

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

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

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

**Nita Taylor, County Manager**

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**AGENDA**

**Commission Chambers, Tuesday, April 21, 2015 @8:30 A.M.**

1. Call to Order
2. Roll Call
3. Invocation
4. Pledge of Allegiance
  1. Pledge – U.S. A. Flag
  2. 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) March 15, 2015, Emergency Commission Meeting
  - b) March 17, 2015, Regular Commission Meeting
  - c) March 19, 2015, Special Commission Meeting
7. Approval of Consent Agenda
  1. Payroll/Accounts Payable/Budget/ Expenditures
  2. Treasurer’s Financial Report for the Month ending March 31, 2015
  3. 2015 Fire Fund Distribution Applications
  4. Road Name Request
  5. Carrizozo Soil & Water Conservation District Mill Levy Resolution 02-2014-2015
8. Smokey Bear District Ranger Update
9. **9:00 A.M:** Consideration and Action on Lodger’s Tax Applications with backup material:
  1. Application Withdrawn for Golden Aspen Rally

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

2. Application 1724 Lincoln Pageant & Festival
  3. Application 1723 Art Loop
  4. Application 1726 Ft. Stanton Live
  5. Application Withdrawn for The Frontier Trail
  6. Application 1725 Carrizozo Music
10. **9:30 A.M.:** PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY OFFICIALS (Items are for discussion only – no action will be taken)
11. Potential Property Purchase Sun Valley Station-Bonito Fire Department
12. 2015 Board of Registration Report
13. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims
14. Permission to Auction Surplus by Resolution 2014-41
15. Resolution 2014-42 in Support of a Special Session to resolve the issues & pass the capital outlay legislation
16. Lincoln County Alarm System Ordinance 2011-04 Permit Violations:
1. Angel & Mary Salazar
  2. Michael & Deborah Miller
  3. Jesus & Brisa Garcia
  4. Charles Welch
17. Manager's Report
18. Water issues/Forest/Wildlife Health Programs/Land and Natural Resources Advisory Committee (LANRAC)
19. Capitan Culinary Arts Presentation
20. Approval of Fair Housing Month Proclamation
21. **1:00 P.M.:** Public Hearing to consider the following Ordinance:
1. Amend Ordinance 2004-04 Lodger's Tax Ordinance by Ordinance 2015-02
22. Award of Invitation to Bids:
1. Bid 14-15-006 Chip Seal Bancroft Road in Capitan
  2. Bid 14-15-007 Chip Seal Biscuit Hill & Apple Blossom Roads in Ruidoso Downs
  3. Bid 14-15-008 Chip Seal Laughing Horse in Capitan
  4. Bid 14-15-009 Chip Seal Laughing Horse II in Capitan

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23. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinance
  1. Adoption of the Preliminary Budget, Fiscal Year 2015-2016
  2. Amend Ordinance 2014-07 – Collection of Solid Waste in Lincoln County by Ordinance 2015-03
  
24. Consideration of Appointments and Removals from Boards/Commissioners/Committees:
  1. Planning Commission
  2. **Tabled**-Senior Citizens Olympic Committee
  3. Advisory Committee-Senior Citizens Program
  
25. Executive Session Pursuant to the Open Meetings Act: Discussion of all Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7); and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).
  
26. Greentree Solid Waste Authority items for consideration/action:
  1. Re-negotiation of the current Joint Powers Agreement should the County of Lincoln elect to remain a full member of Greentree Solid Waste Authority.  
**Tabled**
  2. Potential Action on Rates for Solid Waste Collection Services in Lincoln County outside municipalities and Alto Lakes Water and Sanitation District by Resolution 2014-40 - **Tabled**
  3. Consideration of Options:
    - a. Issue Third party Request for Proposal (RFP) for County of Lincoln Solid Waste Services. - **Tabled**
    - b. Negotiation of Joint Powers Agreement and the status of the County of Lincoln should an RFP for a Third Party Contract for Services be sought.
  4. Consideration/Action of a possible advance of rate-payer funds from the County of Lincoln to Greentree Solid Waste Authority, and conditions for any such advance required by the County of Lincoln.
  5. Any and all other items pertaining to Greentree Solid Waste Authority and the County of Lincoln.
  
27. Lincoln County Medical Center (LCMC) items for consideration/action:
  1. Consider options and approval/authorization of LCMC renovation and expansion.
  2. Consideration approval/authorization to re-negotiate terms of LCMC/Lincoln County Lease with Presbyterian Healthcare Services.
  3. Consideration approval/authorization to file application with New Mexico Finance Authority for the sum of \$25 million dollars.
  4. Consider/approval/authorization to retain Dekker, Perich, Sabatini to complete design plans and enter into contract negotiations.

28. Signing of Official Documents

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

29. Next meetings:

- a. May 5, 2015 Special Meeting & Public Hearing – Preliminary Budget FY 15-16
- b. May 19, 2015 Regular Commission Meeting

30. Adjourn

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

## **Agenda Item 6**

### **SUBJECT**

Approval of Minutes:

- a) March 15, 2015 Emergency Commission Meeting
- b) March 17, 2015 Regular Commission Meeting
- c) March 19, 2015 Special Commission Meeting

1 **COUNTY OF LINCOLN**

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

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

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

8  
9 **Minutes**  
10 **Sunday, March 15, 2015**

11  
12 Minutes of the Emergency Meeting of the Lincoln County Commission held at 2:00 PM on March  
13 15, 2015 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New  
14 Mexico.

15  
16 **1. Call to Order**

17  
18 Chair Stone called the Regular Meeting of the Board of County Commissioners to order at 1:59:46  
19 PM.

20  
21 **2. Roll Call**

22  
23 **Roll Call.**

24 **Present:** Chair Stone, Commissioner Stewart, Commissioner Allen (telephonically),  
25 Commissioner Willard, Commissioner Draper.

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

29  
30 **3. Invocation**

31  
32 The invocation was presented by Commissioner Stone.

33  
34 **4. Pledge of Allegiance**

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

38  
39 **5. Approval of Agenda**

40  
41 **Motion:** Accept the Agenda as presented, **Action:** Approve, **Moved by** Commissioner Draper,  
42 **Seconded by** Commissioner Stewart.

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

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

47 **6. Consideration/Action: Recommendation from the County of Lincoln Board of**  
48 **County Commissioners to Governor Susana Martinez regarding a replacement for**  
49 **New Mexico Senator Phil Griego, District 39**  
50

51 Attorney Morel informed Senator Phil Griego of Senate District 39 resigned his position on March  
52 14, 2015 with seven days remaining in the 2015 legislative session. Attorney Morel stated Chair  
53 Stone received a letter from Governor Susana Martinez dated March 14, 2015 requesting the  
54 Lincoln County Board of Commissioners invoke emergency meeting provisions for the purpose  
55 of submitting a nomination to fill the vacancy. Attorney Morel stated the Governor requested  
56 Lincoln County submit a nomination by 5:00 PM on March 15, 2015.  
57

58 Attorney Morel stated upon receipt of the Governor's request an agenda was immediately  
59 prepared and forwarded by email to the public and press on March 14, 2015 in accordance with  
60 Lincoln County Open Meetings Resolution 2014-26.  
61

62 Attorney Morel reported after the Notice of Emergency Meeting was published he received a  
63 threat of litigation alleging a violation of the requirement for a 72 hour notice prior to convening a  
64 public meeting.  
65

66 Attorney Morel stated Lincoln County Resolution 2014-26 provided for a three-hour notice to the  
67 public for emergency meetings to be convened only for unforeseen circumstances which demand  
68 immediate action to protect the health, safety and property of citizens or to protect the public body  
69 from substantial financial loss.  
70

71 Attorney Morel suggested the Board of County Commissioners consider whether the request from  
72 the Governor as presented qualified under the language of Resolution 2014-26 as an emergency  
73 meeting. Attorney Morel stated the Governor identified the basis of qualification for an emergency  
74 meeting as being the disenfranchisement of the voters and residents of District 39. Attorney Morel  
75 noted should the vacancy of Senate District 39 not be filled quickly, there would be no  
76 representation for the voters of the district for the remainder of the legislative session.  
77

78 **Motion:** Declare the March 15, 2015 Lincoln County Board of Commissioners Meeting as an  
79 Emergency Meeting for the purpose of submitting a nomination for Senate District 39 at the  
80 Governor's request, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by**  
81 Commissioner Draper.

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

83 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Willard,  
84 Commissioner Draper.  
85

86 **SEE EXHIBIT A:** Copy of letter from Governor Susana Martinez dated March 14, 2015 is attached  
87 hereto in reference thereto made a part hereof.  
88

89 Chair Stone reported a number of individuals were seeking Lincoln County's nomination for the  
90 vacancy. Chair Stone stated those individuals in attendance would have an opportunity to speak  
91 for five minutes with a question and answer period to follow.  
92

93 Bobbi Shearer, resident of Capitan, presented her request for the nomination and spoke of her  
94 qualifications including working as paralegal in Lincoln County for 20 years, serving as the Bureau  
95 of Elections Director under the current Secretary of State for the last four years, and an extensive  
96 history of working both for and with the NM State Legislature.  
97

98 Tom Stewart, resident of Alto and current County Commissioner, provided background  
99 information including graduating from New Mexico State University, extensive military service  
100 and subsequent retirement as a Colonel from the US Army, and thirteen years of service as the  
101 Lincoln County Manager.  
102

103 Nita Taylor, County Manager read a letter of request for nomination received from Jose Varela  
104 Lopez of Santa Fe County. Mr. Lopez provided a resume supporting his request to represent  
105 Senate District 39.  
106

107 Dr. Brent Racher, resident of the Corona, requested consideration for nomination and commented  
108 on his history of work in New Mexico as a businessman and entrepreneur. Dr. Racher discussed  
109 the urgent need for adequate representation for Senate District 39 in the final days of the  
110 legislature.  
111

112 Chair Stone requested any comments or questions from the public.  
113

114 Nina Grunseth, Vice Chair of the Lincoln County Democratic Party expressed concern about the  
115 Emergency Meeting as not providing for adequate notice to the public and the potential loss of  
116 opportunity for other individuals to submit names for consideration.  
117

118 Ms. Grunseth noted the contentious nature of the current legislative session and commented on  
119 the need for a better spirit of cooperation between parties. Ms. Grunseth questioned the potential  
120 nominees as to how they would address this issue and also what responsibility the nominee might  
121 assume for Senator Griego's constituents and his agenda.  
122

123 Each potential nominee present was afforded opportunity to respond to Ms. Grunseth's questions  
124 with brief remarks.  
125

