,000.00
Officer Expenses	\$2,500.00
Telephone & Utilities	\$2,500.00
Computer Services	\$3,500.00
Travel & Trade Shows	\$4,500.00
Subscriptions	\$250.00
Rally Site Expense	\$20,000.00
Rents	\$28,000.00
Repairs & Maintenance	\$7,000.00

Depreciation Expense	\$15,000.00
Taxes	\$10,000.00
Contract Labor	\$12,000.00
Interests	\$300.00

\$200,000.00

<i>Net Revenue</i>	\$50,000.00
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<i>Seed Money</i>	\$20,000.00
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<i>Net Income</i>	\$30,000.00
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Golden Aspen Rally

2014 Income Statement

Revenue:

Lodger's Tax Fund	\$10,000.00
Seed Money	\$25,000.00
Rally Receipts	\$214,803.00
	<hr/>
	\$249,803.00

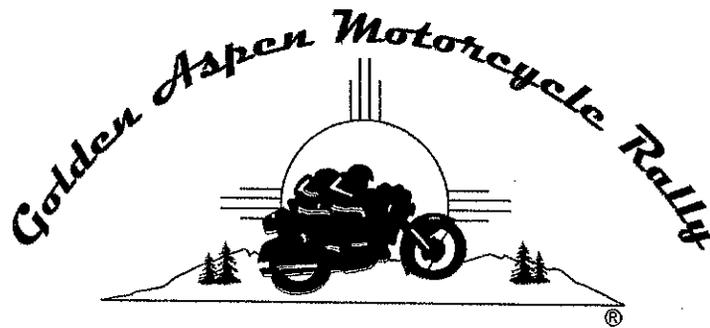
Expenses:

Fees & Dues	\$1,257.04
Bank & Credit Card Fees	\$1,060.85
Printing	\$18,347.75
Advertising	\$14,067.35
Office Supplies	\$3,590.44
Postage & Shipping	\$9,267.53
Pins & Patches	\$4,211.25
Security Expense	\$4,394.00
Insurance	\$3,513.11
Food Costs	\$9,441.29
Janitorial Expense	\$6,976.83
Prize Costs	\$16,364.99
Trophies	\$3,245.18
Officer Expenses	\$1,200.00
Telephone & Utilities	\$1,998.85
Equipment Costs	\$4,086.51
Training & Schools	\$0.00
Computer Services	\$1,094.12
Travel & Trade Shows	\$2,800.00
Rally Site Expense	\$18,702.09
Rents	\$26,250.00
Subscriptions	\$24.00
Repairs & Maintenance	\$4,454.66
Website	\$3,034.52
Stunt Show Expenses	\$1,319.00
Donations	\$12,000.00

Taxes	\$5,094.28
Contract Labor	\$18,000.00
Depreciation Expenses	\$13,773.00
Interests	\$1,331.46
Tax Prep	\$99.95

\$211,000.05

<i>Net Revenue</i>	\$38,802.95
<i>Seed Money</i>	\$22,000.00
<i>Net Income</i>	\$16,802.95

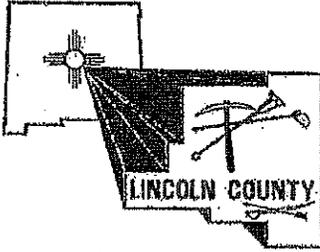


**PO Box 1467
Ruidoso, NM 88355**

2014
GOLDEN ASPEN RALLY / AMA NATIONAL ROAD RIDING CONVENTION
FACT SHEET

1. 10,550 registered for the Rally, another 20,000 plus participated in one or more of the activities. Local Police and news media estimate that over 25,000 bikers visited our area.
2. 30 states and 4 foreign countries (Germany, Canada, Austria and Mexico) represented
3. Long distance solo male--Hawaii, 6324 miles
4. Long distance solo female--Hawaii, 6324 miles
5. Long distance couple--Ohio, 8183 miles
6. Long distance Club--Mexico, 435 miles
7. Oldest male rider--77
8. Oldest female rider--66
9. This was the 44th year for a motorcycle event in the Ruidoso area
10. 209 vendors filled our 80,400 sq. ft. pavilion.
11. Grand Sweepstakes Prize was a 2014 Harley-Davidson FLHT Electra Glide Standard.
12. Grand Prize was 1 Set of Dunlop Motorcycle Tires
13. 19th Annual "Biker Buddy" Contest (live pets who ride) was very popular

14. Over 150 trophies, awards and cash prizes (\$3000) were awarded for bike judging, tour prizes and other awards.
15. Another \$9000 in contingency prizes were given away.



County of Lincoln

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

www.lincolncountynm.net

NAME OF EVENT: 12 Hours in the Wild West DATE(S) OF EVENT: April 11, 2015

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: Zia Rides

AMOUNT REQUESTED: \$ 500

DESCRIBE EVENT BACKGROUND & RATIONALE: In our 5th year of bringing 150 Mountain bikers and families to Lincoln County's Ft. Stanton Equestrian Trailhead.

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? Mostly online with Facebook ads, but also with 250 posters, 2000 flyers, in-person at other regional events and calendar listings.

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? Each participant must register and we collect mailing addresses for payment.

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER? YES NO HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED? We conduct a post-event survey (see attached) to track lodging, and general dollars spent in the area

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 100%
WILL YOU HAVE A WEBSITE FOR YOUR EVENT? YES NO
www.ZiaRides.com

FUNDS WILL BE USED FOR:	
NEWSPAPER ADVERTISING:	\$ <u>0</u>
RADIO:	\$ <u>0</u>
MAGAZINE:	\$ <u>0</u>
INTERNET:	\$ <u>250</u>
PRINTING:	\$ <u>1,250</u>
OTHER:	\$ <u>1,000 (shirts)</u>
TOTAL:	\$ <u>2,500</u>

OTHER FUNDING SOURCE & AMOUNT Registrations, sponsors

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>Lindsay Mapes</u>	
SIGNATURE OF APPLICANT: <u>[Signature]</u>	
ADDRESS/CITY/ZIP: <u>P.O. Box 11970 Gallup, NM 87305</u>	
PHONE: <u>505-863-4228</u>	EMAIL ADDRESS: <u>Director@ZiaRides.com</u>
DATE SUBMITTED: <u>Jan. 23, 2015</u> PRESENTED AT MEETING ON:	

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



ZIA RIDES

MOUNTAIN BIKE
RACE SERIES



El Paso, NM
January 31, 2015



Tommy Knocker 10

Silver City, NM
March 7, 2015



Ruidoso, NM
April 11, 2015



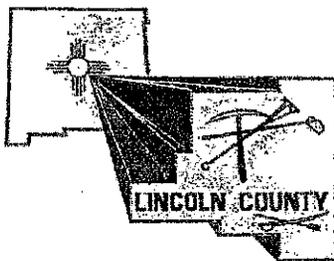
Gallup, NM
May 16, 2015



McGaffey, NM
June 20, 2015

www.ZiaRides.com

Description	Cost
Facebook Ad campaign	\$750.00
eNewsletter Subscription	\$600.00
postage-mail registration brochures	\$150.00
free event t-shirt	\$850.00
poster	\$250.00
stickers	\$125.00
TOTAL	\$2,725



RECEIVED

County of Lincoln

FEB 09 2015

P.O. Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 (575) 648-1385
LINCOLN COUNTY NM

www.lincolncountynm.net

RUIDOSO GRINDSTONE

NAME OF EVENT: TRAIL RUNS DATE(S) OF EVENT: 07/25/2015

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: SKI RUN ROAD CHALLENGE

AMOUNT REQUESTED: \$ 1750

DESCRIBE EVENT BACKGROUND & RATIONALE: Promote with 2 trail runs (4 miles and 8.5 miles) the new trail system at Grindstone Lake. Cater to the athletic clientele who wants to discover and enjoy the outdoors.

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? POSTERS distributed in NM and EL Paso, TX. EL PASO SCENE advertising from May to July 2015. Websites calendar of events: Raceadventuresunlimited.com. Albuquerque runners club.

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? REGISTRATIONS (MAIL and ONLINE)

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER? YES NO HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED? In Ruidoso with Hotel Ruidoso/Comfort Inn in Midtown -

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

FUNDS WILL BE USED FOR:	
NEWSPAPER ADVERTISING:	\$ <u>950</u>
RADIO:	\$ <u>—</u>
MAGAZINE:	\$ <u>—</u>
INTERNET:	\$ <u>250</u>
PRINTING: <u>POSTERS</u>	\$ <u>350</u>
OTHER: <u>Portapotties</u>	\$ <u>200</u>
TOTAL:	\$ <u>1750</u>

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

RULES AND REGULATIONS

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

NAME (PRINT) OF APPLICANT MAKING REQUEST: <u>FREDERIC MORAS</u>	
SIGNATURE OF APPLICANT: <u>[Signature]</u>	
ADDRESS/CITY/ZIP: <u>P.O. Box 561 Ruidoso, NM 88355</u>	
PHONE: <u>575-937-7106</u>	EMAIL ADDRESS: <u>SRRCRUIDOSO@HOTMAIL.COM</u>
DATE SUBMITTED: <u>2/3/15</u>	PRESENTED AT MEETING ON:

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

County Manager's Fax
(575) 648-4182

Finance/Purchasing Fax
(575) 648-2381

Rural Addressing Fax
(575) 648-2816

BUDGET 2014
RUIDOSO GRINDSTONE TRAIL RUNS
7/26/14

Internet		Was
- Ultrasignup.com	300	103.19
Newspaper: El paso scene	500	876
Rackcards & posters	500	294.65
Portable toilets	220	0
Trophies: Bears	275	0
Other	280	0
Tee shirts	1500	1058.4
Postage	100	101.95
Food	600	0
Village permit	150	129
Equipment rental	150	79
USA Track Field	150	150
City permit		50
US Forest permit		74.62
Race software		75

Total: \$4725

BUDGET 2015
RUIDOSO GRINDSTONE TRAIL RUNS
7/25/15

Internet

- **Raceadventuresunlimited.com**

Website advertising 200

Registration 375

Timing 200

Newspaper: El paso scene 950

Posters 350

Portable toilets 200

Trophies: Bears 200

Other awards 250

Tee shirts 2300

Postage 120

Food 500

Village permit 125

Equipment rental 150

USA Track Field sanction 150

US Forest permit 80

Misc 200

TOTAL: \$6350

Race Date
July 26, 2014

Ruidoso Grindstone Trail Runs

Demographics Report

State - Arizona	
Huachuca City	1
Prescott	1
Total AZ	2
State - California	
Irvine	1
Total CA	1
State - Florida	
Lake City	2
Total FL	2
State - Michigan	
Lyons	1
Total MI	1
State - New Mexico	
Alamogordo	15
Albuquerque	8
Alto	4
Artesia	1
Belen	4
Capitan	1
Carlsbad	1
Cloudcroft	4
Clovis	2
Deming	1
Hobbs	3
Holloman Air Force B	4
La Luz	1
Las Cruces	11
Lovington	18
Roswell	11
Ruidoso	15
Santa Cruz	1
Santa Teresa	3
Socorro	1
Total NM	109
State - Oklahoma	
Ringwood	1
Weatherford	1
Total OK	2
State - Texas	
Alpine	3
Dallas	1

Race Date
July 26, 2014

Ruidoso Grindstone Trail Runs
Demographics Report

State - Texas

El Paso	40
Fort Davis	1
Fort Worth	1
Houston	1
Lenorah	1
Lewisville	2
Lubbock	5
Midland	2
Odessa	1
Porter	2
Salt Flat	1
Shallowater	1
Snyder	2
Tarzan	1
Terrell	1

Total TX 66

State - Virginia

Chantilly	1
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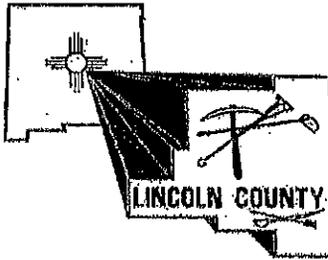
Total VA 1

Total Country **USA** 184

Total Participants 184

RECEIVED

FEB 09 2015



County of Lincoln

ADMINISTRATION
LINCOLN COUNTY NM

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

www.lincolncountynm.net

NAME OF EVENT: Old Lincoln Days - DATE(S) OF EVENT: Aug 7-9 2015

NAME OF ORGANIZATIONS(S) APPLYING FOR FUNDING: Lincoln Pageant & Festivals

AMOUNT REQUESTED: \$ 23,247.26

DESCRIBE EVENT BACKGROUND & RATIONALE: This is our 75th year. We send these programs all over NM & West Texas

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? Radio, Newspaper, Business cards & brochure / program

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? by ticket sales at gate & online. Buy Museum Attendance

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

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

FUNDS WILL BE USED FOR:

NEWSPAPER ADVERTISING:	\$ <u>4518.59</u>
RADIO:	\$ <u>2415.60</u>
MAGAZINE:	\$ <u>3680.36</u>
INTERNET:	\$ <u>809.34</u>
PRINTING:	\$ <u>7163.68</u>
OTHER:	\$ <u>4297.49</u>
TOTAL:	\$ <u>23,247.26</u>

OTHER FUNDING SOURCE & AMOUNT _____

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>Cherie Hobbs</u>
SIGNATURE OF APPLICANT:	<u>Cherie Hobbs</u>
ADDRESS/CITY/ZIP:	<u>PO Box 92 Lincoln NM 88338</u>
PHONE: <u>575-480-3120</u>	EMAIL ADDRESS: <u>hobbsabc@gmail.com</u>
DATE SUBMITTED:	PRESENTED AT MEETING ON:

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

2015 75th Anniversary

Printing

Banners	\$250.00
Program design & Printing	\$6953.30
5000 programs 4000 of them go out of town and out of state before the event	
Posters	\$226.50
Advertizing Cards	\$207.09
Total	\$7636.89

Internet

Website (pageant)	\$ 709.34
What's Up Website	\$100.00
Total	\$809.34

Radio

Kbuy Kwes	\$443.20
All of Lincoln County Parts of Chaves & Otero County	
MTD Kwmw Knmb Kidx Ktum	\$898.02
All of Lincoln County	
Alamogordo Roswell Artesia Hobbs Lovington Carlsbad	
Artesia Ktza Kpze Kend	\$1074.38
All Eddy & Chaves County Parts of Lea & Otero County	
And Pecos Tx	
Total	\$2415.60

Newspaper

Pg 2

Ruidoso News \$247.10

Albq Journal \$2445.71

Statewide

Clovis \$343.60

Portales Tribune \$700.78

Carlsbad Argus \$700.00

Summer Guide \$475.00

Inserted in

Total \$4568.59

Magazine

New Mexico Magazine \$570.35

True West Magazine April & July \$2950.00

Total \$3520.35

Banner on horse drawn troll at wine festival in Las Cruces \$300.00

Porta Pottys \$3619.80

Trash \$376.69

Total \$4269.49

Grand Total \$23,247.26

LODGERS TAX COMMITTEE AWARDED FUNDS						
FISCAL YEAR 2014-2015						
LOGGERS COMMITTEE Meeting Date	App. #	Organization / Contact Person	Amount Requested	COMMISSIONED Date Approved	Date EXPENDED	Amount EXPENDED
11/07/13	1706	Certizzo Music in the Park/Elaine Brannen	\$2,000.00	12/13/13	3/28/2014 \$440. 4/24/2014 \$736.44 5/30/2014 \$112.	
					07/25/14	\$271.13
					11/18/2014	224.00
					11/4/2015	218.43
01/28/14	1708	Lincoln Pageant-Old Lincoln Days/Kristi Morrow	\$18,901.37	12/13/13	07/25/14	\$7,050.15
					07/30/14	\$1,000.00
					09/08/14	\$7,139.89
					11/26/2014	\$2,760.42
02/25/14	1711				12/30/2014	\$80.00
02/25/14	1712	Golden Aspen Rally/Cps Patric Pierson	\$5,000.00	03/18/14	10/10/14	\$5,000.00
					5/9/14 \$3,585. 6/11/14 \$398.87, 6/30/14 \$926	
02/25/14	1714	Lincoln Merchants Assoc. Brochure/Elaine Barman	\$9,500.00	03/18/14	07/10/14	0.00
03/25/14	1717	Smokey Bear Days/Smokey Bear Assoc./ Bernnie Long FY Stanton Live July 11-13-14	\$13,570.00 \$4,500.00	03/18/14 05/20/14	08/21/14 09/30/14	\$12,504.17 \$4,500.00
						0.00
03/25/14	1716					0.00
06/24/14	1720	CARRY-OVER FROM PREVIOUS FISCAL YEAR				0.00
LEASE		Christmas Jubilee Nov 7-0 2014 Linda McKinley/Ruidoso Valley Greeters	\$1,000.00	07/15/14	11/19/14	\$5,000.00
07/29/14	1721	Bicycle Ruidoso, Tour De Ruidoso Sept 2014	\$3,000.00	07/15/14	07/02/14	\$600.00
		State of New Mexico bill board rental Lease #68 0165	\$5,000.00	08/19/14		5,000.00
1708		Lincoln County Cowboy Symposium	\$5,000.00	11/18/14	01/28/15	\$5,000.00
1722		Ruidoso Visitor Guide	\$14,000.00			6,000.00
			Amount awarded:		Amount Expended	\$49,162.06
						fy 14/15 BUDGET
						60,082.89
						60,120.00
						-1,100.00
						-2,500.00
						-89,203.00
						17,399.89
						-6,000.00
						48,394.59
						CASH BALANCE
						BEGINNING CASH BAL.
						REVENUES RECEIVED
						ADMIN. EXPENSES
						AUDIT EXPENSES
						EXPENDED ADVERTISING
						ENDING CASH BAL.
						ENCUMBERED
						CASH BALANCE

24,873.60 Approved 2/1/15
 - 13,500.00 Approved 2/1/15
 - 2,000.00 Approved 2/1/15
 9,373.60 Not yet awarded.

ADVERTISING BUDGET AMOUNT FOR FY 14/15:	\$89,203.00
Encumbers from carry over FY 13/14	\$1,167.34
Awarded to date:	\$14,000.00
Amount Expended:	\$49,162.06
Balance of Budget not yet awarded:	\$24,873.60

request to close by S. Long PA

ENCUMBERED

carryover

Lodgers' Tax Meeting, February 24, 2015

Minutes by Alice Seely

Meeting called to order 10:15, February 24, 2015

Village of Capitan(Council Chambers) Capitan, New Mexico

Roll call: Sue Hutchinson, Alice Seely, James Hobbs, and telephonically: David Vigil and Victor Garrison.

Total funds available at March 2015 Lodger's Meeting: \$9370.60

David recommended tabling everything until more monies are available.

He then made a motion to recommend the funding for Old Lincoln Days till the next fiscal year, delaying funding until July 2015.

- David Vigil's Motion to postpone funding until next fiscal year was rescinded by David Vigil..
- Victor made a motion to table the requests for the Golden Aspen Rally and Old Lincoln Days until the March meeting to see how much money can be allocated.

Alice Seely seconded Victor's motion.

- Motion passed.

Aspen Cash funding request: \$5000

- Sue made motion to recommend \$4000
- James seconded the motion
- Motion passed

Golden Aspen Rally request: \$5000

- Tabled until March

12 Hours in the West request: \$500

- Alice made motion to recommend funding \$500
- James seconded the motion.

- Motion Passed.

Ruidoso Grindstone Trails Run request: \$1750

- Alice made a motion to recommend \$1750 funding.
- James seconded the motion.
- Motion passed.

Old Lincoln Days request: \$23,247.26

- Sue made a motion to fund \$2500 for advertizing and table the balance till a later meeting when funds are available.
- Victor seconded the motion.
- Motion passed.

Victor and David left the meeting at 11:30. Expense budget was discussed and ledger sheets and a copy of Lincoln County Tax Ordinance were handed out to members.

Meeting adjourned 11:45

DATE: 2/24/15

APP. NO. 1

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1

CPO SOLUTIONS, LLC Aspen Cash
Name of Organization

Organization is: Profit Non Profit Government Related

PO Box 1467 Ruidoso NM 88355
Address City State Zip
PATRIC PEARSON 575 973 4977
Contact Person (s) Telephone #(s)

Amount Requested \$ 4000.00 Money is to be used for ADVERTISING FOR BROCHURES AND ALL OTHER PRINT MEDIA

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

2/24/2015
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: 2/24/15

AMOUNT APPROVED: \$ 4,000.00 REQUEST DENIED: _____

[Signature] (for David Vigil)

Section 3

LINCOLN COUNTY COMMISSION

Meeting Date: 3/17/15

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: 2/24/15

APP. NO. 2

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1

12 Hours in the Wild West

Name of Organization

Organization is: Profit Non Profit Government Related

PO Box 1197 Gallup NM 87305
Address City State Zip

Contact Person (s) Telephone #(s)

Amount Requested \$ 500 Money is to be used for Advertising, Posters, Flyers, Calendar Listings

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.

Attendee
Cody Thurston
SIGNATURE

2/24/15
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: 2/24/15

AMOUNT APPROVED: \$ 500.00 REQUEST DENIED: _____

Joe Hutchins for David Vigil
AUTHORIZED SIGNATURE

Section 3

LINCOLN COUNTY COMMISSION

Meeting Date: 3/17/15

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: 2/24/15

APP. NO. 3

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1

Name of Organization

Organization is: Profit Non Profit Government Related

SKI RUN ROAD CHALLENGE P.O. BOX 561 RUIDOSO, NM 88355
Address City State Zip

FREDERIC MORAS 575-937-7106
Contact Person (s) Telephone #(s)

Amount Requested \$ 1750 Money is to be used for Posters - EL Paso Scene
advertising (May - June - July) Internet 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

2/24/15
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: 2/24/15

AMOUNT APPROVED: \$ 1,750.00 REQUEST DENIED: _____
Do Hutchison (for David Vigil)

Section 3

LINCOLN COUNTY COMMISSION

Meeting Date: 3/17/15

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: 2-23-15

APP. NO. 4

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1

Old Lincoln Days

Name of Organization

Organization is: Profit Non Profit Government Related

PO Box 92 Lincoln NM 87338

Address Cherie City Hobbs State 575 Zip 430-3120

Contact Person (s) Telephone #(s)

Amount Requested \$ 20747.34 Money is to be used for Advertising for Old

Lincoln Days Printing Internet Radio Newspaper
magazine Trash Removal & 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.

Cherie Hobbs
SIGNATURE

2-23-15
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: 2/24/15

AMOUNT APPROVED: \$ 2,500.00 REQUEST DENIED: _____

Sue Peterson (for David Vigil)

Section 3 LINCOLN COUNTY COMMISSION

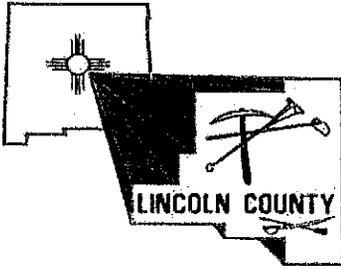
Meeting Date: 3/17/15

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.



www.lincolncountynm.net

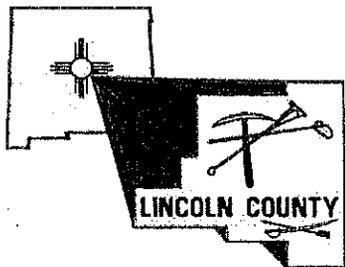
County of Lincoln

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

Agenda Item No. 13

SUBJECT

9:30 A.M. Public Comment and Other Business from County Officials (Items are for discussion only – no action will be taken)



www.lincolncountynm.net

County of Lincoln

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

AGENDA ITEM NO. 14a & 14b

March 13, 2013

MEMORANDUM

To: County Commissioners

From: Nita Taylor, Lincoln County Manager *NT*

Subject: [a] Lincoln County Medical Center (LCMC) Request for Additional Mill Levy Funding; [b] Request for Lincoln County to Make Additional Payment to NM Human Services Department in the Amount of \$193,503

Purpose: To Consider and Take action on LCMC Requests

Discussion: [a] On March 4th, Attorney Morel and Manager Taylor met with Al Santos, LCMC Administrator and Gabe Parra Presbyterian Healthcare Services (PHS) attorney. The key point of discussion was the financial status of LCMC, and their need to request additional Mill Levy Funding for the Calendar Year 2014. They requested to be heard by the Commission at its March 17th meeting as the funding is required immediately to enable them to close their books for their prior fiscal year. We agreed to place LCMC on the Agenda, and immediately conducted research to determine if there were funds, already Commission-approved, that could be disbursed immediately. On March 6th, the County sent correspondence to LCMC providing notification that we could disburse \$636,500 immediately upon receipt of a letter of request or invoice requesting such funds. See **Enclosure 1**. On March 10, LCMC provided the request for disbursement for the available, already Commission-approved Mill Levy Funds. Checks totaling \$636,500 were delivered to LCMC on March 11, 2015. See **Enclosure 2**. Included the March 10th LCMC letter to the County was another request for an additional disbursement of funds:

***“Within thirty [30] days from the date of this letter, disburse either [a] LCMC requested funds for LCMC’s fiscal 2014 ending December 31, 2014 or [b] the balance remaining of all Mill Levy proceeds collected by the County through December 31, 2014.*”**

Subsequently, at 12:25 pm today, March 13, LCMC provided a letter dated March 12th to Commission Chairman Stone describing its specific issues, a number of facts in support of its position, and a requirement that the Commission disperse additional funds that would enable LCMC to cover the cost of LCMC services. See **Enclosure 3**. County analysis of proposal is being conducted.

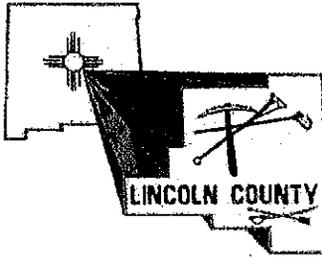
[b] LCMC has stated that the County has not paid the SNCP match (\$193,503) to the State for the period of time January 1, 2014 to June 30, 2014, and the State Health Services Division has stated that LCMC will have to refund \$628,256 for this period due to the failure of Lincoln County to pay that match. The County has not been informed of that mandate. The County Commission did address that potential in its November, 2014 meeting. See **Enclosure 4**.

Recommendation: Consider presentation and information provided by LCMC, and determine action to take.

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

March 6, 2015

Al Santos, Administrator
Lincoln County Medical Center
211 Sudderth Dr.
Ruidoso, NM 88345

Dear Mr. Santos, *Al*

As a result of our meeting Wednesday, Punkin Schlarb, Finance Director, and I met to verify that the budget we prepared based on Commission approval at its July 24, 2014 meeting was correct; we also reviewed what has been paid to LCMC to date. Following is a summary of what we found:

	<u>LCMC Request</u>	<u>Commission Approved</u>	<u>Comments</u>
1. LCEMS Operating Funds	\$ 5,000	\$ 5,000	Mainly Utilities for clinics, etc.
2. LCEMS Capital Requests	\$ 333,000	\$ 333,000	Paid as Invoiced by provider
3. LCMC Capital Requests	\$ 125,500	\$ 125,500	Paid as invoiced by provider
4. LCMC LCAP	\$ 150,000	\$ 150,000	Paid upon request*
5. LCMC Operating Request	\$ 1,250,000	\$ 486,500	Paid upon request*
TOTAL	\$ 1,863,500	\$ 1,100,000	

Traditionally, budget approved expenses such as those paid out of operating funds (utilities) and capital requests are paid as invoices are received from the third party provider. **We found that the County has not paid any amount to LCMC for the LCAP (\$150,000) or Operating Expenses (\$486,500) to date. As the Commission has already approved these expenses, we can submit that total amount (\$636,500) to LCMC immediately upon separate letters of request (or invoices) for each. This is the process utilized by the County for any approved budget amount granted to a non-county entity. I think that cleaning up these payments now will impact the presentations and agenda items we discussed for the March 17th meeting. In the future, we can discuss entering into an agreement that the County will pay these types of approved expenses monthly or quarterly.

Please provide me your letters of request as soon as possible for the LCMC LCAP and Operating Expenses so we can provide payment.

Please call if questions.

Nita Taylor
Lincoln County Manager

cc: Commissioner Preston Stone
Alan Morel, Lincoln County Attorney
Gabe Parra, Presbyterian Health Services Attorney

ENCL 1

County Manager's Fax
(575) 648-4182

Finance/Purchasing Fax
(575) 648-2381

Rural Addressing Fax
(575) 648-2816



RECEIVED

Lincoln County Medical Center
211 Sudderth Dr.
PO Box 8000
Ruidoso, NM 88355
Phone: (575) 257-8200
www.phs.org

MAR 10 2015

ADMINISTRATION
LINCOLN COUNTY NM

March 10, 2015

HAND DELIVERY via LCMC COURIER
March 10, 2015

Ms. Nita Taylor
County Manager
County of Lincoln
300 Central Avenue
Carrizozo, New Mexico 88301-

Dear Ms. Taylor:

We appreciate your letter, dated March 6, 2015, indicating the variance between the Mil Levy receipts disbursed to LCMC and the amount you recommended to the County Commissioners. This variance totals \$636,500 [\$150,000 for LCAP and \$486,500 for LCMC Hospital operations].

Please consider this as our "letter of request" for the immediate disbursement of \$636,500 of Mil Levy funds to Lincoln County Medical Center to be applied as indicated above.

In addition we request you disburse, within thirty [30] days from the date of this letter, either [a] the balance remaining on the LCMC requested funds for LCMC's fiscal 2014 ending December 31, 2014 or [b] the balance remaining of all Mil Levy proceeds collected by the County through December 31, 2014.

Thank you,

M. Dudley McCauley
Controller
Lincoln County Medical Center

xc: Lincoln County Commissioners
Lincoln County Medical Center Board of Trustees
Bo Beams, PHS Vice President of Regional Operations
Alan Morel, Lincoln County Attorney
Gabe Parra, PHS Attorney

ENCL 2



Lincoln County Medical Center
211 Sudderth Dr.
PO Box 8000
Ruidoso, NM 88355
Phone: (575) 257-8200
www.phs.org

March 12, 2015

Mr. Preston Stone
Lincoln County Commission Chair

Chairman Stone:

Thank you for meeting with Mr. Gabe Parra, Presbyterian Attorney, and myself last week on this critical financial/lease issue. As a recap, Lincoln County Medical Center (LCMC) submitted their county fiscal year budget this past July 24, 2014 for the period July 1, 2014 to June 30, 2015. The amount requested by LCMC was \$2.799 million, which included \$414,000 for the county Safety Net Care Pool (SNCP) match, \$338,000 for Emergency Medical Services (EMS), \$125,500 Hospital Capital maintenance needs, \$150,000 for Lincoln County Community Assistance Program (LCAP), \$522,000 for rural clinics and \$1.25 million for hospital operations.

Issues:

- (1) LCMC is at risk of not covering the cost of services reflected above and posting a negative operating income for the second year in a row, as a result of not being funded per the LCMC budget request on July, 24 2014.
- (2) Lincoln County Commission reduced the LCMC Hospital budget portion of our budget request of July 24, 2014 by \$762,500.
- (3) Lincoln County has not paid the SNCP match (\$193,503) to the state for the period of January 1, 2014 to June 30, 2014. The Health Services Division has stated that LCMC will have to refund \$628,256 for this period due to the failure of Lincoln County to pay the SNCP match for this period.
- (4) Lincoln County signed a lease effective January 1, 2014 that requires the County to pay the proceeds of the Mil Levy collected to PHS doing business as LCMC (Second Amendment to Lease Agreement).