126 Chair Stone questioned if it was appropriate for Commissioner Stewart to recuse himself from the  
127 vote.  
128

129 After a general discussion of procedure, and a noted lack of precedence for the situation, it was  
130 agreed the County Clerk would prepare a ballot of all names submitted.  
131

132 Chair Stone recessed the Emergency Meeting at 2:42:50 PM and reconvened at 2:55:50 PM.  
133

134 Ms. Taylor reported upon further research an additional letter of interest from Michael Anaya of  
135 Santa Fe County was received by email. Ms. Taylor read Mr. Anaya's letter of request for the  
136 record. Attorney Morel stated as the email was received prior to the meeting being convened at  
137 2:00 PM it was appropriate to add Mr. Anaya's name to the list of potential nominees.  
138

139 Attorney Morel stated after further research of State Statute he found no specifics of process to  
140 select a nominee but it was clear the County should submit only one name for nomination.  
141 Attorney Morel clarified the process as a vote by ballot with Commissioner Allen participating  
142 telephonically to provide her vote to the County Clerk. Attorney Morel questioned if there were  
143 any objections to the process and hearing none suggested the ballots be prepared.  
144

145 Commissioner Willard questioned if all potential nominees were legal residents of Senate District  
146 39. Attorney Morel stated to the best of his knowledge and as per their individual statements  
147 they were residents of the senate district.  
148

149 Commissioner Willard questioned if Mr. Stewart were nominated could he retain his current seat  
150 on the County Commission. Attorney Morel expressed belief the question was addressed by a  
151 similar situation when a prior Otero County Clerk ran successfully for a Senate seat and held both  
152 positions.  
153

154 Rhonda Burrows, County Clerk distributed one ballot with the names of Bobbi Shearer, Thomas  
155 Stewart, Jose Varela Lopez, Brent Racher, and Michael Anaya to each Commissioner. Ms.  
156 Burrows read the ballot and recorded the vote of Commissioner Allen via telephonic  
157 communication.  
158

159 Whitney Whittaker, Chief Deputy Clerk collected the ballots and conducted the hand tally with the  
160 assistance of Martha Proctor from the Republican Party and Nina Grunseth of the Democratic  
161 Party.  
162

163 Ms. Burrows read the results of the vote for the record with Bobbi Shearer receiving two votes  
164 and Thomas Stewart receiving three votes.  
165

166 Commissioner Willard requested clarification from Attorney Morel for the record as to whether it  
167 was appropriate for Commissioner Stewart to participate in the vote. Attorney Morel stated belief  
168 Commissioner Stewart was entitled to vote.  
169

170 **Motion:** Submit the name of Thomas Stewart as the nominee for Senate District 39 from Lincoln  
171 County, **Action:** Approve, **Moved by** Chair Stone, **Seconded by** Commissioner Willard.

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

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

174 **No:** Commissioner Draper.  
175

176 Attorney Morel stated the County Manager would prepare a letter and forward it to Governor  
177 Martinez prior to 5:00 PM pursuant to the request.  
178

## 179 7. **Adjournment**

180  
181 There being no further business to come before the Board of County Commissioners, Chair Stone  
182 adjourned the meeting at 03:12:05 PM  
183

184 Respectfully submitted by,  
185 Rhonda B. Burrows  
186 Lincoln County Clerk

1 **COUNTY OF LINCOLN**

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

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

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

8  
9 **Minutes**  
10 **Tuesday, March 17, 2015**

11  
12 Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on March  
13 17, 2015 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New  
14 Mexico

15  
16 **1. Call to Order**

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

20  
21 **2. Roll Call**

22  
23 **Roll Call.**

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

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

29  
30 **3. Invocation**

31  
32 The invocation was presented by Commissioner Stone.

33  
34 **4. Pledge of Allegiance**

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

39 **5. Approval of Agenda**

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

42 **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

46  
47 **6. Approval of Minutes**

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97

a. February 17, 2015 - Regular Commission Meeting

**Motion:** Approve the minutes of the February 17, 2015 Regular Commission Meeting, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

**7. Approval of Consent Agenda**

- a. Payroll/Accounts Payable/Budget/ Expenditures
- b. Treasurer's Financial Report for the Month ending February 28, 2014
- c. Volunteer Firefighters Annual Reporting to PERA
- d. Annual Renewal Comprehensive Community DWI Prevention Program

**Motion:** Approval of Consent items as presented, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

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

**8. Board of Finance**

Chair Stone recessed the Regular Meeting and convened the Board of Finance Meeting at 8:36-32 AM.

Beverly Calaway, Treasurer informed either County Treasurer or the Board of County Commissioners could call for a Board of Finance meeting as deemed necessary. Ms. Calaway recommended the Board of Finance be convened on a quarterly basis unless otherwise needed.

Ms. Calaway presented the Treasurer's Financial Report for the month ending February 23, 2015. Ms. Calaway stated the Treasurer's office had collected 66% of projected budget revenues for the General Fund as compared to 65% in 2014.

Ms. Calaway noted the Gross Receipt Tax Equalization Fund received \$19,949 less than the 2014 distribution and less than the projected budgeted revenue. Ms. Calaway stated this was an annual distribution and therefore no further revenues were anticipated. Ms. Calaway stated the Business Retention gross Receipts Tax as of February 2015 was \$48,634 over the projected budgeted revenue for the current fiscal year. Ms. Calaway provided a spreadsheet detailing activity for this fund.

Ms. Calaway detailed various investments and stated current investments totaled \$18,769,623 as compared to \$19,097,241 at this time in 2014. Ms. Calaway informed the Treasurer's office had collected 68% of the 2014 property taxes as compared to 67% in 2014.

98 Ms. Calaway also provided charts detailing Lincoln County's 1/8 Gross Receipts Tax collections  
99 dedicated to the Detention Center debt service; a three year history of Lodger's Tax collections;  
100 and a history of the Taylor Grazing Fees as distributed by the NM Department of Finance.  
101

102 Chair Stone adjourned the Board of Finance and reconvened the Regular Meeting at 8:42:43  
103 AM.  
104

105 **Motion:** Accept the Board of Finance Report, **Action:** Approve, **Moved by** Commissioner  
106 Stewart, **Seconded by** Commissioner Allen.

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

108 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
109 Commissioner Willard.  
110

## 111 9. **Smokey Bear District Ranger Update**

112

113 Ms. Taylor stated Ranger David Warnack was not present and no report was provided for this  
114 month.  
115

## 116 32. **Day of Recognition for National Service – April 7, 2015 by Proclamation**

117

118 Ms. Taylor received a request from the Ruidoso Community Center for the Board of  
119 Commissioners to consider acknowledging April 7, 2015 as the National Day of Recognition to  
120 honor national service participants.  
121

122 Ms. Taylor read the proposed proclamation which acknowledged the Corporation for National  
123 and Community Service as a partner with County Commissions nationwide in the effort to  
124 "engage citizens, improve lives, and strengthen communities" and to join "the National  
125 Association of Counties, City of Service, Mayors and County Commissions across the country to  
126 recognize the impact of service" of national service participants.  
127

128 **Motion:** Approve the Proclamation, **Action:** Approve, **Moved by** Commissioner Stewart,  
129 **Seconded by** Commissioner Allen.

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

131 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
132 Commissioner Willard.  
133

## 134 10. **Lincoln County Extension Service Update –Marsha Palmer**

135

136 Marsha Palmer, County Program Director for the Lincoln County Cooperative Extension  
137 Services presented an overview of services provided by the organization including programs for  
138 Agriculture; Family and Consumer science; 4-H Youth development and Community Economic  
139 Development. Ms. Palmer discussed the impact of family and consumer science programs  
140 including nutritional education, diabetes cooking education, and after school health and fitness  
141 activities.  
142

143 Audra Lyon, Agricultural and 4-H Agent discussed various workshops sponsored by the  
144 Extension Service related to livestock production in the County which help producers to optimize  
145 pasture health and maximize production. Ms. Lyon discussed her role providing the educational  
146 component for residents regarding weed management, pesticide management, and composting.  
147

148 Ms. Lyon discussed the 4-H youth development programs which foster life skills, leadership,  
149 citizenship, teamwork and critical thinking. Ms. Lyon stated the youth involved in 4-H were "a  
150 step ahead of their peers" in social development. Ms. Lyon reminded of the various support  
151 services provided by Extension Service staff for the Lincoln County Fair. Ms. Lyons reported on  
152 the benefits to local youth of being able to raise, show and sell livestock through the 4-H  
153 program. Ms. Lyon stated sales of livestock at the Lincoln County Fair exceeded \$126,000 in  
154 2014.

155  
156 Ms. Lyon also reported on recent efforts to reestablish a 4-H club in the Ruidoso area. Ms.  
157 Lyon stated a leader and a core group of youth had formed a club in the area.  
158

159 Wade Stearns, President of the Lincoln County 4-H Council and newly elected State 4-H  
160 President, spoke about his personal experience as a 4-H member over the past twelve years  
161 and the benefits of 4-H activities for the youth of Lincoln County. Mr. Stearns stated during the  
162 past twelve years ten 4-H members from Lincoln County had served as State 4-H Officers. Mr.  
163 Stearns reported in the past seven years five 4-H teams from Lincoln County competed at the  
164 national level: two national public speaking teams, one national shooting team, one  
165 horsemanship team and one wildlife team.

166  
167 Tom Dean, Southwest District Director discussed the funding history of Extension Services  
168 within counties and reminded two years ago ten County Extension Agent positions were  
169 eliminated across the State after budget cuts by New Mexico State University. Mr. Dean  
170 recognized Lincoln County's financial contribution by fully funding the Agricultural Agent position  
171 in Lincoln County. Mr. Dean anticipated the budget request for the next fiscal year as  
172 approximately the same as last year.

173  
174 Chair Stone expressed disappointment the President of New Mexico State had not sought  
175 additional funding for county extension positions from the State Legislature. Mr. Dean stated  
176 there were ongoing talks to work to increase State and Federal matching funds.  
177

#### 178 **11. Recommendations for Lodger's Tax Ordinance 2004-04 by the Lodger's Tax** 179 **Committee**

180  
181 Ms. Taylor reminded of prior discussions about the process to submit requests for Lodger's Tax  
182 funding, information needed for proper determination and recommendation by the Lodger's Tax  
183 Committee, and possible procedures to monitor fund expenditures.  
184

185 Ms. Taylor presented a list of potential changes to the Lodger's Tax Ordinance developed by  
186 the Lodger's Tax Committee including establishing a timeline for submission of an application  
187 and for utilization of awarded funding.  
188

189 Attorney Morel presented additional changes for consideration to clarify language and require  
190 more information about the appropriate use of Lodger's Tax funds.  
191

192 Commissioner Draper questioned if reporting of "in kind" services should be included for  
193 consideration of the application.  
194

195 Commissioner Stewart suggested the majority of changes be incorporated into a revised  
196 application.  
197

198 **12. 9:00 A.M:** Consideration and Action on Lodger's Tax Applications with backup  
199 material:

200  
201 a) Funding Requested/Approved: \$5,000/\$4,000  
202 Purpose: AspenCash  
203 Date(s) of Event: May 14-17, 2015  
204 Presenter: Patric Pearson; CP6, Solutions, LLC  
205

206 b) Funding Request: \$5,000  
207 Purpose: Golden Aspen Rally  
208 Date(s) of Event: September 16-20, 2015  
209 Presenter: Patric Pearson: CP6, Solutions, LLC  
210

211 c) Funding Requested/Approved: \$500/\$500  
212 Purpose: 12 Hours in the Wild West  
213 Date(s) of Event: April 11, 2015  
214 Presenter: Lindsay Mapes; Zia Rides  
215

216 d) Funding Requested/Approved: \$1,750/\$1,750  
217 Purpose: Ruidoso Grindstone Trails Runs  
218 Date(s) of Event: July 25, 2015  
219 Presenter: Frederic Moras; Ski Run Road Challenge  
220

221 e) Funding Requested/Approved: \$23,247.26/\$2,500  
222 Purpose: Old Lincoln Days  
223 Date(s) of Event: August 7-9, 2015  
224 Presenter: Cherie Hobbs; Lincoln Pageant & Festivals  
225

226 **Motion:** Approve requests as recommended: Aspen Cash \$4000; Golden Aspen Rally \$5000;  
227 12 Hours in the Wild West \$500; Ruidoso Grindstone Trails Runs \$1750; and Old Lincoln Cays  
228 \$2500; **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner  
229 Draper.

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

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

234 Commissioner Willard questioned the reason for the difference between the Old Lincoln Days  
235 request for \$23,247 and the Lodger's Tax Committee recommendation for \$2,500.  
236 Commissioner Stewart expressed belief the Lodger's Tax Committee reduced recommendation  
237 was to accommodate the current fiscal year budget.  
238

239 Sheri Hobbs, from the Lincoln Pageant and Festival explained the request to the Lodger's Tax  
240 Committee for the \$2500 was to accommodate pre-advertisement and stated the group would  
241 present a follow up request for additional funding to the Lodger's Tax Committee.  
242

243 **13. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY**  
244 **OFFICIALS**  
245

246 Chair Stone discussed the Emergency Meeting held March 14, 2015 at the request of Governor  
247 Martinez to provide a nomination from Lincoln County for Senate Seat 39 vacated by Senator  
248 Phil Griego on March 14, 2015. Chair Stone explained after the Emergency Meeting and in

249 response to concerns about adequate public notice a decision was made to reconsider the  
250 request for a nomination at a Special Meeting set for March 19, 2015.

251  
252 Chair Stone also discussed NM State Land Commissioner Aubrey Dunn's decision to schedule  
253 two public meetings and gather input regarding the Sun Zia Transmission Line. Chair Stone  
254 reported the meeting he attended included representation from numerous entities including  
255 federal and state officials. Chair Stone expressed belief the prior State Land Commissioner  
256 neglected to consider imposing proper taxing authority for the project to generate revenue for  
257 the Department of Education.

258  
259 Commissioner Willard reported he and Commissioner Stewart attend the recent Watershed  
260 Workshop held in Ruidoso and commented on the informative presentations.

261  
262 Commissioner Stewart reported on the JLUS conference and stated the committee was in the  
263 beginning stages of implementation. Commissioner Stewart stated he would request  
264 appointment as the County's representative to the JLUS Policy Committee.

265  
266 Commissioner Stewart discussed his appreciation for the support of the Board of County  
267 Commissioners and the public for his nomination for consideration of appointment to the  
268 vacated Senate Seat 39. Commissioner Stewart stated after the decision at the March 15,  
269 2015 Special meeting he received notice from Attorney Morel stating Governor Martinez made a  
270 decision to postpone the appointment to provide adequate public notice. Commissioner  
271 Stewart stated he was also contacted by former State Senator Rod Adair and the Governor's  
272 General Counsel expressing opinions that State Statute and the NM State Constitution  
273 prohibited one person holding both a County Commission seat and a State Senate seat  
274 concurrently. Commissioner Stewart expressed belief County Attorney Alan Morel's opinion to  
275 the contrary was correct but considering the possibility of litigation he decided to withdraw his  
276 name as the nominee from Lincoln County.

277  
278 Commissioner Draper reported on a meeting with Dr. Clayton Alred from ENMU-R and other  
279 stakeholders discussing the future of broadband availability in Lincoln County. Commissioner  
280 Draper commented on the benefits of broadband service to communities and stated he would  
281 provide future updates.

282  
283 Kathleen Phillips Hellman, resident of Capitan voiced support for the services provided by the  
284 Lincoln County Extension Service.

285  
286 Paul Baca, Assessor stated his office would mail the Notices of Value to property owners in the  
287 County on April 1, 2015. Mr. Baca stated tax payers would have 30 days to apply for  
288 exemptions or to protest valuations. Mr. Baca stated his staff could frequently resolve  
289 objections to valuation without initiating the formal protest process.

290  
291 Rhonda Burrows, Clerk informed the Board of Registration convened on March 10, 2015 to  
292 review the list of voters. Ms. Burrows stated she would provide additional information regarding  
293 the purge process at the April 21, 2015 Regular Meeting.

294  
295 Doris Cherry, President of the Lincoln County Extension Association Council expressed  
296 appreciation for County support of the Extension Service and requested continued support in  
297 the next fiscal year. Ms. Cherry stated the Extension Club provided over 7000 volunteer hours  
298 in the past year and also sponsored the "Shoes for Kids" program in the Hondo and Carrizozo  
299 Schools.

300  
301 **14. Lincoln County Medical Center**  
302

303 Ms. Taylor presented the requests from Lincoln County Medical Center which included:  
304

- 305 a) Full funding of initial budget request of July 24, 2014 in the amount of \$762,000 and  
306  
307 b) Additional payment to the NM Health Services Division of \$193,503 for a Safety Net  
308 Care Pool (SNCP) match for the period of January 1, 2014 to June 30, 2014.  
309

310 Ms. Taylor provided a detailed analysis of past payments to LCMC including discussion of the  
311 prior Board of Commissioners decision and approval of funding for the 2014-2015 budget cycle.  
312 Ms. Taylor noted the prior Commission authorized \$486,500 of the \$1,250,000 request for  
313 operating funds based on an understanding of LCMC's operational margin and the concern for  
314 LCMC's full request resulting in a negative Mill Levy Fund balance of \$210,179 for the fiscal  
315 year.  
316

317 In response to LCMC's request for additional funds to match the past SNCP distribution from  
318 the NM Health Services Division, Ms. Taylor reminded Lincoln County paid LCMC directly \$1.1  
319 million to offset the shortfall of Sole Community Provider payments for that time period. Ms.  
320 Taylor also stated Lincoln County had received no formal request for the payment of \$193,503  
321 from the State of NM as of this date.  
322

323 Al Santos, LCMC Administrator stated the amount approved by the prior Commission during the  
324 budget process was insufficient to cover the cost of services provided by LCMC and would  
325 result in LCMC posting a negative operating income for the calendar year of 2014.  
326

327 Commissioner Stewart discussed the potential of utilizing Indigent Health Care Fund revenues  
328 to offset State Medicaid and Safety Net Care Pool obligations to accommodate additional  
329 funding for LCMC. Commissioner Stewart provided a detailed budget analysis to support his  
330 assertion revenues were sufficient to accommodate LCMC's full request.  
331

332 Chair Stone stated LCMC's request for \$762,000 was considered by the previous Board of  
333 Commissioners and commented on the effects of overturning the budget decisions of prior  
334 Commissioners.  
335

336 Chair Stone questioned Mr. Santos regarding the LCMC's current net operational margin. Mr.  
337 Santos stated the percentage was "a moving target" and detailed various factors which  
338 contribute to the operational margin.  
339

340 Commissioner Stewart suggested \$385,299 be disbursed from mill levy funds and the  
341 remainder of \$376,701 be disbursed from Indigent Health Care funds contingent upon written  
342 certification from LCMC of provision of Indigent Health Care equal to the disbursement.  
343

344 Mr. Santos stated belief LCMC could certify the amount of indigent care provided based on their  
345 cost for provision of \$975,000 in indigent care with no reimbursement from the Indigent Fund.  
346 Mr. Santos further stated total uncompensated care including bad debt and charity care was  
347 approximately \$8 million dollars for the past year.  
348

349 Commissioner Draper questioned if there was current legislation which might affect hospital  
350 funding. Scott Annala discussed Senate Bill 655 which would target 10% of 3/4<sup>th</sup> of the first

351 1/8<sup>th</sup> of County GRT to supplement the Safety Net Care Pool over and above the current 1/12<sup>th</sup>  
352 GRT funding provided by counties. Mr. Annala noted there was also discussion about a  
353 proposal to impose a tax on services provided by particular qualifying hospitals.  
354

355 **Motion:** Authorize the County Manager to distribute \$385,299 to LCMC; request the LCMC  
356 Administrator certify to Lincoln County that \$377,201 in viable Indigent Health Care services  
357 were provided to the citizens of Lincoln County and upon receipt of the notarized certification  
358 authorize the County Manager to distribute \$377,201 from the Indigent Health Care fund to  
359 LCMC, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner  
360 Allen.

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

362 **Yes:** Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner  
363 Willard.

364 **No:** Chair Stone  
365

#### 366 15. Capitan Senior Center Lease 367

368 Ms. Taylor presented a revised Lease Agreement as recommended by the Village of Capitan.  
369 Ms. Taylor reminded a new Senior Center was constructed in the Village of Capitan utilizing  
370 Community Development Block Grant funding in 2010. Ms. Taylor stated since then the  
371 County and the Village had exchanged several versions of a new lease with the most current  
372 presented today.  
373

374 Ms. Taylor requested a review of the agreement by the County's insurance provider, the New  
375 Mexico Association of Counties, which resulted in a finding of conflict with NMAC's insurance  
376 policy. Specifically NMAC "will not add any third party to the coverage agreement in place  
377 through the NM County Insurance Authority". Ms. Taylor stated NMAC informed the restriction  
378 was derived from statute and specifically the Tort Claim Act's.  
379

380 Attorney Morel stated the County would need to procure a separate insurance policy to  
381 accommodate the Village's request. Attorney Morel expressed belief an additional policy was  
382 unnecessary as the proposed agreement included language whereby the County agreed to  
383 "indemnify and hold harmless" the Village of Capitan for any amount up to \$1,025,000.  
384 Attorney Morel stated this was the maximum tort claim amount applicable to government.  
385

386 **Motion:** Approve the Cooperative Agreement and Lease with the Village of Capitan Senior  
387 Citizens Center striking the language requiring the County to name the Village of Capitan as an  
388 additional insured party on the property, **Action:** Approve, **Moved by** Commissioner Stewart,  
389 **Seconded by** Commissioner Draper.