Facts:

- (1) The citizens of Lincoln County, who voted in the 2014 Mil Levy election, expressed their resounding support of the LCMC healthcare delivery system with an 82% approval vote for the medical Mil Levy for another eight years.
- (2) Lincoln County collected \$2,926,903 in Mil Levy funds between January 1, 2014 and December 31, 2014.
- (3) Lincoln County has a Mil Levy and Hospital Lease fund balance as of Dec 31, 2014, of \$4.07 million

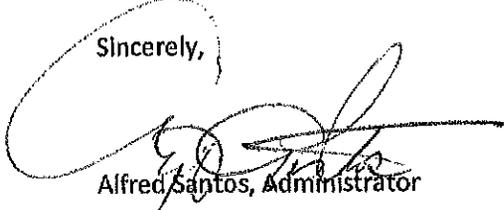
- (4) Lincoln County has an Indigent fund balance of \$743,611 as of December 31, 2014. LCMC receives only minimal amounts from these funds for ambulance transports of Lincoln County declared indigent patients. LCMC provides the majority of the indigent care provided in Lincoln County.
- (5) The second amendment to the LCMC lease, signed by the Lincoln County Commission Chair and effective January 2, 2014, confirms/acknowledges that the County shall pay the full amount of any Mil Levy collected to PHS or use the proceeds solely for the benefit of Lincoln County Medical Center in exchange for LCMC agreeing to increase their lease payment from \$800,000 to \$1.1 million per year.
- (6) The Lincoln County Commission reduced the LCMC July 24, 2014 budget request from \$2,799,000 to \$2,036,500 million. This action effectively cut the LCMC budget request by \$762,500 and added \$300,000 to our lease payment. The net result is that the LCMC budget was effectively impacted negatively by \$1,062,500 for the period July 1, 2014 to June 30, 2015.
- (7) Lincoln County has also chosen not to fund the SNCP match for the period Jan – June 2014, which amounts to a \$193,503 requirement. The impact of the County not funding this SNCP match will mean that the state can require LCMC to pay back \$628,256 in SNCP distributions made to LCMC during this same period.
- (8) The total negative financial impact to LCMC for the period July 1, 2014 to June 30, 2015 would be \$1,062,500 (paragraph (5) above) plus \$628,256 (paragraph (7) above) which would total \$1,690,756.

Requirement:

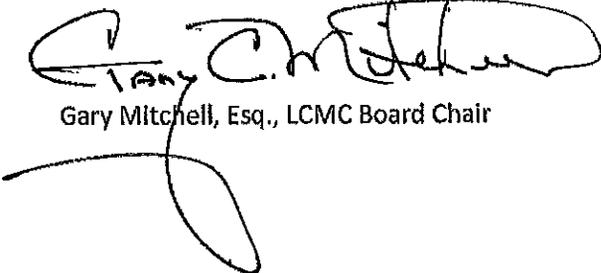
In order to cover the cost of LCMC services noted in its budget submission of July 24, 2014, LCMC requires payment of:

- a. \$762,500 (LCMC Hospital budget reduction per Issues paragraph (2) above) in accordance with our original budget request of July 24, 2014, OR
- b. \$890,403 which is the difference between the Mil Levy collected (\$2,926,903 per our lease requirement) and the County approved LCMC budget of \$2,036,500, AND
- c. \$193,503 (per Issues paragraph (3) above) payment to New Mexico Department of Health for the SNCP County match for the period January 1, 2014 to June 30, 2014.

Sincerely,

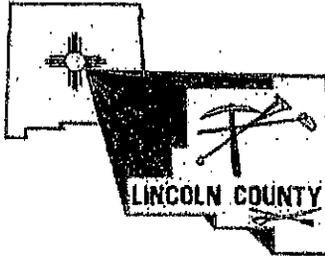


Alfred Santos, Administrator



Gary Mitchell, Esq., LCMC Board Chair

Cc: Mr. Bo Beames
Mr. Alan Morel
Mr. Dallas Draper
Mr. Tom Stewart
Dr. Lynn Willard
Ms. Elaine Allen
Ms. Nita Taylor
Mr. Gabe Parra



County of Lincoln

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Agenda Item No. 16b

November 13, 2014

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: NM Human Services Department Request for County Match for January Through June, 2014 HSD Payment to LCMC

Purpose: Discuss / Take Action on NM Human Services Department on County Match for HSD Payment to LCMC

Discussion: On November 4th, Manager received correspondence from Brent Earnest, Deputy Secretary of NM Human Services Department, outlining the new process in place to provide funding for 1) payments to safety net hospitals and 2) higher Medicaid reimbursement rates for inpatient services. See **Enclosure 1**.

The actual purpose of the letter was to request those Counties that did not make a SCP/SNCP payment to the HSD for the timeframe of January – June, 2014, to make payment now:

*“If you have not submitted the contribution for that payment, please do so, or HSD may be forced to recoup the related portion of the hospital payment. The enclosed table provides details about the payments that your contributions support, and **the amount we could have to recoup without your contribution.**”*

Page 3 of Enclosure 1 illustrates the amount requested from the County is \$193,503; and the amount subject to recoupment from LCMC is \$628,256.49, should the County opt not to make this payment. HSD tied no deadline for the submission of this payment.

As you’ll recall, the timeframe of January 1 – June 30, 2014 was that window during which neither SCP nor SNCP was an active program. (SCP ended on 12/31/13 and SNCP was to commence on 7/1/14). LCMC made the Commission aware of this funding uncertainty and requested \$1.1 million to cover the loss of SCP payments and the uncertainty of the industry at that time. The County Commission approved that funding level and subsequently paid LCMC \$550,000 on April 10, 2014 and \$550,000 on June 13, 2014; both payments out of the hospital mill levy fund.

ENCL 4

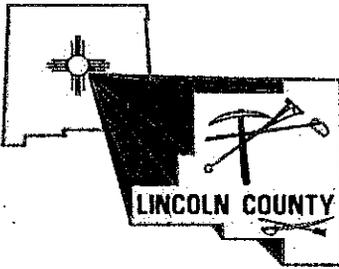
As it turned out, LCMC received a total of \$1,728,256 from both sources. Had they known of the \$628,256 coming from the State, LCMC's request to the County surely would have been less. On November 13, 2014, Manager submitted an e-mail proposal to Al Santos, LCMC's Administrator, that LCMC reimburse the County \$193,503 of the \$550,000 mil levy funding that the County paid to it on June 13, 2014, in order for the County to submit that amount to HSD. That submission would prevent the potential consequence of HSD recouping \$628,256.49 from LCMC. Attorney Morel and Manager again discussed that option with LCMC Administration on Friday, November 15th.

The Commission has three options to consider:

1. Submit payment to NM Human Services Department in the amount of \$193,256.49 from mil levy hospital account;
2. Submit payment to NM Human Services Department in the amount of \$193,256.49 after receipt of reimbursement from LCMC of same amount;
3. In the circumstance that LCMC opts not to reimburse the County; submit notification to NM Human Services Department that the County opts to make no payment to the State due to payments made during that timeframe directly to LCMC.

Recommendation: Adopt options 2 and 3.

Approved
2 & 3



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AGENDA ITEM NO. 14c

November 19, 2014

MEMORANDUM

To: County Commissioners

From: Nita Taylor, Lincoln County Manager *NT*

Subject: Lincoln County Medical Center (LCMC) Lease and Second Amendment inspection

Purpose: Determine Potential Amendment language

Discussion: In January, 2014, the Commission approved Lincoln County / Presbyterian Healthcare Service lease agreement for the Lincoln County Medical Center Complex. On November 19th, 2014, the Commission was updated that Attorney Morel and Manager met with representatives of PHS and made some headway on status of the contract: specifically that the lease amount to be paid by PHS to Lincoln County need not be changed. However, it is critical that these lease negotiations continue, as certain terms included in the LCMC lease are in need of inspection and modification.

The LCMC lease currently in effect utilizes language which has been replaced due to changes from Sole Community Provider funds to Safety Net Care Pool funds. Additionally, due to Lincoln County voters recently renewing a Mill Levy of 3.0, the LCMC lease language will need to reflect new dates and updated language pursuant to recent changes in the New Mexico Statute Hospital Funding Act, Article 48B. Further, pursuant to paragraph 2.1 in the Second Amendment to the LCMC Lease, the County and Presbyterian/LCMC are to meet and discuss whether to modify the amount of the Lease payment:

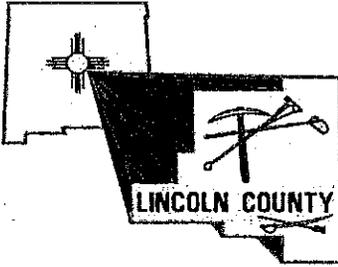
“Ninety days prior to the end of each year, beginning for the first time, however, on October 1, 2014, the parties shall meet to determine whether any adjustment (either up or down) to the base rent is warranted. Any adjustment to which the parties agree shall be effective as of January 1 following the date of such agreement. If the parties fail to agree on any adjustment, PHS shall pay for the following year the base rent then in effect plus Fifty Thousand Dollars (\$50,000.00).

In September, 2014, Attorney Morel commenced efforts to get parties to meet on this agreement. The sole issue on which the County and PHS has been able to agree is the matter of the lease payment that LCMC makes to the County: that it will not change this year. LCMC has not made a lease payment to the County since December 17th, 2014.

County Attorney drafted a Third Amendment to the LCMC Lease, incorporating new language reflective of recent changes in Sole Community Provider funds to Safety Net Care Pool and any other verbiage changes needed to comply with the Affordable Health Act, and to refine any additional language in the existing lease to bring the lease into compliance with New Mexico Statutes regarding the Hospital Funding Act.

PHS committed to take County proposed language changes to PHS Administration for review; however no further progress has been made.

Recommendation: Provide guidance to Attorney Morel and Manager Taylor on moving forward with lease negotiations with LCMC.



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AGENDA ITEM NO. 14d

March 13, 2013

MEMORANDUM

To: County Commissioners

From: Nita Taylor, Lincoln County Manager *NT*

Subject: First Amendment to Medical Director Agreement between Lincoln County and PHS

Discussion: In February, 2014, Lincoln County and PHS entered into an Agreement for PHS to appoint the Medical Director of the LCMC ambulance service and to also provide medical directorship for the County's Volunteer Fire Department and Sheriff's office EMS dispatch. It is beneficial to the County for PHS and Lincoln County extend the term of the Agreement for a two-year period.

Recommendation: Approve the First Amendment to Medical Director Agreement from one-year to two years.

**FIRST AMENDMENT TO
MEDICAL DIRECTOR AGREEMENT**

This First Amendment to Medical Director Agreement is dated as of the 12th day of March, 2015 and is by and between the County of Lincoln, a political subdivision of the State of New Mexico (the "County") and Presbyterian Healthcare Services, a New Mexico nonprofit corporation ("PHS").

RECITALS:

A. PHS and the County are parties to a Medical Director Agreement effective February 19, 2014 (the "Agreement") in which PHS provides medical directorship for the county's Volunteer Fire Department and Sheriff's Office EMS dispatch.

B. PHS and the County desire to extend the term of the Agreement for a two-year period.

AGREEMENTS:

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and conditions set forth in this First Amendment, PHS and the County hereby agree as follows:

1. *Extension.* PHS and the County hereby extend the term of the Agreement for a period of two years. Unless further extended, the Agreement will automatically terminate on February 18, 2017.

2. *Effect.* Except as amended by the terms of this First Amendment, each of the terms and provisions of the Agreement will continue in full force and effect.

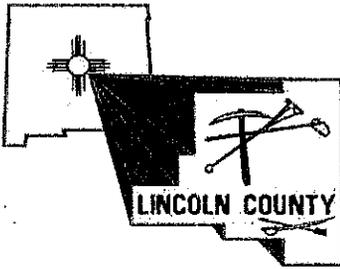
IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to be effective as of February 19, 2015.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LINCOLN

PRESBYTERIAN HEALTHCARE SERVICES

By _____
Name: _____
Title: _____
Date: _____

By _____
Name: _____
Title: _____
Date: _____



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Agenda Item No. 15

March 13, 2014

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager 

SUBJECT: Cooperative Agreement & Lease - Village of Capitan Senior Citizens Center

Purpose: To Consider Proposed Lease Agreement Recommended by Village of Capitan

Discussion: In July, 2013 the Commission was presented with a revised lease agreement between the Village of Capitan and the County. In 2010 a new Senior Citizens Center was built with CDBG Grant funding awarded to the Village of Capitan. The former lease agreement between the Village and the County for the prior Senior Center was approved July 3, 1984.

Since that time, the Village and the County have exchange several versions of a lease Agreement. At Enclosure 1 is the most current lease agreement proposed by the Village. See **Enclosure 1**. In checking with the New Mexico Association of Counties (NMAC), which is our insurance provider, we have a conflict with the underlined addition in Paragraph 15 on page 3:

“The County shall name the Village as an additional insured on its policy and shall provide a copy of the endorsement to the Village annually.”

Per NMAC, “we will not add any third party to the coverage agreement in place through the NM County Insurance Authority. The reasoning for this derives from statute, particularly the Tort Claims Act.” To add the language requested would require the County to procure a separate policy of insurance from another provider.

Recommendation: Approve the modified Cooperative Agreement and Lease between the Village of Capitan Senior Citizens Center and the County with the line referenced above stricken. Authorize County Manager to provide signed revised contract to Village of Capitan for its concurrence.

**COOPERATIVE AGREEMENT AND LEASE
VILLAGE OF CAPITAN
SENIOR CITIZENS CENTER**

THIS AGREEMENT, entered into this ___ day of ___, 2015, by and between the **VILLAGE OF CAPITAN**, a New Mexico municipal corporation, whose address is P. O. Box 246, Capitan, New Mexico, 88316, hereinafter referred to as "Capitan" and **THE COUNTY OF LINCOLN**, whose address is P. O. Box 711, Carrizozo, New Mexico, 88301, hereinafter referred to as "County."

1. Capitan does hereby lease and the County does hereby take as Lessee the property commonly known as **"THE CAPITAN SENIOR CITIZENS' CENTER"** a building upon the following described real property:

Beginning at the SW Corner of Tract 1, as shown by the plat filed in the Office of the Lincoln County Clerk in Cabinet G Slide 270 on December 15, 1988; Thence S88° 18' W 50 feet to the Western boundary of Tiger Dr., and the Place of Beginning of this tract of land; Thence continuing S88° 18' W approximately 178 feet to the SW corner of the herein described tract; Thence North approximately 425 feet; Thence West approximately 126 feet; Thence North approximately 188 feet; Thence East approximately 370 feet to the West boundary of Tiger Dr.; Thence South along the West boundary of Tiger Dr. to the Place of Beginning.

A map showing the general location of the Capitan Senior Citizen's Center is attached hereto, as a point of reference.

2. The premises shall be used by the County for the purpose of conducting all those activities usual and necessary for the operation of a senior citizen's center, including, but not limited to, the "Meal Site Program." The County shall have complete management of the leased property, providing that it shall also continue to be made available to the general public for civic-type meetings. All public civic-type meetings shall be scheduled and approved by County and the use of said facilities shall be at a reasonable charge to the user and/or to the general public for cleaning.

Capitan shall be responsible for insuring that the subject property is in compliance with the Americans with Disabilities Act, and shall bear all costs in connection with bringing said property into compliance with all requirements of the Americans with Disabilities Act.

The County shall comply with all Federal, State, Municipal and other laws, ordinances, rules and regulations applicable to the premises and business conducted therein by the County.

3. The term of this Lease shall be for a period of ten (10) years beginning _____, 2015, and ending on _____, 2025, both dates inclusive, unless sooner terminated as provided herein. The County shall have the option of renewing this Cooperative Agreement and Lease under the same terms and conditions as herein set forth in the original basic term, provided that the County fully and faithfully performed all the County's duties and obligations during the original basic term.

4. As consideration for the Lease, rent shall be Ten (\$10.00) dollars per year plus other good and valuable consideration, the receipt of which is hereby acknowledged.

5. All notices required or permitted to be given hereunder shall be considered properly given upon delivering the notice in writing to the party to be notified, or mailing the notice by registered or certified mail, return receipt requested to the party to be notified at such party's address set forth above, or such other address as the party to be notified may have designated by previous written notice to the other.

Notice may be sent to the County and Capitan at the addresses first set forth above. The person authorized to act for Capitan for the purpose of receiving notices and demands shall be the Capitan Clerk at the referenced address. The person authorized to act for the County shall be the County Manager at the referenced address.

6. Capitan shall be responsible for paying for water, sewer, and garbage service provided to the premises. The County shall be responsible for any other utility service used in, rendered or supplied to the premises throughout the term of this Lease.

7. The County shall at all times during this Lease term and during any extension or renewal term peaceably and quietly enjoy the leased property without any disturbance from Capitan or from any other person claiming through Capitan.

8. Capitan reserves the right to utilize the building for Village-related functions as long as said function does not interfere with normal Senior Center meal operations.

9. Capitan and its representatives may enter the leased property, at any reasonable time, for the purpose of inspecting the leased property, performing any work which Capitan elects to undertake made necessary by reason of the County's default under the terms of this Lease, showing the leased property for sale, lease, or mortgage financing or posting notices of non-responsibility under any mechanic's lien law.

10. Upon termination or expiration of this Lease, the County shall immediately deliver possession of the premises to Capitan. The County shall also deliver all keys to the premises to Capitan.