390 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
391 Commissioner Willard.  
392

#### 393 14. Lincoln County Medical Center (continued) 394

395 c) Lincoln County and Presbyterian Health Services Lease Amendment  
396

397 Attorney Morel discussed the need to amend the lease agreement with Presbyterian Health  
398 Services (PHS) to address the County's disposition of lease payments and other related funding  
399 issues. Attorney Morel reminded a special meeting was planned to consider health care issues  
400 and suggested the item be deferred until the special meeting.  
401

402 **Motion:** Table consideration of the Lincoln County and PHS Lease Amendment, **Action:**  
403 Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.  
404 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
405 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
406 Commissioner Willard.

407  
408 d) First Amendment to Medical Director Agreement between Lincoln County and  
409 PHS.

410  
411 Ms. Taylor reported in February of 2014 Lincoln County entered into an agreement with  
412 Presbyterian Health Services (PHS) to appoint a Medical Director for LCMC ambulance  
413 services. Ms. Taylor stated the agreement also provided for medical director services for  
414 Lincoln County Volunteer Fire Departments and the Sheriff's office Emergency Medical Services  
415 dispatch. Ms. Taylor presented a two year extension to the agreement.

416  
417 **Motion:** Approve the First Amendment to the Medical Director Agreement between Lincoln  
418 County and PHS, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by**  
419 Commissioner Stewart.

420 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).  
421 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
422 Commissioner Willard.

423  
424 **18. Recovery of Historic County Documents -- "Justice of the Peace Ledger from the**  
425 **1800's" - Roberta Haldane**

426  
427 Rhonda Burrows, Clerk discussed ongoing work to recover and preserve Lincoln County  
428 historical documents for the public record. Ms. Burrows commented on the efforts of Lincoln  
429 County Clerks and Lincoln County Commissioners to establish an archival storage room, utilize  
430 grant funding to restore original land title records, create online access to historical newspapers,  
431 and scan and microfilm thousands of pages of historical documents.

432  
433 Ms. Burrows introduced Roberta Haldane as the author of several books about historical Lincoln  
434 County. Ms. Burrows stated Ms. Haldane recently returned a number of valuable ledgers,  
435 photos and papers dating from pre-statehood to the office of the County Clerk.

436  
437 Roberta Haldane, distinguished author and daughter of Ernest Key who served as the Lincoln  
438 County Clerk from 1932 to 1936, provided a history of the documents including a Justice of the  
439 Peace Ledger from White Oaks dating from May 1893-1908. Ms. Haldane discussed her  
440 acquaintance with John Mottinger and her subsequent acquisition of his historic papers through  
441 his estate. Ms. Haldane expressed belief these documents should remain a part of the public  
442 record rather than in private collections and was therefore entrusting them to the Office of the  
443 Lincoln County Clerk.

444  
445 **16. McKinley County Juvenile Detention Center Contract**

446  
447 Ms. Taylor informed Lincoln County currently housed from two to six juvenile offenders monthly  
448 in the Dona Ana County Detention Facility at the rate of \$130 per day. Ms. Taylor stated Dona  
449 Ana was considering closing their juvenile offender facility and Eddy County was closing their  
450 juvenile facility.

451

452 Ms. Taylor stated McKinley County contacted her with a proposal to contract with them for  
453 housing juvenile offenders at the rate of \$108 per day. Ms. Taylor discussed the potential costs  
454 incurred by the Sheriff associated with transporting juvenile offenders to and from facilities. Ms.  
455 Taylor explained McKinley County had offered to meet at the halfway point to share  
456 transportation costs. Ms. Taylor stated the contract was not "exclusive" but would provide an  
457 additional option for housing of juvenile offenders.  
458

459 **Motion:** Approve the contract between Lincoln County and McKinley County to house juvenile  
460 offenders, **Action:** Approve, **Moved by** Commissioner Allen, **Seconded by** Commissioner  
461 Willard.

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

463 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
464 Commissioner Willard.  
465

#### 466 **17. Required Space for District Attorney Staff – County Annex Building** 467

468 Ms. Taylor provided an update on renovation work on the Annex Building noting floor work and  
469 paint were substantially complete with work progressing in other areas.  
470

471 Ms. Taylor discussed the placement of prior occupants in various temporary locations and  
472 suggested Extension Service offices remain in the old Title Company Building. Ms. Taylor  
473 stated Extension staff preferred the location because of the additional space. Ms. Taylor  
474 anticipated the building would need minimal refurbishing to accommodate the Extension office  
475 on a permanent basis.  
476

477 Ms. Taylor discussed the District Attorney's requirement for approximately 3700 square feet and  
478 expressed belief the bottom floor of the Annex Building was adequate to house both the District  
479 Attorney and the Historic Records Clerk offices. Ms. Taylor requested guidance as to  
480 permanent space assignment to facilitate phone and data line placement.  
481

482 **Motion:** Approve the relocation of the Extension Service offices to 409 Central and locate the  
483 District Attorney and Historical Records Clerk on the bottom floor of the Annex, **Action:**  
484 Approve, **Moved by** Commissioner Allen, **Seconded by** Commissioner Draper.  
485

486 Commissioner Willard questioned if the Annex Building renovation was on budget. Ms. Taylor  
487 anticipated an increase in estimated costs to accommodate the bathroom renovations to meet  
488 ADA requirements.  
489

490 Joan Whitley, representative for District Attorney Martwick expressed continued concern about  
491 environmental conditions in the building as well as security issues. Ms. Whitley also reiterated  
492 Ms. Martwick's assertion it would be easier to recruit attorneys if the offices were relocated to  
493 Ruidoso.  
494

495 Ms. Taylor stated District Attorney Martwick was apprised of the successful environmental  
496 remediation work. Ms. Taylor expressed belief sufficient security measures could be installed  
497 to address those concerns. Ms. Taylor further stated she had invited Ms. Martwick to meet on  
498 site to review options.  
499

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

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

502 **No:** Commissioner Willard.

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Chair Stone recessed the Regular Meeting at 11:30 AM.

**22. 11:30a.m.:** Inspection of the Detention Center

Commissioner Willard, Commissioner Allen, and Commissioner Stewart toured the Detention Center.

Chair Stone reconvened the Regular Meeting at 1:00:00 PM.

Chair Stone recessed the Regular Meeting and convened the Public Hearing at 1:01:13 PM.

**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

Attorney Morel reminded Ordinance 2014-03 was adopted to satisfy the State mandated requirement for counties to formally identify the source of public funds dedicated for the 1/12<sup>th</sup> Safety Net Care Pool (SNCP) obligation. Attorney Morel stated the Ordinance as written dedicated Mill Levy funds as Lincoln County's revenue source for this obligation.

Attorney Morel presented requested revisions to the Ordinance to provide the County the option to utilize other revenue sources such as the Indigent Health Care Fund for SCNP payments.

Chair Stone requested public comment and receiving none, reconvened the Regular Meeting at 1:04:07 PM.

**Motion:** Adopt Ordinance 2015-01 with changes as recommended, **Action:** Approve. **Moved by** Commissioner Stewart. **Seconded by** Commissioner Allen.

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

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

**SEE EXHIBIT B:** Copy of Ordinance 2015-01 is attached hereto in reference thereto made a part hereof.

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

**Water Rights Notices:** Ms. Taylor reported no new publications were posted to the State Engineer's website for Lincoln County. Ms. Taylor stated Attorney Kelly Cassels informed there were discussions about a possible mediation conference to resolve issues associated with Lincoln County's protest of the Village of Ruidoso's Water Rights Transfer Applications.

**Hazard Mitigation Grant Program:** Ms. Taylor discussed the Lincoln County Education and Outreach Program funded by FEMA Grant 4079-DR-NM noting one final educational meeting was set for April 14, 2015. Ms. Taylor reported the efforts of the team leading the program had resulted in 35 individuals signing up to participate in the thinning program for a total of 656 acres. Ms. Taylor noted the importance of individual property owner participation to support a cost effective environmental analysis in order to qualify for the \$3.5 million mitigation grant.

554  
555 Curt Temple, Planning Director stated notice was received from the NM Department of  
556 Homeland Security of a March 31, 2015 deadline for Final Application for the FEMA Mitigation  
557 Grant. Mr. Temple commented on the efforts to achieve 100% participation of property owners  
558 within the areas identified. Mr. Temple stated even though the FEMA Mitigation Grant would  
559 cover a 100% cost reimbursement, current enrollment did not meet the criteria to achieve the  
560 full grant funding.

561  
562 Chair Stone suggested the County seek assistance from the Soil and Water Conservation  
563 Districts in identifying and encouraging private land owners in the identified areas to participate.  
564 There was discussion regarding the reluctance of part time residents to thin trees on their  
565 property.

566  
567 **National Forest Land and Resource Management Plan:** Ms. Taylor reported the Cibola  
568 National Forest had published a notice of intent to revise the 1985 Cibola National Forest Land  
569 and Resource Management Plan and prepare an Environmental Impact Statement (EIS). Ms.  
570 Taylor stated comments were requested by April 3, 2015. Ms. Taylor stated the Lincoln  
571 National Forest had scheduled a kick-off meeting for their plan revision process on March 25,  
572 2015.

573  
574 **SB493:** Ms. Taylor reminded former Commissioner Jackie Powell had requested and received  
575 support from the Lincoln County Commission for Senate Bill 493 to clarify a lease of a water  
576 right and subsequent use of water shall not take effect until after the application was processed  
577 in accordance with the law. Ms. Taylor provided a copy of the letter of support sent on behalf of  
578 the Board of County Commissioners.

579  
580 **Rick Merrick, Rural Forester:** Mr. Merrick provided an update on South Central Mountain RC  
581 and D activities including various thinning projects. Mr. Merrick stated 90% of Lincoln County's  
582 grant funding for thinning was allocated to various land owners under cost share agreements.  
583 Mr. Merrick stated he would continue to participate in educational activities such as the Fire  
584 Wise Communities program and the Watershed Conference. Mr. Merrick offered assistance  
585 with identification and recruitment of land owners for the proposed FEMA Mitigation grant.

586  
587 **19. Providers and Vendors' Advisory Council for the Senior Citizen Program – Non-**  
588 **Metro AAA**

589  
590 Ms. Taylor informed the Non-Metro Area Agency on Ageing required the establishment of a  
591 Provider and Vendors' Advisory Council to ensure eligible participants have the opportunity to  
592 provide input into the operations of related programs.

593  
594 **Motion:** Establish a Lincoln County Provider and Vendors' Advisory Council and solicit  
595 members, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner  
596 Willard.

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

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

600  
601 **20. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims**

602  
603 Scott Annala, Indigent Health Care Administrator presented the Sole Community  
604 Provider/Safety Net Care Provider Pool claims for approval. Mr. Annala processed 14 claims

605 with 14 recommended for approval and none recommended for disapproval for a monthly  
606 authorization of \$12,327. Mr. Annala stated the total approval for SCP/SNCP claims for Fiscal  
607 Year 2014-2015 to date was \$191,554 with a monthly average of \$21,284.  
608

609 Mr. Annala presented the Indigent Health Care Payments request for the month and stated he  
610 processed 26 claims with 16 claims recommended for approval and 10 for disapproval for a total  
611 payment this month of \$18,147.84. Mr. Annala stated the total expenditure for IHC claims for  
612 Fiscal Year 2014-2015 to date was \$203,029 for an average monthly indigent claims payment of  
613 \$6,245. Mr. Annala estimated expenditures based on average monthly payments of  
614 approximately \$74,940 of a budgeted \$363,000 this fiscal year.  
615

616 **Motion:** Approval and denial of the claims as indicated for SCP/SNCP and Indigent Health Care  
617 as recommended, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by**  
618 Commissioner Allen.

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

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

622  
623 **SEE EXHIBIT C:** Copies of the Sole Community Provider and Indigent Health Care Payments  
624 are attached hereto in reference thereto made a part hereof.  
625

## 626 21. **Manager's Report**

627  
628 1. **Hat's Off:** Orlando Samora earned the designation of Certified Public Purchasing  
629 Professional on January 22, 2015. Manager Taylor stated the training was mandated  
630 per NM Statute 13-1-95.2, which requires each local government entity to have in place  
631 a Chief Procurement Officer. Manager Taylor stated recertification was required every  
632 two years.  
633

634 2. **Wattles:** The Manager reminded of prior discussions regarding the best process to  
635 utilize and distribute the wattles currently stored at the County Yard on Highway 37. The  
636 Manager reminded the original FEMA Project Worksheet contained language requiring  
637 the County give the wattles to land owners in the Little Bear Fire burn area but there was  
638 little response for need of the wattles. Since those efforts were largely unsuccessful The  
639 NM Department of Homeland Security and FEMA approved the distribution of wattles to  
640 other government entities. The Manager stated Eddy County requested wattles for use in  
641 road reconstruction place and would collect wattles from the County Yard.  
642

643 3. **Federal Forest Reserve Payments to States:** NM Department of Finance and  
644 Administration notified counties the Secure Rural Schools (SRS) program expired on  
645 September 30, 2014, and was not as of this date reauthorized by Congress. The  
646 Manager stated counties would traditionally utilize Title I funds for public roads and  
647 schools and Title III funds for Fire Wise Community activities. This year, the Forest  
648 Distribution to the Road Department totaled \$13,950.67 or about \$151,000 less than last  
649 year and the Fire Wise Community activities received \$341.03 with disbursement  
650 normally in the range of \$27,000.  
651

## 652 4. **Departmental Updates:**

653

- 654 a. Joe Kenmore, Director Office of Emergency Services (OES) stated during a recent  
655 Fire Chief's meeting Larry Ashley of the NM State Forestry informed plans were in  
656 place to station seven Single Engine Air Tanker (SEAT) planes around the state with  
657 two in Roswell for the upcoming fire season. Mr. Kenmore stated OES was working  
658 with the Upper Hondo Water and Soil Conservation District on a project for the Salado  
659 Dam. Mr. Kenmore stated he attended a FEMA meeting for "Senior Officials" at the  
660 Ruidoso Convention Center and would provide further information at a later date.  
661 Spencer Baldwin, OES Coordinator conducted an annual "refresher" training for the  
662 Volunteer Fire Departments.  
663
- 664 b. Carl Palmer, Road Superintendent informed the "rock and roll" rollers approved in the  
665 current budget cycle were purchased and expected shipment in late April. Mr.  
666 Palmer stated he continued to seek a "grid" roller for purchase. Mr. Palmer stated  
667 one of the new snow plow trucks was out of service for the last three months for  
668 warranty covered repairs.  
669

670 **24. Budget Preparation Procedures & Timeline Approval FY 2015-2016**

671 Ms. Taylor presented a timeline of events and procedures to prepare the FY 2015-2016 Budget.  
672

673 **Motion:** Approve the scheduled dates for budget preparation and submission to the Department  
674 of Finance and Administration as presented, **Action:** Approve, **Moved by** Commissioner  
675 Willard, **Seconded by** Commissioner Allen.  
676

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

678 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
679 Commissioner Willard.  
680

681 Ms. Taylor questioned if a formal budget adjustment was required to accommodate the  
682 disbursement of funds from the Indigent Fund. Sherri Huddleston, Chief Deputy Treasurer  
683 advised the action approving the distribution funds to LCMC from the Indigent Fund would most  
684 likely require an end of year budget adjustment.  
685

686 **26. Authorization to Schedule Public Hearing to Consider Other Outdated or New**  
687 **Lincoln County Ordinance:**

- 688 a) Ordinance 2004-04 Lincoln County Lodgers' Tax  
689

690 Ms. Taylor suggested a Public Hearing to consider budget adjustments to accommodate the  
691 approved disbursement of funds for LCMC.  
692

693 **Motion:** Schedule a Public Hearing to consider a budget adjustment for the Indigent Health  
694 Care Fund, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner  
695 Allen.  
696

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

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

701 **Motion:** Schedule a Special Meeting and Public Hearing for consideration of Preliminary Budget  
702 Fiscal Year 2015-2015 for May 5, 2015; and Schedule a Public Hearing for the Regular Meeting  
703 of April 21, 2015 to consider revisions to Lincoln County Lodgers' Tax Ordinance 2004-04,  
704 **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

708  
709 **27. Consideration of Appointments and Removals from Boards/ Commissioners/  
710 Committees:**

711  
712 a. Planning Commission

713  
714 No action.

715  
716 b. **Tabled**-Senior Citizens Olympic Committee

717  
718 No action.

719  
720 c. Southeast Regional Transportation Planning Organization

721  
722 Chair Stone appointed Commissioner Willard to serve as County representative for this  
723 organization.

724  
725 d. Western Homestead Legacy Alliance

726  
727 Chair Stone appointed Commissioner Draper to serve as County representative for this  
728 organization.

729  
730 e. JLUS Implementation Committee Board Member – Policy Rep

731  
732 Chair Stone appointed Commissioner Stewart to serve as County representative for this  
733 organization.

734  
735 **28. Potential Change to June Regular Meeting – NMAC 79th Annual Conference in  
736 Albuquerque, Bernalillo County**

737  
738 Ms. Taylor requested the Regular County Commission Meeting currently set for June 16, 2015  
739 be rescheduled to June 23 2015.

740  
741 **Motion:** Reschedule the June 16, 2015 Regular Meeting to June 23, 2015, **Action:** Approve,  
742 **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.

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

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

746  
747 **29. Dean Hood – Discussion on County Road Obligation in Twin Mountain  
748 Subdivision**

749  
750 Dean Hood, resident of Twin Mountain Subdivision off of Carrizo Canyon Road, informed the  
751 subdivision plat was approved by the County in 1958 and the subdivision roads were  
752 “dedicated” to the County at that time. Mr. Hood questioned if a dedicated road was or was not  
753 eligible for County maintenance. Mr. Hood stated two sections of roads in the subdivision were  
754 maintained by the County until the 1980’s when the County Road Department found they were

755 not on the list of roads accepted for maintenance. Mr. Hood questioned why the County then  
756 began maintaining a small section of road in 2002 or 2003.

757  
758 Attorney Morel explained the dedication of roads during the development and approval of a  
759 subdivision plat did not initiate an obligation for County maintenance. Attorney Morel stated  
760 subdivision developers had a responsibility to build roads to County standards and maintain  
761 them for two years prior to the County accepting them for maintenance.

762  
763 Attorney Morel stated should the County adopt any "dedicated" roads for maintenance which  
764 were not built to County standards it would set a precedence.

765  
766 Carl Palmer, Road Superintendent stated he had no knowledge of the history of roads in the  
767 area but confirmed the roads indicated as maintained were still currently maintained.

768  
769 Commissioner Willard questioned the relevancy of the roads in question to Mr. Hood's property.  
770 Mr. Hood stated a neighbor had bladed a section of road which created unwanted runoff on a  
771 section of land which he was seeking to identify as either a County right of way or a County  
772 maintained road.

773  
774 **30. Executive Session Pursuant to the Open Meetings Act: Discussion of all**  
775 **Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7); and**  
776 **Discussion of the purchase, acquisition or disposal of real property or water**  
777 **rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).**  
778

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

783 1. *Cooper, Gale and DeBaca County News v. County of Lincoln, Sheriff of Lincoln County,*  
784 *et al.* D-1329-CV-200701364. Suit filed: October 15, 2007. Verified Complaint for Declaratory  
785 Judgment Ordering Production of Certain Records and Information. Hearing took place Dec. 18,  
786 2013, and Stipulated Judgment was entered June 4, 2014 in favor of Ms. Cooper. Ms. Cooper  
787 filed an appeal June 10, 2014, and Judge John F. Davis was assigned Aug. 3, 2014.

788 \*2. *Coble Constructors, LLC, et al v Carl Kelley Construction Ltd. Co, et al.* D-1226-CV-  
789 2012-00003. Suit filed January 15, 2012. Complaint to Foreclose Mechanics Lien. Motion for  
790 Summary Judgment filed Jan. 29, 2014. Motion for Grant of Summary Judgment filed July 18,  
791 2014. Order Approving Master Sale, Confirming Sale and Approving Disbursements filed Feb.  
792 18, 2015.