11. The County shall not assign this Lease, nor sublet the premises, or any part thereof, nor use the same, or any part thereof, nor permit the same, or any part thereof, to be used for any other purposes than as above stipulated, without the prior written consent of Capitan. Any such

assignment or subletting without such consent shall be void, and shall, at the option of Capitan, terminate this Lease.

12. The County shall be responsible for all routine repairs to the subject premises, and shall keep and maintain in good order, condition, and repair the premises and every part thereof, reasonable wear and tear excepted.

13. During the term of this Lease, Capitan shall carry fire and extended coverage insurance, including any improvements upon the leased premises provided by Capitan, in such amount as Capitan deems necessary to protect Capitan interest.

14. The County shall not engage in any activity which would cause Capitan's fire or extended coverage insurance to be canceled or the rate therefor to be increased. If at any time during the Lease term the premises are damaged by fire or other casualty, the County shall give immediate notice to Capitan or its agent.

If the entire premises are rendered un-tenantable by reason of fire or other cause, this Lease shall terminate.

In the event of any partial or total destruction of the premises by fire or other cause, the County may, at its option, suspend the County's service to the citizens of Capitan as a senior citizen's center until such time as repairs are completed.

The County shall not be liable, under any expressed or implied covenant of this Lease, for any damages to Capitan beyond the loss of rent reserved by this Lease, accruing after any act or breach of covenant for which damages may be sought to be recovered against Capitan, except of those caused by sole negligence on the part of Capitan, its agents or employees.

15. The County shall procure and maintain throughout the term of this Lease a policy or policies of insurance, at its sole cost and expense, insuring the County against any and all claims, demands, or actions arising out of or in connection with the premises, any condition thereof, and any employee or other person entering the premises, regardless of the reason, for injury to the person or damage to the property on or about the premises. The County shall supply insurance in at least the amount of Five Hundred Thousand (\$500,000.00) dollars for property damage, Three Hundred Thousand (\$300,000.00) dollars for each person, and One Million Twenty Five Thousand (\$1,025,000.00) dollars per incident in respect to injury of persons (including death). The County shall name the Village as an additional insured on its policy and shall provide a copy of the endorsement to the Village annually.

16. If the County should remain in possession of the premises after the expiration of the term of this Lease without the execution by Capitan and the County of a new lease, then the County shall be deemed to be occupying the premises as a tenant-at-sufferance, subject to all covenants and obligations of this Lease.

17. The County shall operate the Capitan Senior Citizen's Center, and shall not hold themselves out as agent, employee or servant of Capitan.

18. It is understood and agreed between the parties hereto that time is of the essence of this agreement and this applies to all terms and conditions herein.

19. The right of Capitan under the foregoing shall be cumulative, and the failure on the part of Capitan to exercise promptly any rights given hereunder shall not operate to forfeit any of said rights.

20. This Lease contains the entire agreement between the parties, governs over and supersedes all bid letters, correspondence, discussions, and communications between the parties and may be amended only by express written agreement signed by both parties. This Lease shall be governed by the laws of the State of New Mexico.

21. Understanding that federal and state funding is sourced through the New Mexico Aging and Long Term Services Agency, in the event the County loses state and/or federal funding for senior centers, this cooperative agreement shall automatically terminate.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first written above.

VILLAGE OF CAPITAN

By: _____

Dennis Haskell, Mayor Village of Capitan Attest:

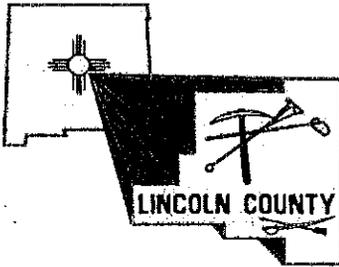
Laura McInnes
Village of Capitan Clerk
P.O. Box 246
Capitan, NM 88316

COUNTY OF LINCOLN

By: _____
Nita Taylor
Lincoln County Manager

Attest:

Rhonda Burrows
Lincoln County Clerk
P.O. Box 711
Carrizozo, NM 88301



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County of Lincoln

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Agenda Item No. 16

March 13, 2014

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager 

SUBJECT: McKinley County Juvenile Detention Center Contract

Purpose: To Consider Entering into Contract with McKinley County for the Housing of Lincoln County Juvenile Offenders

Discussion: The County currently makes every effort to house its juvenile offenders in the facilities that are in reasonable distance proximity. During this calendar year, the County has housed from 2 to 6 juvenile offenders monthly in the Doña Ana County Detention Facility, which charges \$130.00 per day. Dona Ana County is considering closing its facility; Eddy County is also terminating its juvenile offenders center.

Manager was contacted by Director of McKinley County Juvenile Detention Center that it is soliciting other counties in need of juvenile offender housing. See **Enclosure 1**. The McKinley County rate is \$108 per day, and offers partial day billing. Of significant consideration to the Sheriff, whose responsibility is to transport juvenile offenders, is McKinley's willingness to assist in the transport, by meeting the County half-way, at Belen. The half-way meet agreement also applies to the transporting of the juvenile offender to and from court.

To enter into a contract with the McKinley County Juvenile Detention Center does not lock us in to using that facility solely. It simply provides more options. The Sheriff and Attorney are in agreement that this would be a good option for the County.

Recommendation: Approve the contract between Lincoln County and the McKinley County Juvenile Detention Center for the housing of juvenile offenders.

Commissioner, Dist. 1
Carol Bowman-Muskett



Chairperson
Commissioner, Dist. 3
Anthony Tanner

Commissioner, Dist. 2
Genevieve Jackson

County Manager
Bill Lee

County of McKinley
207 West Hill, 3rd Floor
Gallup, NM 87301
Telephone: (505) 722-3868
Fax: (505) 863-6362

RECEIVED

MAR 02 2015

ADMINISTRATION
LINCOLN COUNTY NM

February 27, 2015

Nita Taylor
Lincoln County Manager
P.O. box 711
Carrizozo, New Mexico 88301

Dear Ms. Taylor,

The McKinley County Juvenile Detention Center is a thirty four bed facility and has been open for about five years. We are CYFD Certified and have available bed space for Juveniles. The cells are single occupancy and we have direct supervision. An Officer is stationed inside the pod at all times. We have an on-site school, and the juveniles attend classes, following the McKinley County School's schedule. I am attaching some photographs of the inside of the facility.

I fully realize that the distance to transport a juvenile here is long. We would be willing to assist in the transports by meeting your transport in Belen, with some advance notice.

My background is in Law Enforcement. I was a City Police Officer here in Gallup for about 9 years and about 20 years with the McKinley County Sheriff's Department. In 2003, I left the Sheriff's Department to run the Adult Detention Center, and did so for six and one half years. I tried retirement, but it didn't work and now I am the Director of the McKinley County Juvenile Detention Center.

We have a good staff and I am working on getting some programs in here, other than the school. I hope to have a couple of Officers trained to give life skills training to the juveniles in the near future.

Our daily rate is \$108.00 per juvenile, per day. This is within reason, negotiable, but I could also break it into hourly increments, so that you would only pay for the time they were in our custody. Hourly rate is

ENCL 1

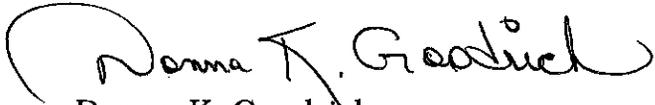
\$4.50 per hour. The time would start when we took custody and end when you took custody. Any change in the daily rate would require my County Manager's approval, and or the Commission.

I would appreciate it if you would consider this proposal, and determine if it would save your county time and money.

Thank you. If you have questions, or would like a tour of the facility, we would be glad to have you visit us.

I can be reached at 505-863-1440, ext. 3301 (Office Number), 505-728-7585 (cell number).

Sincerely,

A handwritten signature in black ink that reads "Donna K. Goodrich". The signature is written in a cursive style with a large, looping initial "D".

Donna K. Goodrich

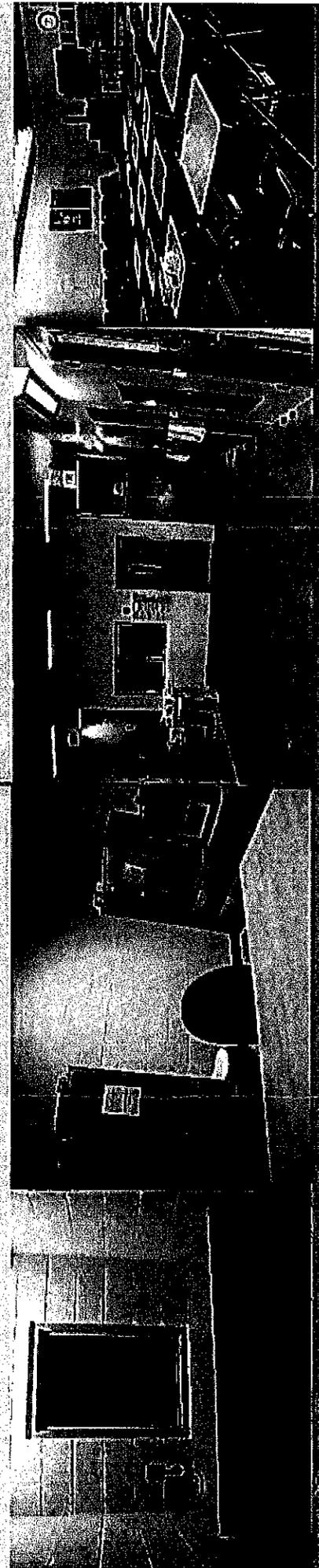
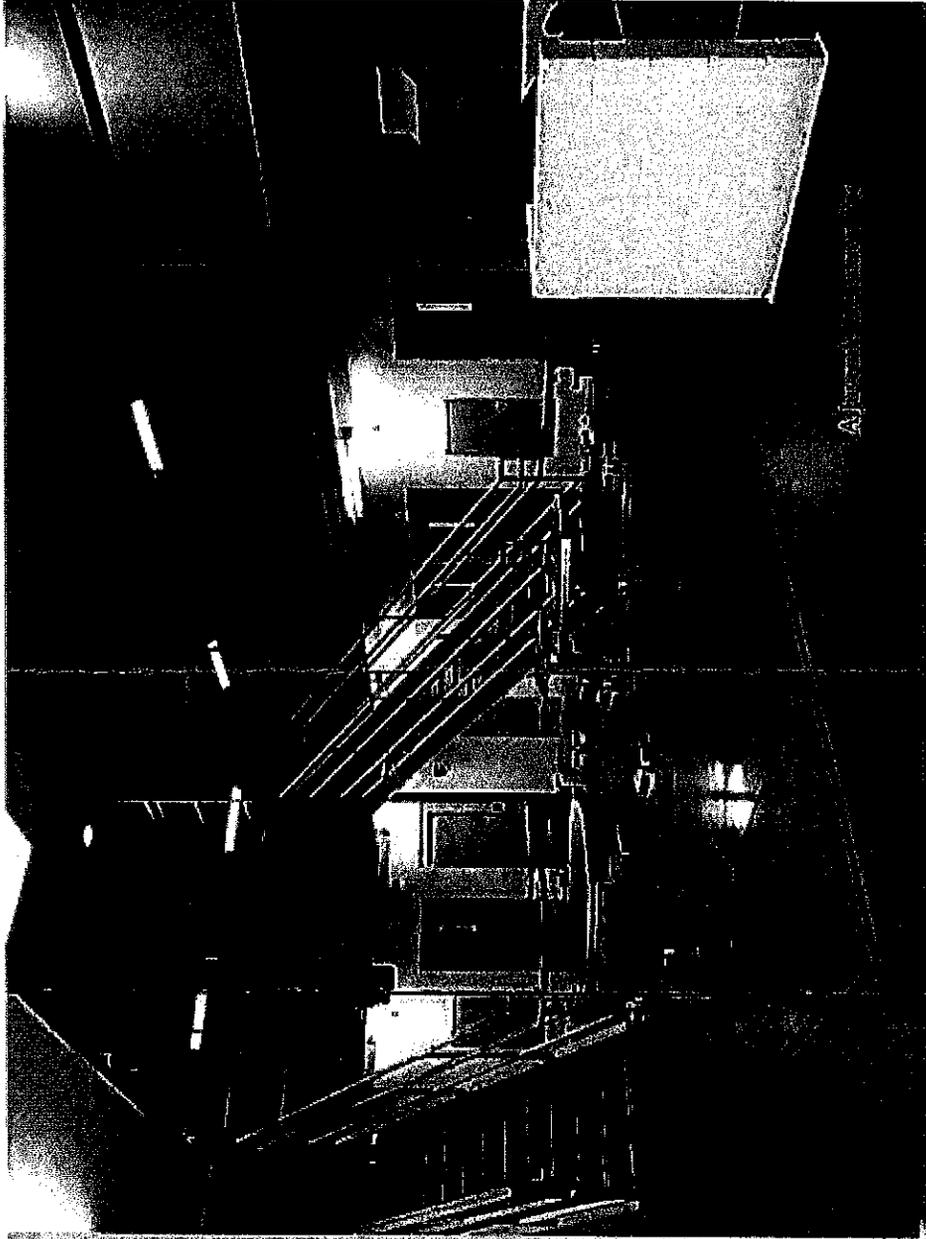
Director

McKinley County Juvenile Detention Center

Juvenile Detention Services

The Juvenile facilities provide the following services:

- ✓ Medical Service
- ✓ 2900 Calory Diet
- ✓ Commissary
- ✓ Religious Services
- ✓ Onsite Educational Program
- ✓ Life Skills Program
- ✓ Prevention Education (Substance/Alcohol)
- ✓ Counseling Services
- ✓ Visitation
- ✓ Good Behavior Reward Program
- ✓ Behavioral Health Services
- ✓ (Native Traditional and Western counseling)



Non-Contact Visitation

Medical Unit

Booking Intake

Onsite School

The items checked are the ones we have in place. I am working on more programs.

JUVENILE DETENTION CENTER CONTRACT

WHEREAS, McKinley County, New Mexico, a political subdivision of the State of New Mexico, owns and operates a Detention Facility to house juvenile offenders; and,

WHEREAS, McKinley County, in operating the facility has space available to contract out to other governmental agencies; and,

WHEREAS, Lincoln County, as a political subdivision of the State of New Mexico having the power to enter into contracts, has a need to obtain secure detention space for juveniles arrested and/or detained pursuant to lawful process hereinafter called "Detainees"; and,

NOW THEREFORE, it is agreed to, by and between McKinley County and Lincoln County that:

1. Term. This Agreement shall be effective as of the date of acceptance of all parties and shall continue in full force and effect until terminated as per paragraph 9 below; except that the Payments as listed in section 4 below may be reviewed and changed by simple amendment to this contract.

2. Detainees Definition. A detainee of Lincoln County for purposes of this agreement is:

a. A person under the age of majority under the jurisdiction of the Lincoln County Court or Probation Office who is arrested or detained; or,

b. A person under the age of majority under the jurisdiction of the Lincoln County Court or Probation Office who has been sentenced to secure detention.

3. Acceptance Guidelines.

a. McKinley County shall accept Lincoln County Detainees on a space available basis. Available space shall be determined in the sole discretion of McKinley County and/or Facility Director.

b. It is mutually agreed and understood that, first priority for detention services is to McKinley County and a two (2) bed contractual commitment to Cibola County, New Mexico. McKinley County will not give preference for the remaining available space to any particular arresting agency unless that agency otherwise enters in a contractual bed commitment. All Detainees will be housed on a first-booked, first incarcerated basis.

c. It is mutually agreed that McKinley County, through the Facility Director or his/her designee, retains the right to refuse to accept any Detainee who appears to be physically injured or suffering from any form of physical or mental illness, or for other sufficient causes specified in writing by the Facility Director.

4. Payment.

a. In consideration for the service of housing Detainees of Lincoln County, Lincoln County shall pay McKinley County the general detention rate as set from time to time by the Board of County Commissioners. The rate as set by the Board of County Commissioners at the inception of this contract is One Hundred and eight Dollars (\$108.00) per day, per Detainee. Payments may be reviewed and changed by simple amendment to this contract.

McKinley County will bill Lincoln County on a "partial day" basis. Partial day billing will be set up as follows: From the time of acceptance into the McKinley County Juvenile Detention center to the sixth hour will be twenty seven dollars (\$27.00), at the start of the sixth hour through the twelve hour will be an additional twenty seven dollars (\$27.00), etc. through the twenty fourth hour. This will total One Hundred eight Dollars per detainee in a 24 hour period.

b. In addition to the above cost, Lincoln County shall reimburse McKinley County for all necessary medical, dental, and/or pharmaceutical expenses incurred by, or on behalf of, Detainees arising out of injuries or illnesses of, or to, the Detainee's arrest. This is a Cost Reimbursement Basis.