793 3. *Greentree Solid Waste Authority v. Lincoln County* D-1226-CV-2014-00095. Suit filed  
794 May 1, 2014 Verified Petition for Declaratory and Supplemental Relief: Injunction, Motion to  
795 Waive Time to Reassign District Judge (Judge Karen Parsons was disqualified). County was  
796 served May 14, 2014. Mr. Paul Melendres has been retained by the County and filed Answer,  
797 Motion to Disqualify Mr. Beauvais and Change of Venue. Motion to Join the New Mexico  
798 Finance Authority as an Indispensable Party filed July 22, 2014. GSWA filed its Motion for  
799 Summary Judgment on Sept. 26, 2014. County filed its Response to GSWA's Motion for  
800 Summary Judgment on Oct. 13, 2014. Scheduling Conference and Hearing on All Pending  
801 Motions was Nov. 20 both with Judge Ritter, who found Mr. Beauvais had a conflict of interest  
802 and was disqualified from representing GSWA. Stipulated Partial Dismissal was entered and  
803 GSWA's Motion to Reconsider was filed Dec. 5, 2014. GSWA has retained Robert Doughty as

804 new counsel, who filed a Limited Entry of Appearance Dec. 13, 2014. Preliminary Injunction  
805 Hearing was scheduled Dec. 17, 2014 with Judge Ritter. Lincoln County's Response to  
806 Plaintiff's Motion to Reconsider was filed Dec. 19, 2014. GSWA filed its Reply of the Motion to  
807 Reconsider Jan. 5, 2015. Hearing regarding GSWA's Motion First Amended Verified Emergency  
808 Motion Seeking Further Relief on GSWA's Request for Preliminary Injunction Concerning the  
809 Rate at which the County Will Bill and Lincoln County's Motion for Sanctions is scheduled for  
810 May 12, 2015 at 9 a.m.

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

819 \*5. *Barbara Diane Latham, et al v. Neal Cox, Ben Hazen, Lincoln County Sheriff s*  
820 *Department and the County of Lincoln. D-1226-CV-2013-00191 to Federal No: 2:13-CV-00822-*  
821 *RB-SMV.* Suit filed July 19, 2013. Complaint for Violation of Civil Rights, Wrongful Death and  
822 Damages by Attorney Gary Mitchell. Tort Claim Notice was filed on October 27, 2011. LCSO  
823 and LC Manager were served on August 5, 2013. Advised NMAC assigned the case to  
824 Brennan and Sullivan Law Firm Sept. 5, 2013. Case was moved to Federal Court August 30,  
825 2013. Ms. Latham filed a new action in federal court against Village of Capitan and Police  
826 Officer Kevin Kennedy filed July 25, 2014. The court Sua Sponte consolidated both cases via  
827 Order from Judge Brack filed Sept. 29, 2014. Memorandum and Order filed Feb. 2, 2015  
828 granting Defendant's Motion for Summary Judgment on the Basis of Qualified Immunity and  
829 Other Grounds and Motion to Dismiss Plaintiff's First Amended Complaint and/or Motion for  
830 Summary Judgment and for Qualified Immunity by Judge Brack. Judgment filed Feb. 2, 2015 in  
831 favor of Defendants Kevin Kennedy, Neal Cox, Ben Hazen, LCSO, County and the Village of  
832 Capitan. Memorandum and Order filed Feb. 2, 2015 granting Defendant's Motion for Summary  
833 Judgment on the Basis of Qualified Immunity and Other Grounds and Motion to Dismiss  
834 Plaintiff's First Amended Complaint and/or Motion for Summary Judgment and for Qualified  
835 Immunity by Judge Brack. Judgment filed Feb. 2, 2015 in favor of Defendants Kevin Kennedy,  
836 Neal Cox, Ben Hazen, LCSO, County and the Village of Capitan. No Appeal has been filed.

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

844 7. *Wesmax, Ltd. V. Paul Baca, Lincoln County Assessor D-1226-CV-2014-00188* Appeal  
845 of the Final Order from Lincoln County Valuation Protest Board. Appeal filed Oct. 8, 2014. Case  
846 assigned to Basham & Basham/Dwyer. Record of Appeal and Transcript of Proceedings was  
847 filed Oct. 23, 2014.

848

849

#### Tort Claims Notices Received or Threatened

850 **2015**

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

854 **McDaniel, Carl** – Tort Claim Notice received Jan. 23, 2015 alleging violation of the

855 Unfair Trade Practices Act and engaging in unfair or deceptive trade practices and/or  
856 unconscionable trade practices by GSWA.

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

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

863 **\*Lavin, Erica L. and Rathgeber, Jack** – Tort Claim Notice received March 2, 2015  
864 alleging Constitutional Rights were violated resulting in wrongful termination.  
865

866 **2014**

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

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

873 **Ogden, John D** – Tort Claim Notice received May 26, 2014 alleging mistreatment while  
874 incarcerated at Lincoln County Detention Center on March 11, 2014.

875 **Rounds, Christopher** – Tort Claim Notice received June 4, 2014 alleging being held in  
876 Lincoln County Detention Center without being advised of his charges.

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

879 **Class Action** – Tort Claim Notice received June 23, 2014 alleging false imprisonment,  
880 false arrest, deprivation of rights at Lincoln County Detention Center that arise with Immigration  
881 and Customs Enforcement charges.

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

884 **McGarry, Sean** – Tort Claim Notice received July 25, 2014 alleging wrongful arrest,  
885 false imprisonment, malicious prosecution, intentional or negligent infliction of emotional  
886 distress, abuse of process, wrongful termination and retaliatory discharge regarding discharge  
887 from the Capitlan Police Department.

888 **Ramos, Aaron** – Tort Claim Notice received August 7, 2014 alleging lack of Due  
889 Process for inmates at Lincoln County Detention Center.

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

894 **Rider, Edward Allen and Moorhead, Brennon** – Tort Claim Notice received Oct. 20,  
895 2014 by attorney W. Chris Nedbalek alleging Lincoln County Narcotics Enforcement Unit  
896 officers destroyed items in a home.

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

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

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

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

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

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

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

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

915 **Diana Martwick, 12<sup>th</sup> Judicial District Attorney** – Tort Claim Notice received Nov. 25,  
916 2014 alleging lack of adequate office space provided by the County of Lincoln.

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

919  
920 **2013**

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

924 **Borrego, Albert** – Tort Claim Notice received from attorney Gary Mitchell on June 14,  
925 2013, alleging continued harassment to Albert G. Borrego by police while responding to a noise  
926 complaint at Mr. Borrego's residence on February 28, 2013, and a separate incident resulting in  
927 Mr. Borrego's arrest on March 5, 2013, due to an outstanding warrant, during which Mr. Borrego  
928 allegedly sustained injuries while in custody due to an existing broken back injury. Claim has  
929 been denied by NMAC.

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

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

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

939 **Ramos, Aaron** - Tort Claim Notice received by attorney Robert J. Beauvais on April 18,  
940 2013, (correspondence dated September 13, 2011) alleging concerns about Mr. Ramos' safety  
941 and welfare and violation of his U.S. Constitutional rights.

942 **Silva, Elmo** – Tort Claim Notice received from attorney Richard Marquez November 6,  
943 2013. Alleges false imprisonment for Mr. Silva, who was sentenced in the 12<sup>th</sup> Judicial District  
944 Court to 38 years filed on July 3, 1990.

945  
946 **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

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

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

950  
951 Chair Stone recessed the Regular Meeting and convened the Closed Session at 2:37:52 PM.

952  
953 Chair Stone adjourned the Closed Session and reconvened the Regular Meeting at 3:35:10 PM.

954  
955 Commissioner Draper attested that matters discussed in the closed meeting were limited to  
956 those specified in the motion for closure or in the notice of separate closed meeting

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**31. Greentree Solid Waste Authority**

**a. GSWA - Update**

Joe Lewandowski, Operational Consultant provided a timeline of key events beginning in March of 2013 with the GSWA approval of a landfill rate increase. Mr. Lewandowski detailed GSWA's adoption of billing rate increases since 2013 and discussed the associated requests to the Board of County Commissioners for a rate hearing.

Mr. Lewandowski discussed in detail the more recent event of the County's assumption of billing for County residents beginning in January 2015. Mr. Lewandowski provided GSWA's analysis of the effect of the January "split" billing which yielded a collection rate of approximately 60% versus the 91% collection rate GSWA would normally have received for this billing cycle. Mr. Lewandowski stated the approximately 44% shortfall would eventually create a financial situation for GSWA which would necessitate a reduction of services.

**b. GSWA Timeline of Required Events**

Mr. Lewandowski presented a list of requests for action by the County including a request to set a rate hearing at the earliest possible date. Mr. Lewandowski also requested the County provide financial assistance to GSWA to offset the revenue deficit due to the transfer of billing; support GSWA's efforts for collection of accounts billed prior to the County's assuming billing; to revise the Joint Powers Agreement; for the County to determine whether to withdraw from GSWA; and upon agreement of the preceding requests for all lawsuits to be dismissed.

Mr. Lewandowski commented on the possibility of Lincoln County issuing a Request for Proposal (RFP) for solid waste services and the probability of GSWA's ability to provide a competitive rate. Mr. Lewandowski discussed the relationship and ownership of the landfill and transfer station and the effects of Lincoln County's potential withdrawal for those facilities.

Ms. Taylor anticipated the consultant hired by Lincoln County to analyze costs associated with solid waste collection would provide the analysis by April 10, 2015. Ms. Taylor suggested a public hearing to consider rates at the Regular Meeting of April 21, 2014.

Jeff Kaplan, Director of General Services for the Village of Ruidoso expressed concern about any potential reduction in services by GSWA. Mr. Kaplan reminded as the only other major entity providing solid waste collection services the Village of Ruidoso could incur an increase in illegal dumping and a strain on their services. Mr. Kaplan requested both parties declare a moratorium on the discontinuance of services.

**c. County Options re: GSWA**

- i. County of Lincoln Withdrawal from GSWA
- ii. Rewrite of JPA
- iii. County of Lincoln to Manage GSWA

**Motion:** Schedule a Public Hearing to consider Solid Waste Rates on April 14, 2015 at 9:00 AM, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart. **Vote:** Motion carried by unanimous vote (**summary:** Yes = 5).

1007 **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper,  
1008 Commissioner Willard.

1009  
1010 **33. Signing of Official Documents**

1011  
1012 **34. Next meetings:**

- 1013  
1014 a) April 21, 2015 – Regular Commission Meeting  
1015 b) May 5, 2014 – Special Commission Meeting – FY 15-16 Budget  
1016 Consideration

1017  
1018 **35. Adjourn**

1019  
1020 There being no further business to come before the Board of County Commissioners, Chair  
1021 Stone adjourned the meeting at 4:24:55 PM.

1022  
1023 Respectfully submitted by,  
1024 Rhonda B. Burrows  
1025 Lincoln County Clerk

**DRAFT**

1 **COUNTY OF LINCOLN**

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

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

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

8  
9 **Minutes**  
10 **Thursday, March 19, 2015**

11  
12 Minutes of the Special Meeting of the Lincoln County Commission held at 1:00 PM on March 19,  
13 2015 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New  
14 Mexico.

15  
16 **1. Call to Order**

17  
18 Chair Stone called the Regular Meeting of the Board of County Commissioners to order at  
19 12:59:53 PM.