5. Invoice Procedure.

a. McKinley County shall invoice Lincoln County on a monthly basis based on records maintained by the facility. Invoices shall include appropriate Gross Receipt Taxes.

b. Lincoln County shall pay the invoices within 30 days of receipt of the invoice. Non-payment of the monthly invoices or late payment is reasonable grounds to refuse acceptance of future Detainees.

6. Transportation. McKinley County will transport the Detainees to and from McKinley County Juvenile Detention Center to a mutually agreed upon location in Belen, New Mexico, where the transfer of Detainees, to/from Lincoln County will take place. This will be limited to three trips per week or no more than twelve trips per month. For Billing purposes, time will begin when we take custody. Twenty four hour notice is requested for transports.

7. Medical Care.

a. A brief medical history will accompany each Detainee to the Facility. Any current medication and its purpose will be included.

b. If a Detainee requires non-emergency medical services, the Facility will confer with the Lincoln County Juvenile Probation Office to determine a course of action.

c. Should the Facility staff determine that a Detainee needs emergency medical, dental, or mental health services, they shall proceed under the guidelines of subparagraph (d) below.

d. If a Detainee requires emergency medical services, he or she should be taken to the nearest medical facility providing emergency medical services, eligible for Contract Health Services. The detention center shall give notice as soon as practical during McKinley County business hours of the emergency determination to the Lincoln County Juvenile Probation Department. The Lincoln County Juvenile Probation Department shall then proceed to take over the medical needs and arrange any continued services to be provided, pursuant to this subparagraph (d).

e. Lincoln County shall have the right of subrogation to seek reimbursement of any medical, dental and/or pharmaceutical cost(s) paid on behalf of the Detainee(s) and for which Lincoln County has paid McKinley County.

8. Default. In the event of a default of any term of this contract, any party shall have the right to serve notice of the default and give thirty (30) days in which the defaulting party can cure the default. Notice is hereby deemed to have been given if: (a) written notice is hand-delivered to the Party at their respective office(s); or (b) the written notice is mailed by certified mail, return receipt requested, to their respective office addresses.

9. Termination.

a. This Agreement may be terminated by either party, with or without cause, by providing written notice to the other party at least thirty (30) calendar days prior to the effective date of termination. Notice of termination shall be deemed to have been given if delivered or mailed in accordance with paragraph 8 above.

b. Any termination, pursuant to the above paragraph, shall not affect or abrogate any responsibility of either party up to the effective date of termination. If Lincoln County has any Detainees in the Facility, such Detainees will be transported from the Facility by Lincoln County.

10. Operational Guidelines.

a. It is agreed, once in the custody of the Facility, McKinley County shall have complete and total authority over the administration, security, health, safety, and well-being of all Detainee(s) housed at the Facility.

b. McKinley County shall operate its Facility and detain the inmate under this contract and shall hold them under the New Mexico State Juvenile Standards.

c. Lincoln County agrees to instruct its transport officers to bring the required paperwork from CYFD and or Court for the processing of Lincoln County Detainees, mug shots and necessary reports, if requested by the Facility Director and/or his/her designee.

d. McKinley County agrees that the release of Detainee(s) shall be made by the Facility only pursuant to an Order of the Lincoln County Court.

e. Lincoln County and McKinley County agree that, if there is any incident at the Facility involving a Detainee of Lincoln County which requires an investigation such incident shall be referred to the New Mexico State Police or Local County Law Enforcement Agency for investigation and a report made to both Lincoln County and McKinley County.

11. Indemnification. Lincoln County agrees to defend, indemnify and hold harmless the County of McKinley, their officials, agents and employees from and against any and all claims, action, suits or proceedings of any kind brought against said parties for or on account of any matter arising from the action or inaction performed by Lincoln County under this Agreement. The indemnity required herein shall not be limited by reason of the specification of any particular insurance coverage in this Agreement.

12. Enforcement. In the event of any dispute or controversy between both parties with respect to any of the matters set forth herein, the prevailing party shall be entitled to, in addition to any court judgment or award, reasonable attorneys' fees and costs of litigation, arbitration or injunctive relief proceedings brought to enforce or carry out the provisions of this Agreement.

13. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith. The Agreement may be amended only by the written consent of the parties.

14. Applicable Law. The parties hereto agree that jurisdiction for enforcement of this contract shall be in the appropriate Judicial District Court of the State of New Mexico. Any interpretation or construction will be done in accordance with the laws of the State of New Mexico.

15. Approval Required. This Agreement shall not become effective or binding until approved by the McKinley County Commission and Lincoln County Commission as indicated by the date last signed below.

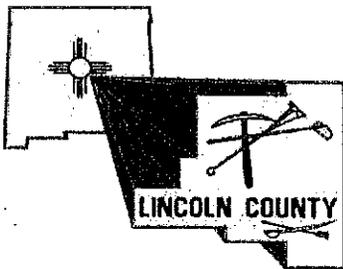
DONE AS INDICATED BY THE DATES BELOW.

MCKINLEY COUNTY BOARD OF COMMISSIONERS

_____ Date: _____
By: Carol Bowman-Muskett,, Chairperson

LINCOLNCOUNTY BOARD OF COMMISSIONERS

_____ Date: _____
By: Commission Chairperson



County of Lincoln

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AGENDA Item No. 17

March 13, 2015

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager

SUBJECT: Required Space for District Attorney Staff – Carrizozo

DISCUSSION: The reconstruction of the Annex Building is progressing smoothly, as follows:

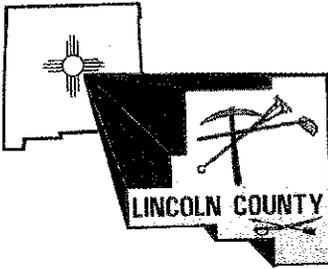
1. Demolition of restroom walls 50% complete;
2. Floor prep complete. Hallway skim and texture is in process. Painting is in process this week;
3. Acoustical grid on second floor is complete, tile installed 2.25.15; (not for public use);
4. Piping is complete. Working to schedule the chemical treatment system installation for week of 3.16.15

At its January meeting the Commission was provided with an overview of interim housing for both County and District Attorney Staffs;

- Lincoln County Extension Service: temporary space was found at the 409 Central. They have asked for that space to be their permanent housing, even after the Annex reconstruction project is complete. It would be an inexpensive fit as only the flooring and perhaps a coat of paint would require attention. No remodel.
- Lincoln County Historian: temporary space was found in the County Conference Room adjacent to the Sheriff's office; previous space in the Annex was approximately 400 square feet, and the same amount of space has been identified for her operation at the Northeast end of the Annex, freeing up the remaining space for the District Attorney. Approximately 400 square feet of 3700 total square feet will be assigned to the Historian. Clerk is working with contractor to identify special needs for historical records.
- District Attorney Staff: temporary space, which is inadequately sized to be permanent space, was found at the NRCS building. As the District Attorney informed the Commission at its January meeting, she is not willing to return to the 2nd floor of the Annex building; it is too difficult to carry boxes and otherwise maneuver the stairs. Almost the entire first floor of the Annex (3,300 of 3,700 square feet) can be dedicated to the DA and her staff. To consider housing the DA at the Title Company building is cost prohibitive, considering the existing floorplan meets the needs of the Extension Agency, and the cost of remodel is estimated to be about \$250,000.

As we move toward completion of the Annex reconstruction, it is important that each workgroup is assigned a permanent location: phones and data to be reconnected; moving plans to be finalized, etc.

Recommendation: Approve the solution that makes the most economic and practical sense: Extension Service to stay at 409 Central; and for the County Historian and DA Staff to share the first floor of the Annex, as described above.



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

Memo

18

To: Board of County Commissioners
Cc: Nita Taylor, County Manager *NT*
From: Rhonda Burrows, County Clerk
Date: 3/9/2015
Re: Return of Historical Records to Lincoln County

The County Clerk's office continues to work to recover and preserve historical documents which are appropriately a part of the public records of Lincoln County. A few of the steps taken over the last years to maintain, preserve and refurbish historical records include:

- a) The development of an "archival storage room" to ensure ongoing preservation.
- b) Application for and receipt of grants from the NM State Archives to restore original land title records.
- c) Scanning for digital image and conversion to microfilm of thousands of pages of historical documents.
- d) Attempts to recover historical records properly belonging to Lincoln County such as those known to be in the possession of or offered for sale by private collectors or entities such as the City of Harrisburg.
- e) The addition of an online link for public use to the County Clerks' newspaper collection dating back to the 1800's.
- f) Acknowledging the return of historical documents to the County of Lincoln by individuals and local families.

Roberta Haldane, the award winning author of "*Gold Mining Boomtown, the people of White Oaks, Lincoln County, New Mexico*" and several other books about Lincoln County, will be on hand to present a **Justice of the Peace Ledger for White Oaks from May 1893-1908**. Ms. Haldane will give an account of this ledger's journey from the family of Amanda Treat Aguayo back to Lincoln County. It should be noted, Ms. Haldane has a special connection to the County Clerk's office as her father Ernest Key, was elected to serve as County Clerk from 1932 – 1936.

**White Oaks Ledger from John Mottinger, 5380 Crawford Road, Santa
Teresa, New Mexico. John died in August 2014.**

Justice of the Peace Ledger for White Oaks from May 1893-1908.

Beginning dates of entries:

5/1893 Sidney M. Parker

4/1895 W. F. Blanchard

2/1897 M. N. Bellamy

6/1898 Levin W. Stewart

6/1900 Lee H. Rudiselle

1/1901 J. B. Collier

9/1902 S. H. Miller

2/1903 W. B. Tompkins

**Given to the Lincoln County Clerk, Lincoln County Courthouse, Carrizozo,
New Mexico, January 2015.**

LINCOLN COUNTY

NEWSPAPER ARCHIVES

- 1) Go to the Lincoln County website at: www.lincolncountynm.gov
- 2) On the home page banner to the far right click on: **Archives**
- 3) This link connects you to a list of papers published back to the 1800's. Click on the paper you are interested in and you will find a secondary list of dates to explore.

The County Clerk is charged with preserving every copy of each newspaper and arranging to have them properly bound and available for inspection by the public (NMSA 4-40-8).

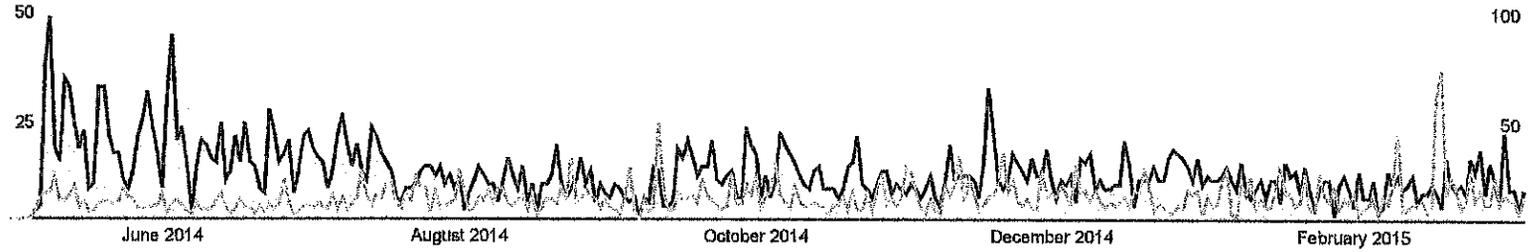
May 1, 2014 - Mar 8, 2015

Audience Overview

All Sessions
100.00%

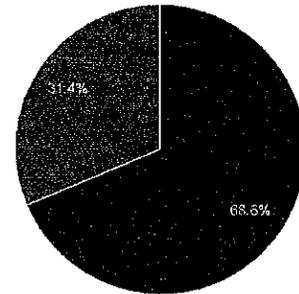
Overview

Sessions Pages / Session



Sessions 3,354 	Users 2,300 	Pageviews 32,905
Pages / Session 9.81 	Avg. Session Duration 00:08:52 	Bounce Rate 3.43%
% New Sessions 68.57% 		

New Visitor Returning Visitor



Language	Sessions	% Sessions
1. en-us	3,183	94.90%
2. ru	64	1.91%
3. ru-ru	28	0.83%
4. en	18	0.54%
5. pt-br	11	0.33%
6. c	6	0.18%
7. en-ca	5	0.15%
8. fr	5	0.15%
9. en-gb	4	0.12%
10. es	4	0.12%

May 1, 2014 - Mar 8, 2015

Location

All Sessions
100.00%

Map Overlay

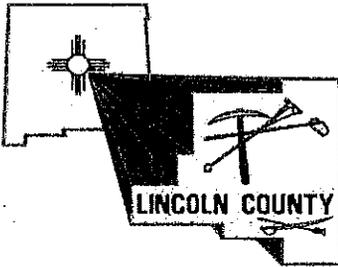
Summary



Country	Acquisition			Behavior			Conversions		
	Sessions	% New Sessions	New Users	Bounce Rate	Pages / Session	Avg. Session Duration	Goal Conversion Rate	Goal Completions	Goal Value
	3,354 % of Total: 100.00% (3,354)	68.63% Avg for View: 68.57% (0.08%)	2,302 % of Total: 100.00% (2,300)	3.43% Avg for View: 3.43% (0.00%)	9.81 Avg for View: 9.81 (0.00%)	00:08:52 Avg for View: 00:08:52 (0.00%)	0.00% Avg for View: 0.00% (0.00%)	0 % of Total: 0.00% (0)	\$0.00 % of Total: 0.00% (\$0.00)
1. United States	3,103 (92.52%)	68.39%	2,122 (92.18%)	1.84%	10.19	00:09:29	0.00%	0 (0.00%)	\$0.00 (0.00%)
2. Russia	95 (2.83%)	45.26%	43 (1.87%)	50.53%	1.51	00:00:22	0.00%	0 (0.00%)	\$0.00 (0.00%)
3. India	49 (1.46%)	95.92%	47 (2.04%)	0.00%	2.53	00:00:09	0.00%	0 (0.00%)	\$0.00 (0.00%)
4. Canada	19 (0.57%)	63.16%	12 (0.52%)	0.00%	21.47	00:05:13	0.00%	0 (0.00%)	\$0.00 (0.00%)
5. Germany	13 (0.39%)	100.00%	13 (0.56%)	0.00%	2.00	00:00:01	0.00%	0 (0.00%)	\$0.00 (0.00%)
6. Mexico	12 (0.36%)	75.00%	9 (0.39%)	0.00%	7.67	00:02:01	0.00%	0 (0.00%)	\$0.00 (0.00%)
7. Brazil	10 (0.30%)	100.00%	10 (0.43%)	0.00%	2.00	00:00:02	0.00%	0 (0.00%)	\$0.00 (0.00%)
8. United Kingdom	7 (0.21%)	71.43%	5 (0.22%)	14.29%	5.86	00:02:43	0.00%	0 (0.00%)	\$0.00 (0.00%)
9. (not set)	7 (0.21%)	100.00%	7 (0.30%)	14.29%	3.86	00:00:37	0.00%	0 (0.00%)	\$0.00 (0.00%)
0. China	6 (0.18%)	100.00%	6 (0.26%)	100.00%	1.00	00:00:00	0.00%	0 (0.00%)	\$0.00 (0.00%)
1. Algeria	5 (0.15%)	100.00%	5 (0.22%)	0.00%	53.40	00:17:46	0.00%	0 (0.00%)	\$0.00 (0.00%)