20  
21 **2. Roll Call**

22  
23 **Roll Call.**

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

26  
27 Others present included Curt Temple, Acting County Manager; Sue Hutchinson, staff member of  
28 County Attorney Alan Morel; and Rhonda Burrows, County Clerk.

29  
30 **3. Invocation**

31  
32 The invocation was presented by Commissioner Draper.

33  
34 **4. Pledge of Allegiance**

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

38  
39 **5. Approval of Agenda**

40  
41 **Motion:** Accept the agenda as presented, **Action:** Approve, **Moved by** Commissioner Stewart,  
42 **Seconded by** Commissioner Allen.

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

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

47 **6. Consideration/Action: Reconsideration of the nomination from the County of**  
48 **Lincoln Board of County Commissioners to Governor Susana Martinez to replace**  
49 **New Mexico Senator Phil Griego, District 39.**  
50

51 Curt Temple, Acting County Manager provided a summary of related events as follows:  
52

- 53 a. March 14, 2015 – the Resignation of Senator Griego District 39
- 54 b. March 14, 2015 - Request from Governor Martinez to convene an Emergency  
55 Meeting and provide a nomination for the vacancy by 5:00 PM March 15, 2015.
- 56 c. March 15, 2015 - Emergency Meeting and nomination of Commissioner Tom  
57 Stewart
- 58 d. March 15, 2015 - Request from the Governor's office to convene a Special  
59 Meeting to provide for 72 hour notice in accordance with the Open Meetings Act.
- 60 e. March 16, 2015 - Public Notice of Special Meeting
- 61 f. March 19, 2015 - Special Meeting of Lincoln County Board of County  
62 Commissioners

63  
64 Mr. Temple reported Commissioner Stewart had withdrawn his acceptance of the nomination.  
65

66 Chair Stone requested those potential nominees present for the meeting provide a brief  
67 description of their interest and qualifications.  
68

69 Bobbi Shearer, resident of Capitan, presented her resume for consideration and reminded of her  
70 previous comments on qualifications and work history expressed at the Emergency Meeting of  
71 March 15, 2015. Ms. Shearer discussed the current status of the Capital Outlay requests for  
72 Lincoln County and expressed concern for those requests.  
73

74 Jose Varela Lopez of Santa Fe County presented his request and letter of intent. Mr. Lopez  
75 discussed his background and current positions of Executive Director of the NM Forest Industry  
76 Association and President of the New Mexico Cattle Growers Association.  
77

78 Dick Mastin, resident of Alto, informed he had resided in New Mexico for 28 years including 14  
79 years in Lincoln County. Mr. Mastin discussed his prior work history as a mechanical engineer in  
80 the aviation industry and his extensive educational background. Mr. Mastin reminded he was a  
81 candidate for State Representative District 59 in the 2014 General Election.  
82

83 Chair Stone opened the floor for a question and answer period.  
84

85 Commissioner Draper questioned if potential nominees were verified as residing within Senate  
86 District 39. Rhonda Burrows, County Clerk stated all names submitted were verified as residents  
87 of the district.  
88

89 Commissioners presented questions to the nominees regarding qualifications, legislative  
90 priorities, conflicts of interest and the likelihood of re-election.  
91

92 Rhonda Burrows, County Clerk informed she found no precedent for selection of a nomination to  
93 fill a legislative vacancy. Ms. Burrows discussed the nomination by ballot vote procedure followed  
94 during the Emergency Meeting of March 15, 2015 but suggested the Board of Commissioners  
95 also had the discretion to accept and vote on open nominations in the meeting. Ms. Burrows  
96 stated there were a total of eight names submitted for consideration today.

97 There was discussion and a general consensus to allow each Commissioner to make one  
98 nomination for a subsequent ballot vote. Attorney Morel agreed to the process identified but  
99 requested those present including potential nominees, political party representatives and the  
100 general public be given the opportunity to object. Hearing no objection from those present, Chair  
101 Stone solicited nominations from the Board of Commissioners with the number of potential  
102 nominees not to exceed five.

103  
104 Commissioner Willard nominated Dr. Brent Racher, Commissioner Draper nominated Bobbi  
105 Shearer, and Commissioner Stewart nominated Jose Varela Lopez.

106  
107 Chair Stone recessed the meeting at 2:01:45 PM and reconvened at 2:12:51 PM.

108  
109 Whitney Whittaker, Chief Deputy Clerk provided a ballot with the names of Brent Racher, Bobbi  
110 Shearer, and Jose Varela Lopez to each Commissioner. Ms. Whittaker collected the voted ballots  
111 and in the presence of Martha Proctor of the Republican Party and Nina Grunseth of the  
112 Democratic Party conducted a hand tally of the vote.

113  
114 Curt Temple, Acting Manager informed once a nominee was selected he would provide a letter  
115 of nomination from Lincoln County for the nominee to hand deliver to Governor Martinez and also  
116 email a copy to the Governor's office.

117  
118 Ms. Burrows announced the results of the vote as follows: 1 vote for Bobbi Shearer and 4 votes  
119 for Jose Varela Lopez.

120  
121 **Motion:** Submit the name of Jose Varela Lopez as the nominee for Senate District 39 from Lincoln  
122 County, **Action:** Approve, **Moved by** Chair Stone, **Seconded by** Commissioner Allen.

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

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

125 **No:** Commissioner Draper.

126  
127 **7. Consideration/Action: Adoption of new Contract Position for the Lincoln County**  
128 **Sheriff's Department: High Intensity Drug Trafficking Area (HIDTA) Officer. Position**  
129 **is grant fund by HIDTA.**

130  
131 Sheriff Shepperd stated the previous HIDTA task force in Lincoln County was disbanded prior to  
132 his administration. Sheriff Shepperd discussed the efforts of co-operating agencies in Lincoln  
133 County to reinstate the base funding distribution from HIDTA of approximately \$54,000. Sheriff  
134 Shepperd stated there was sufficient HIDTA funding to staff three positions in the County with  
135 one position allocated to the Sheriff's office. Sheriff Shepperd requested approval of the new  
136 position and stated all costs for the position were offset by the HIDTA grant funding.

137  
138 **Motion:** Approve the new contract position for Sheriff's department utilizing grant funding from  
139 HIDTA, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Allen.

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

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

143  
144 **8. Adjournment**

145  
146 There being no further business to come before the Board of County Commissioners, Chair Stone  
147 adjourned the meeting at 2:21:11 PM.

148  
149 Respectfully submitted by,  
150 Rhonda B. Burrows  
151 Lincoln County Clerk

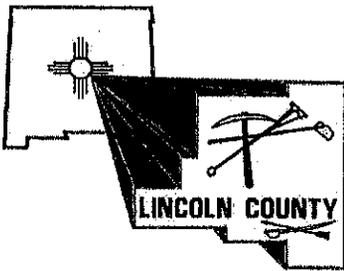
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## **Agenda Item 7**

### **SUBJECT**

Approval of Consent Agenda:

- a. Payroll/Accounts Payable/Budget/Expenditures
- b. Treasurer's Financial Report for the Month ending March 31, 2015
- c. 2015 Fire Fund Distribution Applications
- d. Road Name Request
- e. Carrizozo Soil & Water Conservation District Mill Levy Resolution 02-2014-2015



www.lincolncountynm.net

# County of Lincoln

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

## ACCOUNTS PAYABLE and PAYROLL

The following claims or bills on file with the office of the Lincoln County Manager were examined and approved as paid with checks hereof drawn upon the various County funds according to the check register covering the period from March 1 through March 31, 2015 in the amount of \$2,480,504.54.

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

**ADOPTED, PASSED AND SIGNED** the 21st day of April 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

## NEW MEXICO PUBLIC REGULATION COMMISSION

MAR 16 2015

## COMMISSIONERS

DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN  
 DISTRICT 2 PATRICK H. LYONS  
 DISTRICT 3 VALERIE ESPINOZA  
 DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR  
 DISTRICT 5 SANDY JONES

## CHIEF OF STAFF

S. Vincent Martinez



ADMINISTRATION  
 LINCOLN COUNTY NM  
 P.O. Box 1269

1120 Paseo de Peralta  
 Santa Fe, NM 87504-1269

## STATE FIRE MARSHAL DIVISION

Room 413  
 800-244-6702 (In-state only)  
 (505) 476-0174  
 Fax : (505) 476-0100

**NEW MEXICO STATE FIRE MARSHAL DIVISION**  
**FISCAL YEAR 2016 COUNTY ADMINISTRATIVE FIRE PROTECTION FUND DISTRIBUTION**

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division **on or before April 30, 2015.**

NAME OF COUNTY: Lincoln

## ADDRESS OF APPROVED FIRE ADMINISTRATION BUILDING:

111 Copper Ridge Road, Capitan, NM 88316

ISO FUNDING CLASSIFICATION: 8

If you contend the above ISO Funding Classification is incorrect, please attach your claim and sign here:

X \_\_\_\_\_

The projected minimum amount for fire fund distribution, based on the above information, is \$52,418. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 9601.12 Building

\*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 20457.17

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

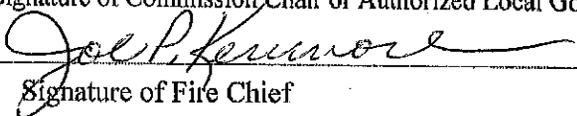
The Fire Service Support Bureau reviews activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that fire departments in your County are out of compliance, your Office and the Fire Chief will be notified of the department's status, if the fire departments in your County fail to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at [vernon.muller@state.nm.us](mailto:vernon.muller@state.nm.us)

Please insure that all certified Fire Departments in your County have properly provided two primary NFIRS users, along with contact information, as required on each fire departments Fire Protection Fund application.

*The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.*

Signed and submitted on this \_\_\_\_\_ day of \_\_\_\_\_, 2015

_____ /S _____ Printed Name	Signature of Commission Chair or Authorized Local Government Designee
Joe Kenmore Printed Name	/S  Signature of Fire Chief

NEW MEXICO PUBLIC REGULATION COMMISSION

MAR 16 2015

P.O. Box 1269

1120 Paseo de la PASEO DE LA

Santa Fe, NM 87504-1269 LINCOLN COUNTY NM

STATE FIRE MARSHAL DIVISION

Room 413

800-244-6702 (In-state only)

(505) 476-0174

Fax : (505) 476-0100

COMMISSIONERS

DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN

DISTRICT 2 PATRICK H. LYONS

DISTRICT 3 VALERIE ESPINOZA

DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR

DISTRICT 5 SANDY JONES

CHIEF OF STAFF

S. Vincent Martinez



NEW MEXICO STATE FIRE MARSHAL DIVISION

FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year.