4.	Austria	2 (0.06%)	100.00%	2 (0.09%)	0.00%	4.00	00:00:12	0.00%	0 (0.00%)	\$0.00	(0.00%)
5.	Egypt	2 (0.06%)	100.00%	2 (0.09%)	0.00%	2.50	00:00:34	0.00%	0 (0.00%)	\$0.00	(0.00%)
6.	Indonesia	2 (0.06%)	100.00%	2 (0.09%)	50.00%	1.50	00:00:01	0.00%	0 (0.00%)	\$0.00	(0.00%)
7.	Turkey	2 (0.06%)	50.00%	1 (0.04%)	0.00%	3.00	00:00:06	0.00%	0 (0.00%)	\$0.00	(0.00%)
8.	United Arab Emirates	1 (0.03%)	100.00%	1 (0.04%)	0.00%	18.00	00:18:54	0.00%	0 (0.00%)	\$0.00	(0.00%)
9.	Argentina	1 (0.03%)	100.00%	1 (0.04%)	0.00%	2.00	00:00:01	0.00%	0 (0.00%)	\$0.00	(0.00%)
10.	Australia	1 (0.03%)	100.00%	1 (0.04%)	0.00%	2.00	00:00:01	0.00%	0 (0.00%)	\$0.00	(0.00%)
11.	Belgium	1 (0.03%)	0.00%	0 (0.00%)	0.00%	2.00	00:00:02	0.00%	0 (0.00%)	\$0.00	(0.00%)
12.	Belize	1 (0.03%)	100.00%	1 (0.04%)	0.00%	6.00	00:04:23	0.00%	0 (0.00%)	\$0.00	(0.00%)
13.	Finland	1 (0.03%)	100.00%	1 (0.04%)	0.00%	2.00	00:00:00	0.00%	0 (0.00%)	\$0.00	(0.00%)
14.	Israel	1 (0.03%)	100.00%	1 (0.04%)	0.00%	26.00	00:02:27	0.00%	0 (0.00%)	\$0.00	(0.00%)
15.	Italy	1 (0.03%)	100.00%	1 (0.04%)	0.00%	2.00	00:00:01	0.00%	0 (0.00%)	\$0.00	(0.00%)
16.	Netherlands	1 (0.03%)	100.00%	1 (0.04%)	0.00%	2.00	00:00:03	0.00%	0 (0.00%)	\$0.00	(0.00%)
17.	Puerto Rico	1 (0.03%)	100.00%	1 (0.04%)	0.00%	2.00	00:00:02	0.00%	0 (0.00%)	\$0.00	(0.00%)
18.	Sweden	1 (0.03%)	100.00%	1 (0.04%)	0.00%	2.00	00:00:10	0.00%	0 (0.00%)	\$0.00	(0.00%)
19.	Slovenia	1 (0.03%)	100.00%	1 (0.04%)	0.00%	2.00	00:00:01	0.00%	0 (0.00%)	\$0.00	(0.00%)
20.	Tunisia	1 (0.03%)	100.00%	1 (0.04%)	100.00%	1.00	00:00:00	0.00%	0 (0.00%)	\$0.00	(0.00%)
21.	Venezuela	1 (0.03%)	100.00%	1 (0.04%)	0.00%	2.00	00:00:02	0.00%	0 (0.00%)	\$0.00	(0.00%)

Rows 1 - 31 of 31



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Agenda Item No. 19

March 13, 2014

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Provider / Vendors' Advisory Councils for the Senior Citizen Program

Purpose: To Determine the Process to Establish Provider / Vendors Councils for the Senior Citizens Program

Discussion: It is a requirement of the Non-Metro Area Agency on Aging that Provider / Vendors' Advisory Council is established to ensure that eligible participants have input into the operations of the programs. In Counties that focus on Senior Citizens' issues and programs, this Council may be appointed by the Board of County Commissioners. In Counties that do not focus on these programs, there are other avenues for this Council to be established. **See Enclosure 1.**

Lincoln County has a strong presence and focus on the Senior Citizens programs. As you know, the County sponsors a strong program, with a Director who oversees full service centers in five separate rural communities: Carrizozo, Capitan, Corona, Hondo and Ruidoso Downs.

Recommendation: Add the Provider / Vendors' Advisory to the Commission sponsored Advisory Councils and begin the process to solicit members.

Non-Metro Area Agency on Aging
Standards & Policy Manual

SECTION: V
NUMBER: 500
Approved 1/6/12

Providers/Vendors' Advisory Councils

Providers/Vendors must ensure that eligible participants have input into the operations of the programs. This may be accomplished through City Councils, County Commissions, etc. However, because City Councils and County Commissions do not focus exclusively on Senior Citizens' issues and programs, the Non-Metro AAA requires Providers/Vendors to form Advisory Councils.

At least half (50%) of the membership of each Provider/Vendor Advisory Council must be older individuals, with Providers/Vendors attempting to include eligible participants, especially older individuals with the greatest economic and social need. The remaining membership may be composed of representatives of older individuals, local elected officials and the general public.

The Non-Metro AAA may award waivers to Providers/Vendors for the requirement of advisory councils if the intended purpose as described in this policy is not being fulfilled. Prior to awarding such a request, the Non-Metro AAA will:

1. Require detailed documentation from the Provider/Vendor making the request.
2. Ensure Provider/Vendor has method(s) in place that will allow for participants to have input in the service delivery plan.
3. Hold a public meeting, if necessary to fairly make a decision.

End of Number 500

ENCL 1

Members may be elected by the eligible participants of the Provider's programs, appointed or elected by the Advisory Council, or appointed by:

- 1) The Provider's Board of Directors,
- 2) A unit of local government, or
- 3) The Non-Metro AAA Director.

However, all members must demonstrate:

- 1) Interest in the Advisory Council's mission and purpose;
- 2) Leadership qualities;
- 3) Ability to participate constructively in the give-and-take discussions of policy or Program matters;
- 4) Ability to represent fairly the needs of the elderly and not favor special interests inside or outside the Council;
- 5) Willingness to devote time to the Council;
- 6) Commitment to represent the interests of the elderly;
- 7) Ability to function as a group member.

Each Advisory Council must formalize its procedures, structure and organization by adopting bylaws that specify:

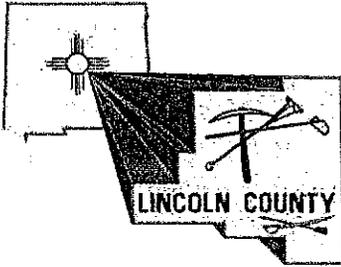
- 1) The roles and functions of the Council;
- 2) The procedure for selecting members;
- 3) Membership terms; and
- 4) Frequency of Meetings.

The bylaws must also describe the committee structures and types to include but not limited to:

- 1) Full Council
- 2) Executive Committee
- 3) Standing Committees

Providers must ensure that all Advisory Council and Board meetings are open to the public to the greatest extent possible. To this end, Providers must promote attendance by giving adequate notice and advertising Advisory Council and Board meetings by:

- 1) Making announcements to groups of eligible participants
- 2) Posting advance notices at all senior centers
- 3) Including notices in all senior centers newsletters
- 4) Sending notices with meals to home bound participants.



County of Lincoln

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AGENDA ITEM NO. 20

March 10, 2015

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *nt*

SUBJECT: Sole Community Provider/ Safety Net Care Pool & Indigent Health Care Claims

Purpose: To obtain the approval from the IHC Board of Sole Community Provider/SNCP Payments, and the Indigent Health Care (IHC) Payments.

Discussion:

Sole Community Provider/SNCP Payments: This month our coordinator processed Fourteen (14) claims, all of which are recommended for approval. If approved, the total recommended authorization this month is **\$12,327.20**. See Enclosure. 1.

Indigent Health Care Claims: This month our coordinator processed twenty-six (26) claims. Sixteen (16) claims are recommended for approval and ten (10) are recommended for disapproval, for the reasons indicated in enclosure 2. If approved, total recommended for payment this month is **\$18,147.84**. At Enclosure 2 is a summary of total applications approved and denied. At Enclosure 3 is the summary of the Indigent Fund Meeting for March 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 \$56,209.44 or an average of \$6,245.49 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 \$191,554.25 or an average of \$21,283.81 a month.

Recommendation: Approve the claims as indicated for the Sole Community Provider/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 \$179,227.05

ADJUSTMENTS

TOTAL ADJUSTMENTS: \$0.00 \$0.00

MARCH # CLAIMS FOR APPROVAL 14
CLAIMS FOR DENIAL 0
MARCH # TOTAL CLAIMS 14

MARCH TOTAL \$ AMOUNT APPROVED \$12,327.20

TOTAL # CLAIMS THIS FY APPROVED 175
TOTAL # CLAIMS THIS FY DENIED 10
TOTAL # CLAIMS FY 2014 - 2015 185

TOTAL APPROVED THIS FISCAL YEAR \$191,554.25

FACILITY: LINCOLN COUNTY MEDICAL CENTER 03/17/2015 THROUGH 03/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
20897	02/13/2015	382.00	294.14	077%
20901	01/19/2015	1787.00	1375.99	077%
20903	07/21/2014	1008.00	776.16	077%
20904	11/26/2014	616.00	474.32	077%
20905	01/28/2015	565.59	435.50	077%
20906	02/12/2015	200.80	154.62	077%
20925	01/29/2015	1146.00	882.42	077%
20907	11/18/2014	298.36	229.74	077%
20909	02/18/2015	210.00	161.70	077%
20918	02/21/2015	776.00	597.52	077%
20919	02/27/2015	1416.00	1090.32	077%
20920	01/14/2015	7036.00	5417.72	077%
20921	01/16/2015	146.20	112.57	077%
20922	01/19/2015	421.40	324.48	077%

12327.20

APPROVED- 14 REJECTED-

INDIGENT HEALTH CARE CLAIMS FISCAL YEAR 2014 - 2015

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$38,061.60

ADJUSTMENTS

TOTAL ADJUSTMENTS:

MARCH # CLAIMS FOR APPROVAL	16
# CLAIMS FOR DENIAL	10
MARCH # TOTAL CLAIMS	26

MARCH TOTAL \$ AMOUNT APPROVED \$18,147.84

TOTAL # CLAIMS THIS FY APPROVED	83
TOTAL # CLAIMS THIS FY DENIED	26
TOTAL # CLAIMS FY 2014 - 2015	109

CURRENT TOTAL APPROVED THIS FISCAL YEAR \$56,209.44

*Assuming the above is approved

FACILITY: ANESTHESIA ASSOCIATES OF NM 03/17/2015 THROUGH 03/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20908	11/18/2014	450.00	81.00 018%
			81.00

APPROVED- 1 REJECTED-

FACILITY: DONA ANA MEDICAL SUPPLY DBA LINC 03/17/2015 THROUGH 03/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20898	10/06/2014	83.28	83.28 100%
20899	11/24/2014	81.47	81.47 100%
20900	01/24/2015	211.34	211.34 100%
20916	10/26/2014	71.30	71.30 100%
20917	12/26/2014	71.30	71.30 100%
			518.69

APPROVED- 5 REJECTED-

FACILITY: GERALD CHAMPION REGIONAL MED CTR 03/17/2015 THROUGH 03/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20887	11/03/2014	4993.80	000%
PAST FILING DEADLINE			
20888	11/10/2014	4900.58	000%
PAST FILING DEADLINE			
20889	11/11/2014	10258.14	000%
PAST FILING DEADLINE			
20890	11/24/2014	780.81	601.22 077%
20891	12/03/2014	4353.91	3352.51 077%
20892	12/10/2014	4317.49	3324.47 077%
20893	12/11/2014	12492.77	2721.80 022%
20894	12/30/2014	1205.92	000%
PATIENT HAS MET OR EXCEEDED POLICY LIMIT			
20895	01/02/2015	1669.48	000%
PATIENT HAS MET OR EXCEEDED POLICY LIMIT			
20896	01/28/2015	5222.43	000%
PATIENT HAS MET OR EXCEEDED POLICY LIMIT			
20902	10/23/2014	263.00	202.51 077%
20910	09/10/2014	263.00	202.51 077%
20911	07/17/2013	226.75	000%
PAST FILING DEADLINE			
20915	10/02/2014	788.53	607.17 077%
			11012.19

APPROVED- 7 REJECTED- 7

FACILITY: PRESBYTERIAN HOSPITAL

03/17/2015 THROUGH 03/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
20886	10/21/2014	15715.00	3425.39	022%
20923	01/27/2015	143.60	110.57	077%
20924	02/10/2015	18.93		000%
PATIENT'S BILL IS BELOW \$50				
				3535.96

APPROVED- 2 REJECTED- 1

FACILITY: RUIDOSO HOME CARE & HOSPICE

03/17/2015 THROUGH 03/17/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
20912	12/31/2014	4756.95	3000.00	063%
20913	11/30/2014	4603.50		000%
PAST FILING DEADLINE				
20914	10/31/2014	2301.75		000%
PAST FILING DEADLINE				
				3000.00

APPROVED- 1 REJECTED- 2

INDIGENT FUND MEETING

MARCH 17, 2015

TOTAL APPLICATIONS	40	30,475.04
TOTAL APPROVED	30	
TOTAL DENIED	10	

ALBUQUERQUE ANESTHESIA ASSOCIATES OF NM		
APPROVED-	1	81.00
DENIED-		

RUIDOSO DONA ANA MEDICAL SUPPLY DBA LINC		
APPROVED-	5	518.69
DENIED-		

ALAMOGORDO GERALD CHAMPION REGIONAL MED CTR		
APPROVED-	7	11,012.19
DENIED-	7	

RUIDOSO LINCOLN COUNTY MEDICAL CENTER		
APPROVED-	14	12,327.20
DENIED-		

ALBUQUERQUE PRESBYTERIAN HOSPITAL		
APPROVED-	2	3,535.96
DENIED-	1	

RUIDOSO RUIDOSO HOME CARE & HOSPICE		
APPROVED-	1	3,000.00
DENIED-	2	

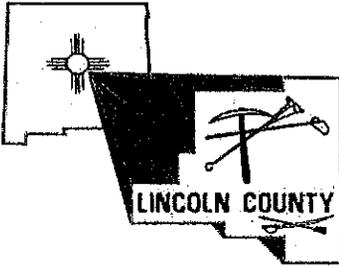
YTD

INDIGENT FUND MEETING

MARCH 17, 2015

TOTAL APPLICATIONS	307	247,763.69
TOTAL APPROVED	268	
TOTAL DENIED	39	
ALBUQUERQUE		
ANESTHESIA ASSOCIATES OF NM		3,669.42
APPROVED-	10	
DENIED-		
RUIDOSO		
DONA ANA MEDICAL SUPPLY DBA LINC		859.87
APPROVED-	8	
DENIED-		
ROSWELL		
EASTERN NM MEXICO MEDICAL CNTR		3,239.13
APPROVED-	2	
DENIED-		
ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		18,275.00
APPROVED-	13	
DENIED-	7	
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		191,554.25
APPROVED-	175	
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		17,608.02
APPROVED-	10	
DENIED-	2	
RUIDOSO RUIDOSO HOME CARE & HOSPICE		3,000.00
APPROVED-	1	
DENIED-	2	
ALBUQUERQUE UNM HEALTH SCIENCES CTR		785.52
APPROVED-	2	
DENIED-		



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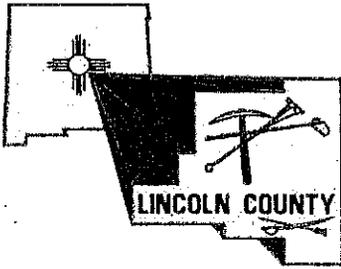
County of Lincoln

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Agenda Item No. 22

SUBJECT

11:30 a.m. Lunch: Inspection of the Lincoln County Detention



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County of Lincoln

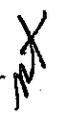
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AGENDA Item No. 23

March 13, 2015

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager 

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 lawsuit addressing the Village of Ruidoso's Applications, Mr. Kelly Cassels has provided notification that there are early discussions about holding a mediation conference to determine if there is any way to resolve the issues presented. There is no solid activity as yet.

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). Educational meetings were held on September 23rd, December 19th, February 13th, and March 13th. The only remaining scheduled session is April 14th. Our team has diligently designed and led this Educational Outreach program, with 35 individuals having signed up to participate, with a total of 656 acres. Of key importance are individual property sites, as we need enough to support a cost effective environmental analysis. Curt Temple is the County's lead participant in this process. The target we're after is the \$3.5 million mitigation grant, with matching funds already budgeted.

Nation Forest Land and Resource Management Plans

- **Cibola National Forest** 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). Comments requested by **April 3, 2015**.
- **Lincoln National Forest's Kick-off Meeting:** March 25, from 6 – 9 at Ruidoso Convention Center

SB493 – Sponsored by Senator Wirth and Representative Nunez. This bill clarifies 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. See **Enclosure 1**. At its January Meeting, Jackie Powell addressed the Commission requesting support of this bill; the Commission directed Manager to submit written support of this bill. See **Enclosure 2** for letter sent to both the Senate Conservation Committee and the Senate Judiciary Committee. It has passed out of both committees. The Fiscal Impact Report prepared by the Legislative Finance Committee finds as a significant issue that the legislation would remove the Office of the State Engineer's ability to preliminarily approve an application for temporary water use under a lease, and is of the opinion that current law that requires the applicant to show that such use is beneficial and will not impair an existing right to a greater degree than the current use would. See **Enclosure 3**.

Recommendation: None at this time; for information and Commission direction only.

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SENATE BILL 493

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Peter Wirth and Andy Nunez

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.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 72-6-3 NMSA 1978 (being Laws 1967,
Chapter 100, Section 3, as amended by Laws 2014, Chapter 45,
Section 2 and by Laws 2014, Chapter 48, Section 2) is amended
to read:

"72-6-3. OWNER MAY LEASE USE OF WATER.--

A. An owner may lease to any person all or any part
of the water use due the owner under the owner's water right,
and the owner's water right shall not be affected by the lease
of the use. The use to which the owner is entitled under the

.199767.1

underscored material = new
~~[bracketed material]~~ = delete

ENCL 1

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

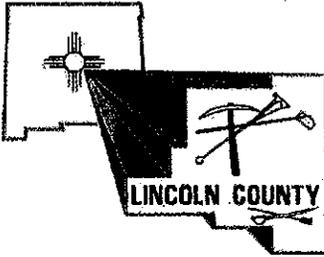
.199767.1

underscoring 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.



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County of Lincoln

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February 18, 2015

Senate Conservation Committee
Chairman Peter Wirth, Esquire
State of New Mexico Legislature
Santa Fe, New Mexico
Sent via e.mail to peter.wirth@nmlegis.gov

RE: Support for SB493

Dear Senator Wirth;

The Board of County Commissioners of the County of Lincoln strongly supports SB493:

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.

The landowners and water rights holders must be ensured that due process is granted in the consideration of an application for the lease of water rights. To minimize impairment of our limited water supplies, it is critical that thorough examination be conducted **prior** to the approval of an application granting lease and subsequent use of a water right. To allow such use prior to the investigation and approval of the application defies due process; that water use cannot be withdrawn in the circumstance that the lease application is subsequently denied.

We ask that the Senate Conservation Committee pass SB493, ensuring that due process is upheld during the pendency of the water right lease evaluation and subsequent approval or disapproval.

Sincerely,

NITA TAYLOR
Lincoln County Manager
PO Box 711, Carrizozo, NM 88301
300 Central Ave.
575.648.2385 x101
575.808.1379 (cell)
NTaylor@lincolncountynm.gov

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 02/25/15

SPONSOR Wirth/Nunez LAST UPDATED _____ HB _____

SHORT TITLE Water Rights Leases Effective Dates SB 493

ANALYST Sanogo

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI			

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files
Office of the State Engineer (OSE)

SUMMARY

Synopsis of Bill

SB 493 would require the Office of the State Engineer (OSE) to provide notice and opportunity for a hearing to other water right owners before an applicant may use water under a temporary water use lease.

FISCAL IMPLICATIONS

No fiscal impacts. See, "significant issues."

SIGNIFICANT ISSUES

SB 493 would remove OSE's ability to preliminarily approve an application for temporary water use under a lease. Current statute permits an applicant to make immediate use of such leased water. According to OSE, under Section 72-6-5 NMSA 1978, the agency may approve of a lease application in a non-emergency situation if the applicant has shown that the proposed temporary use is beneficial and:

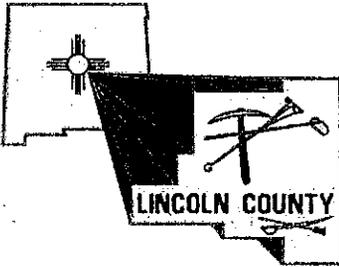
1. will not impair an existing right to a greater degree than current use would cause, and
2. will not be contrary to conservation of water within the state, or detrimental to the public welfare of the state.

Section 72-6-6 NMSA 1978 provides for the final “granting” of the application, or final decision of the state engineer, after publication and hearing. SB 493 would eliminate the possibility of immediate water use upon preliminary approval under Section 72-6-5 NMSA 1978 in non-emergency situations. The agency argues that this action is consistent with the Water Code that allows emergency applications. Furthermore, OSE argues that

Preliminary approval of a water use lease application pursuant to Section 72-6-5 is a flexible and effective mechanism for the State Engineer to regulate the temporary use of water in non-emergency situations.

SB 493 would eliminate the only tool available to the State Engineer to meet a wide variety of temporary non-emergency water demands through an expedited process while also protecting the due process rights of other water rights owners to file protests, have a hearing, and obtain a final decision from the State Engineer.

AIS/je



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AGENDA ITEM NO. 24

March 5, 2014

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Budget Preparation Procedures and Schedule

Purpose: To obtain commission approval of the timeline and procedures to be used in FY 2015-2016 budget preparation.

Discussion:

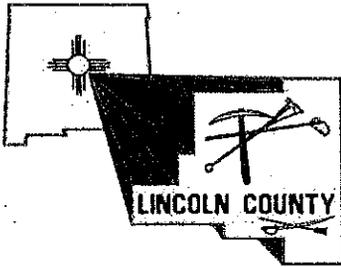
Attached, as **Enclosure 1**, is a draft memorandum that will be sent to the Lincoln County Department Heads, Elected Public Officials and Volunteer Fire departments outlining my recommended budget timeline and procedures.

I have sent the attached letter (**Enclosure 2**) to external agencies listed below for their requested input to our budget.

Coalition of Arizona/New Mexico Counties
NMSU Extension Office
Capitan Public Library
Corona Public Library
Ruidoso Public Library
Lincoln County Fair Board
Juvenile Justice Board (LCJJB)
SNMEDD
La Casa Buena Salud
USDA Predator Control/Wildlife

Noxious Weed Program
South Central Mountain RC & D
Lincoln County Humane Society
EcoServants
NM State Library Rural Bookmobile
Town of Carrizozo
Boys and Girls Club of Sierra Blanca
City of Ruidoso Downs
Miracle Paws for Pets
Nogal Mutual Domestic Water Consumers

Recommendation: Approve the procedures and timeline.



County of Lincoln

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March 18, 2015

MEMORANDUM

TO: Lincoln County Department Heads, Public Officials and Volunteer Fire Departments

FROM: Nita Taylor, Lincoln County Manager

SUBJECT: Schedule for FY 2015-2016 Budget Discussion

The following schedule has been approved by the Board of County Commissioners for preparation of the FY 2015-2016 budget.

Internal staff preparation	-	April 6-10, 2015
Special Meeting for review by Commissioners & Opportunity for Special Program Presentations	-	May 5, 2015
Submit Preliminary Budget to Commissioners	-	May 19, 2015
Submit preliminary budget to DFA	-	June 1, 2015
Preliminary Budget approval granted by DFA	-	July 1, 2015
Final Budget hearing with any final adjustments	-	July 21, 2015
Forward final budget to DFA	-	July 31, 2015
Load final budget into accounting system	-	Upon DFA Approval
DFA reviews and certifies budget	-	September 8, 2015

External agencies seeking financial assistance have submitted their requests.

Attached is a budget sheet of my initial estimate for your respective departments. Please use these estimations as a starting point for our review on April 6-10, 2015, and bring any requests for capital outlay items to the workshop. If there are revenues associated with your department, please make adjustments to that portion of the budget sheet. Finance has already posted the personnel costs to your respective sheets.

The following internal schedule of departmental budget workshops in the Commission Chambers is requested:

April 6, 2015

10:00 am	General Fund 401 01 thru 401 09	2:00 pm	County Clerk
11:00 am	Detention Center	2:30 pm	County Assessor
1:00 pm	Senior Citizens	3:00 pm	County Treasurer

ENCL 1

April 7, 2015

9:00 am Road Department
10:30 am Law Enforcement
1:00 pm COES
2:00 pm EMS

April 8, 2015

9:00 am Arabela Fire
10:00 am Bonito Fire
11:00 am Glencoe Fire
1:00 pm Hondo Fire
2:00 pm Nogal Fire
3:00 pm Lincoln Fire
4:00 pm White Oaks

Additional sessions may be scheduled to capture additional requests.

Thank You,



Nita Taylor
County Manager

DRAFT

Date

Organization

Attn: Contact Person

Address

Town, New Mexico Zip-code

RE: FY 2015 – 2016 Budget Requests

Dear XXXXXX:

Lincoln County is in the process of preparing its FY 2015 – 2016 budget. Your organization has, in the past, requested assistance from the County, and did receive funding for FY 2014-2015. In these times of budgetary shortfalls and increasing core requirements, the Board of County Commissioners will carefully evaluate the funding of non-profits and their organizations to ensure that the services provided meet a priority requirement of the county that can't be funded by some other means, and that other local governmental entities are contributing to your efforts. Prior to recommending funding, I need to ascertain the current status of your organization. Please complete the following, attach a cover letter, and **return to my office no later than April x, 2015:**

1. Amount of FY 2015 – 2016 County Funding Requested _____
2. Organization is Profit _____ Non-profit _____ Government Related _____
3. Describe your organization and its purpose: _____

4. Governing Board: _____ 5. Annual Operating Budget _____
6. # of full-time employees: _____ 7. # of part-time employees: _____ 8. # of volunteers: _____
9. Sources of Annual Income and Amount: Federal: _____ State: _____ Other: _____
 - a. Municipality Support (State the municipality and the amount): _____
 - b. Private Annual Donations: _____ c. Other sources of income & amount _____
 - d. Total of annual fees charged customers: _____
10. Total of all annual sources of income, exclusive of the county: _____
11. County Funds will be used for: _____

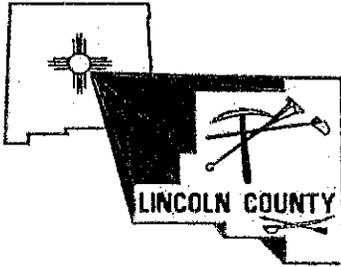
12. What statistics and measuring tools will you use to gauge the success of the designated use of county funds: _____

13. Who will be the administrator of the funds: _____
14. Other information you request to be considered: _____

Thank you,

Nita Taylor
Lincoln County Manager
PO Box 711, Carrizozo, NM 88301
Cell: 575.808.1379
Office - 575.648.2385 Ext 101
linlnc@tularosa.net

Encl.2



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Agenda Item No. 25

SUBJECT

1. **1:00 P.M.:** Public Hearing to consider the following Ordinance:
 - A. Amend Ordinance 2014-03 An Ordinance providing for Dedication to the Safety Net Care Pool Fund payment by Lincoln County by Ordinance 2015-01

ORDINANCE NO. 2014-03-2015-01

(suggested removals in ~~strike-through~~, suggested additions in **bold**)

AN ORDINANCE PROVIDING FOR DEDICATION TO THE SAFETY NET CARE POOL FUND; ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the State of New Mexico has mandated that a County shall, by Ordinance to be effective July 1, 2014, dedicate to the Safety Net Care Pool fund an amount equal to a Gross Receipts Tax rate of one-twelfth (1/12) percent applied to the taxable gross receipts reported during the prior fiscal year by persons engaging in business in the County; and,

WHEREAS, the State of New Mexico has further mandated that the county transfer to the Safety Net Care Pool fund by the last day of March, June, September, and December of each year an amount equal to one-fourth (1/4) of the County's payment to the Safety Net Care Pool fund; and,

WHEREAS, the Board of County Commissioners of Lincoln County, New Mexico desires to adopt an Ordinance in compliance with New Mexico Senate Bill 268; and,

WHEREAS, voters in the County of Lincoln approved a Mill Levy Election April 8, 2008; and,

WHEREAS, New Mexico Senate Bill 268 provides a mechanism whereby a percentage of a Mill Levy Fund can be utilized for the continued provision of healthcare; and,

WHEREAS, the Board of County Commissioners of Lincoln County, New Mexico finds that this Ordinance is necessary to provide for the safety, preserve the health and welfare of the County of Lincoln or its inhabitants.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LINCOLN, NEW MEXICO THAT THE COUNTY OF LINCOLN DEDICATE A PORTION OF ITS MILL LEVY PROCEEDS, AN AMOUNT EQUAL TO A GROSS RECEIPTS TAX RATE OF ONE TWELFTH (1/12) PERCENT AS FOLLOWS:

**SECTION I
SHORT TITLE**

This Ordinance shall be known as the "Safety Net Care Pool Fund Ordinance," and shall be referred to herein as "this Ordinance."

**SECTION II
AUTHORITY**

2.1 This Ordinance is enacted pursuant to the statutory mandate that a County shall, by Ordinance to be effective July 1, 2014, dedicate to the Safety Net Care Pool fund an amount equal to a Gross Receipts Tax rate of one-twelfth (1/12) percent applied to the taxable gross receipts reported during the prior fiscal year by persons engaging in business in the County.

SECTION III

3.1 DEDICATION TO SAFETY NET CARE POOL FUND

Effective July 1, 2014, the Board of County Commissioners hereby dedicates to the Safety Net Care Pool fund, from existing Mill Levy proceeds imposed pursuant to the Hospital Funding Act § 4-48B-12 NMSA 1978 an amount equal to a Gross Receipts Tax rate of one-twelfth (1/12) percent applied to the taxable gross receipts reported during the prior fiscal year by persons engaging in business in the county; **however, the Board of County Commissioners reserves the right to pay its obligation to the Safety Net Care Pool Fund out of any lawfully approved County Fund.**

3.2 TRANSFER TO SAFETY NET CARE POOL FUND

Effective July 1, 2014, the Board of County Commissioners hereby directs the transfer to the Safety Net Care Pool fund by the last day of March, June, September and December of each year an amount equal to one-fourth (1/4) of the county's payment to the Safety Net Care Pool fund.

**SECTION IV
SEVERABILITY**

4.1 If any article, section, subsection, paragraph, sentence, clause, phrase, provision or portion of any article, section subsection, paragraph, sentence, clause, phrase or provision in this Ordinance is, for any reason, held to be unconstitutional, invalid or void, the remaining portion shall not be affected since it is the express intention of the County of Lincoln Board of Commissioners to pass such article, section, subsection, paragraph, sentence, clause, phrase or provision and every part thereof separately and independently from every other part.

**SECTION V
EFFECTIVE DATE**

5.1 ~~This Ordinance shall be recorded and authenticated by the Lincoln County Clerk following adoption by the County of Lincoln Board of Commissioners. The effective date of this Ordinance shall be July 1, 2014~~ **This Ordinance shall take effect thirty (30) days after**

recording in the Public Records of the County of Lincoln, at which time Lincoln County Ordinance 2014-03 shall be repealed.

PASSED, APPROVED and ADOPTED this ___ of _____, 2015.

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

~~Jackie Powell,~~ **Preston Stone**, Chair

~~Preston Stone,~~ **Dallas Draper**, Vice Chair

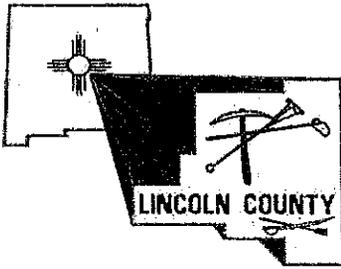
~~Dallas Draper,~~ **Elaine Allen**, Member

~~Mark Deft,~~ **Thomas F. Stewart**, Member

~~Kathryn Minter,~~ **Dr. Lynn Willard**, Member

Attest:

Rhonda Burrows
Lincoln County Clerk



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County of Lincoln

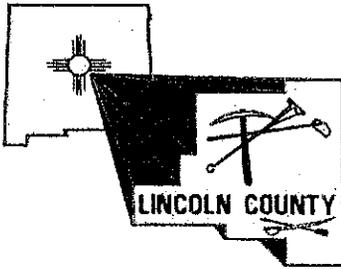
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Agenda Items No. 26

SUBJECT

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

- a. Special Meeting and Public Hearing for Preliminary Budget Fiscal Year 2015-2016 for May 5, 2015
- b. Ordinance 2004-04 Lincoln County Lodgers' Tax



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Agenda Item No. 27

SUBJECT

Consideration of Appointments and Removals from Boards/
Commissions/Committees:

- A. Planning Commission
- B. **Tabled**-Senior Citizens Olympic Committee
- C. Southeast Regional Transportation Planning Organization
- D. Western Homestead Legacy Alliance
- E. JLUS Implementation Committee Board Member – Policy Rep

653-4300	alice@alicescely.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 lthrczz@tularosa.net	443 JICARILLA RD, WHITE OAKS (648-1022)	COMM. POWELL	03/18/14	03/16
DIST 3	MARY ANN RUSS sieghieg1@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	07/16
	MEMBER-AT-LARGE - KARYL WILLIAMS KARYL.WILLIAMS@MTG-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

Talbot

Billie-Jo Guevara

From: Curt Temple
Sent: Thursday, February 26, 2015 2:10 PM
To: Billie-Jo Guevara
Subject: FW: Cancellation Notice of PC meeting

Billie Jo,

We have had another resignation from Dennis Dunnum. See below.

Thanks,

--

Curt Temple, CFM
Planning Director,
County of Lincoln
109 Kansas City Road
Ruidoso, NM 88345
575-258-5934 office
575-258-5938 fax
575-808-1380 cell

From: Dennis Dunnum [<mailto:lthrczz@tularosa.net>]
Sent: Thursday, February 26, 2015 1:12 PM
To: Curt Temple; Mary Dokianos; Karyl Williams; Dennis Rich; Mary Ann Russ; Annella Hatter
Subject: Re: Cancellation Notice of PC meeting

Please accept my resignation. It's clear that planning is not a priority in Lincoln County. It's been a pleasure, albeit frustrating, serving on this committee. Dennis Dunnum

From: [Curt Temple](#)
Sent: Wednesday, February 25, 2015 1:17 PM
To: [Mary Dokianos](#) ; [Karyl Williams](#) ; [Dennis Rich](#) ; [Dennis Dunnum](#) ; [Mary Ann Russ](#) ; [Aninella Hatter](#)
Subject: Cancellation Notice of PC meeting

Notice is hereby given that the Planning Commission meeting scheduled for March 4, 2015 has been cancelled due to lack of agenda items. The next regular meeting is scheduled for April 1, 2015

Thank you,

Billie-Jo Guevara

County of Lincoln

Administrative Assistant

Human Resources Director

575-648-2385 x 100

575-648-4182

--

Curt Temple, CFM
Planning Director,
County of Lincoln
115 Kansas City Road
Ruidoso, NM 88345
575-258-5934 office
575-258-5938 fax
575-808-1380 cell

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; COCHICH@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
	PAUL KUNKLE 575-630-1099	352 COUNTRY CLUB RD, RUIDOSO		02/17/15	03/17
	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
	TABLED				
	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

SPECIAL BOUNDARY COMMISSION

JACKIE POWELL APPOINTED: 01/16/2007

L. RAY NUNLEY

FRED HANSON

SOUTHEAST REGIONAL PLANNING ORGANIZATION

(SERPO) 10/19/04 (INDEFINITE TERMS)

POLICY COMMITTEE MEMBER - CARL PALMER

APPOINTED: 04/16/13

TECHNICAL COMMITTEE MEMBER: KATHRYN MINTER

APPOINTED: 03/19/13

COMMUNITY HEALTH IMPROVEMENT COUNCIL

ROSTER FY 09 (APPROVED 02-15-11 TERM EXP

JANUARY 2012)

Scott Annala - Access to Care

Britt Beaty - Access to Care

Shirley Beer- Behavioral Health

Aimee Bennett - Substance Abuse

Celeste Bonds - Youth

Jennifer Chadwick - Access to Care

Shannon Dictson - Awareness and Education

Angie Fernandez - Nutrition

Tina Godby-Ware - DV/Sexual Assault

Melissa Gebhart - Youth

Barbara Gomez - Community Events

Patty Gray - Access to Care

Linda Hand - SDA Prevention/Family Stabilization

Bill Hanson-DWI Prevention Program

Shawn Lott-Lactation education and Support

Barbara Mader-Holistic Healing

James Martin-Access to Care/Geriatric Issues

Misty Gay McArthur-Health Education/Family Stabilizations

Brenda Motley-Lopez -

Petrina nelson-Mental Health/Substance Abuse

Ardena Orosco - Substance Abuse Prevention

Toni Peppard - Chronic Health, Birth-21

Lydia Radosevich-Physical Therapy

Andrea Reed-Community Health

Alicia Rios-Disabilities

Maurie St. John - Senior Issues

Georgia Underwood - Advocate

Diane Ventura - Community Health

COMPREHENSIVE PLAN STEERING COMMITTEE

MEMBERS (09/19/2006)

DR. JIM MILLER - RESIDENT

MARY DOKIANOS - RESIDENT

DUANE FROST - PLURAAC

JERRY CARROLL - PLANNING

MAYOR L. RAY NUNLEY - RUIDOSO

JOHN WATERS - RUIDOSO DOWNS CITY MANAGER

MAYOR BILL HIGNIGHT - CORONA

MAYOR SAM HAMMOND - CAPITAN

TOM BATTIN - COMMISSIONER

GARY STILLWELL - LINCOLN HISTORIC BOARD

JACKIE POWELL - COMMISSIONER

WELDA OR JIM GRIDER - CARRIZOZO

TOM STEWART - COUNTY MANAGER

CURT TEMPLE - PLANNING DIRECTOR

LINCOLN COUNTY TRANSIT STEERING COMMITTEE

09/09/2007

JUDY PEKELSMA (BOX 37, CAPITAN, 354-9109)

WOLF EIS COOPERATING AGENCY:

APPOINTED: RICK SIMPSON, PRIMARY

APPOINTED 05/01/08

RUIDOSO VALLEY ECONOMIC DEVELOPMENT CORPORATION

Representative Appointed: DENNIS DUNNUM

APPOINTED: 10/21/08

ADA COORDINATOR: 7/21/2009

Appointed: Thomas F. Stewart

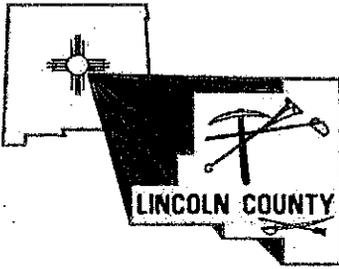
WESTERN HOMESTEAD LEGACY ALLIANCE 04/19/2011

* Appointed: Mark Doth

JLUS IMPLEMENTATION COMMITTEE BOARD MEMBERS

Technical Rep – Curt Temple

* Policy Rep -



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AGENDA Item No. 28

March 12, 2015

MEMORANDUM

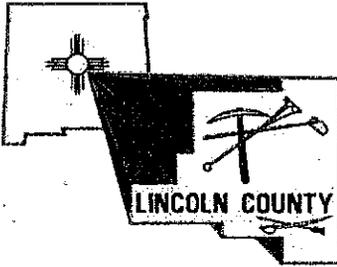
TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Date Change for June Commission Meeting

DISCUSSION: In sync with customary scheduling, the June 2015 Commission meeting has been scheduled for the third Tuesday of the month; June 16th. As the New Mexico Association of Counties' Annual Conference in Albuquerque is being held on June 16th – 18th, and New Mexico Edge classes also consume that entire week, I request the Commission meeting be rescheduled to June 23rd. A poll of the Commissioners, Clerk and Attorney indicates the date of June 23rd poses no conflict.

Recommendation: Reschedule the June 16th Commission meeting to June 23rd.



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AGENDA Item No. 29

March 12, 2015

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

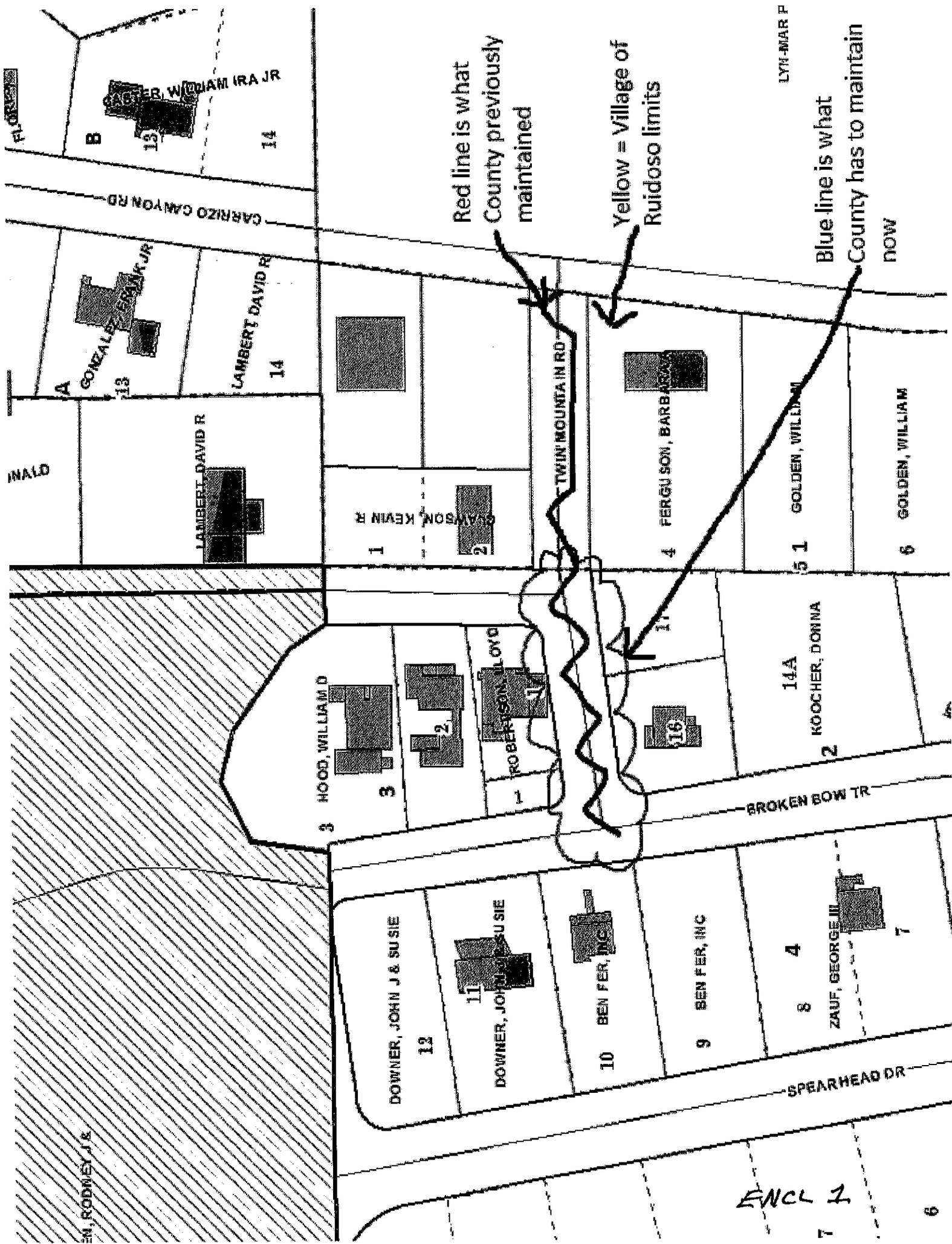
SUBJECT: Inquiry by Dean Hood Re: County Road Obligations in

DISCUSSION: Mr. Dean Hood has met with the County Manager personally and has also posed questions via e-mail correspondence regarding various specific and general road questions as they relate to County Road Department responsibility. The specific questions center around Twin Mountain Subdivision. See **Enclosure 1**. Curt Temple, Planning Director, has responded to some of the issues, as has Carl Palmer, Road Superintendent. Previous questions and concerns of Mr. Hood include the following:

1. Records show that when Twin Mt. subdivision was established the roads were accepted as county roads.
2. How does a road no longer exist as a county road? I understand how citizens can file to vacate but can the county just vacate? And, if they can, what is the legal process to do so and what does that do to the property value along those roads.
3. If they are not being maintained by the county and they wash out, how do people get to their property and what has happened to their property valuation?
4. What is the difference between a public easement and a county road?
5. Who maintains a public easement?
6. If an area was a road and someone touches it they apparently have to improve to county standards. If the county touches a road why do they not have to improve to county standards? If it has changed designation to a public easement, by whatever process, why would someone have to bring to standards of county road when it is just an easement?
7. In Twin Mt. Subdivision off of Carrizo Canyon Road Black Hawk Road is maintained by the County although no one lived up there until the late 1990's and the western portion of Twin Mt. is maintained (sort of). Why are they maintained but those that people have lived on since the early 60's are not maintained?

8. How can those two be county roads and the rest not be?
9. There seems to be some confusion as to which of the roads (easements, private roads) in the subdivision are county roads. One dept. tells me that it is on the two mentioned above. Rural addressing says that Broken Bow all the way to Black Hawk is a county road (they just installed a street sign up there). They also tell me the area in front of my house is a private drive. Another dept. says that the roads were never accepted by the county (records show that this is not the case) Which is it and how?
10. All of these roads were at one time maintained by the county. Bladed and, at times, cleared of snow. Myself and at least two other persons that have been in the area for a while can testify to that. I have been told that they were never accepted, nor maintained.
11. Since the county seems to not claim some of the roads, how and by what process do they even claim ownership? Does that land not still belong to the sub-divider.

Recommendation: Listen to Mr. Hood's questions and concerns and refer to Curt Temple, Carl Palmer and/or Alan Morel for response regarding general County policy, as appropriate.



Red line is what
County previously
maintained

Yellow = Village of
Ruidoso limits

Blue line is what
County has to maintain
now

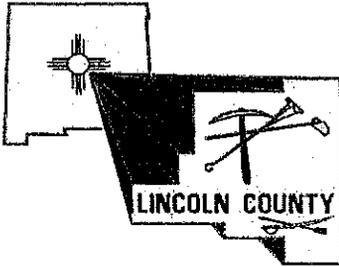
LYN-MAR P

SM, RODNEY J &

ENCL 2

7

6



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Agenda Item No. 30

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
Telephone (575) 257-3556
Facsimile (575) 257-3558

March 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 Stipulated Judgment was entered June 4, 2014 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. Order Approving Master Sale, Confirming Sale and Approving Disbursements filed Feb. 18, 2015.

3. *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.

4. *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 it 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.

*5. *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. No Appeal has been filed.

6. *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.

7. *Wesmax, Ltd. V. Paul Baca, Lincoln County Assessor D-1226-CV-2014-00188* 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.

***UNM Hospital-Prins, Chad** – Tort Claim Notice received Feb. 26, 2015 in which UNM Hospital seeks reimbursement of expenses incurred while Lincoln County Detention Center inmate Prins was on furlough.

***Sehorn, Sean M.** – Tort claim Notice received March 2, 2015 alleging Lincoln County Detention Center failed to provide adequate medical treatment during inmate Sehorn's incarceration.

***Lavin, Erica L. and Rathgeber, Jack** – Tort Claim Notice received March 2, 2015 alleging Constitutional Rights were violated resulting in wrongful termination.

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 Lincoln County Detention Center on March 11, 2014.

Rounds, Christopher – Tort Claim Notice received June 4, 2014 alleging being held in Lincoln County Detention Center 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 Lincoln County Detention Center 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 Lincoln County Detention Center.

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 8th 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, 12th 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.

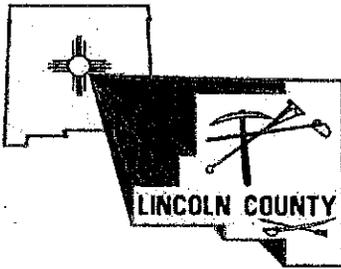
Espinoza, Robert B Tort Claim Notice received from Robert Espinoza on June 4, 2013, alleging property damage from vehicle accident while Linda Mullins, driving the LC Senior Center meal delivery van ran off road hitting chain link fence, poles and railroad ties.

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 12th 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. 31

March 13, 2015

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Greentree Solid Waste Authority

PURPOSE: To consider a GSWA Update and Timeline of Required Events and Discuss County Options Regarding its Status with GSWA

DISCUSSION: At the Commission's February Commission meeting, GSWA presented an overview of its Systems Analysis. This was a detailed study of services provided to the member entities, and an assessment fees collected and expense allocation of providing services. GSWA explained this was a key step in being able to calculate costs by entity. At its March 11th meeting, GSWA was presented with similar, but updated and expanded information.

GSWA Board directed its Staff to provide an update to the County at its March 17th meeting, and to include a date-specific timeline illustrating key impacts GSWA anticipates occurring.

The County will also address its three options regarding GSWA:

- i. County to Manage Operations of GSWA
- ii. County and GSWA and other entities to rewrite and enter into another JPA
- iii. County entering into contract with third party for solid waste collection services

Recommendation: Take action and provide direction to Manager and Attorney as required.