The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT Nogal

COUNTY: Lincoln

FIRE DEPARTMENT ADDRESS: P.O. Box 62, Nogal, NM 88341

ISO CLASSIFICATION: 9

Approved number of Sub Stations is 0

0 Sub Stations

Approved number of Main Stations is 1

Same As Above

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: \_\_\_\_\_

The projected minimum amount for fire fund distribution, based on the above information, is \$39,058. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 54,925<sup>21</sup> Building, Cap out

\*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 110,015<sup>39</sup>

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at [vernon.muller@state.nm.us](mailto:vernon.muller@state.nm.us)

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
1. \_\_\_\_\_  
2. \_\_\_\_\_

*The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.*

Signed and submitted on this \_\_\_\_\_ day of \_\_\_\_\_ 2015,

\_\_\_\_\_ /S \_\_\_\_\_

Printed Name

Chris Row

Signature of Commission Chair or Authorized Local Government Designee

/S



Printed Name

Signature of County Fire Chief / Fire Marshal or District Chief

# NEW MEXICO PUBLIC REGULATION COMMISSION

## COMMISSIONERS

DISTRICT 1 KAREN MONTOYA  
DISTRICT 2 PATRICK H. LYONS  
DISTRICT 3 VALERIE ESPINOZA, VICE CHAIR  
DISTRICT 4 THERESA BECENTI-AGUILAR, CHAIR  
DISTRICT 5 BEN L. HALL

## CHIEF OF STAFF

S. Vincent Martinez



P.O. Box 1269  
1120 Paseo de Peralta  
Santa Fe, NM 87504-1269

## STATE FIRE MARSHAL DIVISION

Room 413  
800-244-6702 (In-state only)  
(505) 476-0174  
Fax : (505) 476-0100

### NEW MEXICO STATE FIRE MARSHAL'S OFFICE FISCAL YEAR 2015 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2015 fiscal year. The application is due in the State Fire Marshal's Office on or before April 30, 2014.

FIRE DEPARTMENT Glencoe-Palo Verde COUNTY: Lincoln  
FIRE DEPARTMENT ADDRESS: 27661 US HWY 70, San Patricio, NM 88346  
ISO CLASSIFICATION: 9

Approved number of Main Stations is 2

Station #2 271 Hwy 70  
Glencoe Palo Verde FD# Mile Marker 276 1/2 Rt 7 Glencoe NM 88324

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: \_\_\_\_\_

The projected minimum amount for fire fund distribution, based on the above information, is \$78,116. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 29, 2014. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2015 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'14 to FY'15. \$ ~~73,658.54~~  
70,000.00 Building maintenance & renovation

\*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 82875.10

The Fire Service Support Bureau of the State Fire Marshal's Office continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at [vernon.muller@state.nm.us](mailto:vernon.muller@state.nm.us)

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name:	Email:	Phone:
1. William R. Dunlap	<a href="mailto:wdunlap@gmail.com">wdunlap@gmail.com</a>	575-937-4337
2. Janet Herrera	<a href="mailto:gvfd1661@gmail.com">gvfd1661@gmail.com</a>	575-937-5167

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

/s

Printed Name

Joe P. Kenmore

Signature of Chairman, Board of County Commission

/s Joe P. Kenmore

Printed Name

Signature of County Fire Chief or Fire Marshal

NEW MEXICO PUBLIC REGULATION COMMISSION MAR 16 2015

COMMISSIONERS

- DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN
- DISTRICT 2 PATRICK H. LYONS
- DISTRICT 3 VALERIE ESPINOZA
- DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR
- DISTRICT 5 SANDY JONES

CHIEF OF STAFF

S. Vincent Martinez



P.O. Box 1269  
 ADMINISTRATION  
 1120 Paseo de Peralta  
 Santa Fe, NM 87504-1269  
 LINCOLN COUNTY NM

STATE FIRE MARSHAL DIVISION

Room 413  
 800-244-6702 (In-state only)  
 (505) 476-0174  
 Fax : (505) 476-0100

NEW MEXICO STATE FIRE MARSHAL DIVISION  
 FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT Bonito COUNTY: Lincoln

FIRE DEPARTMENT ADDRESS: P.O. Box 135, Alto, NM 88312

ISO CLASSIFICATION: 8

Approved number of Sub Stations is 0  
 0 Sub Stations

Approved number of Main Stations is 3

<u>Sun Valley Station</u>	<u>106 Sun Valley Rd.</u>	<u>NM</u>
<u>Station #3</u>	<u>#1 Copper Ridge Rd.</u>	<u>NM</u>
<u>Sonterra Station</u>	<u>Hwy 2201 Airport Rd.</u>	<u>NM</u>

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: \_\_\_\_\_

The projected minimum amount for fire fund distribution, based on the above information, is \$157,254. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 120,000 - CARRY-OVER TO BE USED FOR FUTURE CONSTRUCTION OF NEW SUN VALLEY FIRE STATION

\*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 155,449 03/31/15

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

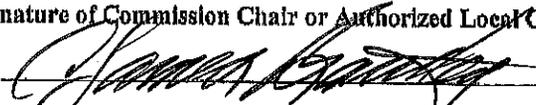
This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at [vernon.muller@state.nm.us](mailto:vernon.muller@state.nm.us)

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

<i>Name:</i>	<i>Email:</i>	<i>Phone:</i>
1. DAVID SEPKOWITZ	david.a.sepkowitz@usps.gov	575-808-0769
2. DEBRA ANDERSON	esarabians@gmail.com	575-937-8672

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_/S \_\_\_\_\_  
 Printed Name Signature of Commission Chair or Authorized Local Government Designee  
 CARL BARTLEY, CHIEF /S   
 Printed Name Signature of County Fire Chief / Fire Marshal or District Chief

RECEIVED

NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS
DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN
DISTRICT 2 PATRICK H. LYONS
DISTRICT 3 VALERIE ESPINOZA
DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR
DISTRICT 5 SANDY JONES
CHIEF OF STAFF
S. Vincent Martinez



MAR 16 2015
P.O. Box 1269
1120 Paseo de la Piedad
Santa Fe, NM 87504-1269
ADMINISTRATION
LINCOLN COUNTY NM
STATE FIRE MARSHAL DIVISION
Room 413
800-244-6702 (In-state only)
(505) 476-0174
Fax : (505) 476-0100

NEW MEXICO STATE FIRE MARSHAL DIVISION
FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

RECEIVED

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year.
The application is due in the State Fire Marshal Division on or before April 30, 2015.
MAR 31 2015

FIRE DEPARTMENT Hondo Valley COUNTY: Lincoln
FIRE DEPARTMENT ADDRESS: P. O. Box 244, Tinnie, NM 88351
ISO CLASSIFICATION: 8

ADMINISTRATION
LINCOLN COUNTY NM

Approved number of Sub Stations is 1
Sub-Station Mile Marker 292.7 Hwy 3
Approved number of Main Stations is 1
Same As Above

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here:

The projected minimum amount for fire fund distribution, based on the above information, is \$70,920. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 17,040.00 Truck Pumper

\*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 178740

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at [vernon.muller@state.nm.us](mailto:vernon.muller@state.nm.us)

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name: 1. Andrew F Coleman Email: afcoleman@yahoo.com Phone: 575-937-9129  
2.

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_/s/\_\_\_\_\_  
Printed Name Signature of Commission Chair or Authorized Local Government Designee  
Joe P. Kenmore /s/ Joe P. Kenmore  
Printed Name Signature of County Fire Chief / Fire Marshal or District Chief

# NEW MEXICO PUBLIC REGULATION COMMISSION

RECEIVED

MAR 16 2015  
P.O. Box 1269

## COMMISSIONERS

DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN  
DISTRICT 2 PATRICK H. LYONS  
DISTRICT 3 VALERIE ESPINOZA  
DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR  
DISTRICT 5 SANDY JONES  
CHIEF OF STAFF  
S. Vincent Martinez



1120 Paseo de Peralta  
Santa Fe, NM 87504-1269  
ADMINISTRATION  
LINCOLN COUNTY NM

STATE FIRE MARSHAL DIVISION

Room 413  
800-244-6702 (In-state only)  
(505) 476-0174  
Fax : (505) 476-0100

## NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT Lincoln COUNTY: Lincoln

FIRE DEPARTMENT ADDRESS: P.O. Box 7, Lincoln, NM 88338

ISO CLASSIFICATION: 6

Approved number of Sub Stations is 0  
0 Sub Stations

Approved number of Main Stations is 2  
Same As Above

Fl. Stanton Med Hosp. PO Box 91

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: \_\_\_\_\_

The projected minimum amount for fire fund distribution, based on the above information, is \$117,168. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance. 105,578.93 pumper tanker

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ the purchase of new command vehicle with equipment.

\*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 291,000

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity:

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at [vernon.muller@state.nm.us](mailto:vernon.muller@state.nm.us)

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
1. \_\_\_\_\_  
2. \_\_\_\_\_

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_/s/ \_\_\_\_\_

Printed Name  
Dennie Long

Signature of Commission Chair or Authorized Local Government Designee

/s/ Dennie Long

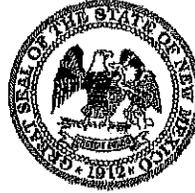
Printed Name

Signature of County Fire Chief / Fire Marshal or District Chief

RECEIVED

NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS
DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN
DISTRICT 2 PATRICK H. LYONS
DISTRICT 3 VALERIE ESPINOZA
DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR
DISTRICT 5 SANDY JONES
CHIEF OF STAFF
S. Vincent Martinez



MAN 16 2015
P.O. Box 1269
1120 Administration
Santa Fe, NM 87504-9269
STATE FIRE MARSHAL DIVISION
Room 413
800-244-6702 (In-state only)
(505) 476-0174
Fax : (505) 476-0100

NEW MEXICO STATE FIRE MARSHAL DIVISION
FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year.
The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT Arabela COUNTY: Lincoln
FIRE DEPARTMENT ADDRESS: PO Box 262, Tinnie, NM 88351
ISO CLASSIFICATION: 9

Approved number of Sub Stations is 0
0 Sub Stations

Approved number of Main Stations is 1
Same As Above

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here:

The projected minimum amount for fire fund distribution, based on the above information, is \$39,058. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ 87,918.87 vehicle purchase

\*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 125,019.87

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at [vernon.muller@state.nm.us](mailto:vernon.muller@state.nm.us)

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
1. Victoria E Sanchez vesanchez59@gmail.com 575-653-4374  
2. \_\_\_\_\_

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_/s/\_\_\_\_\_  
Printed Name Signature of Commission Chair or Authorized Local Government Designee  
Fernando B. Montoya /s/ Fernando B Montoya  
Printed Name Signature of County Fire Chief / Fire Marshal or District Chief

## NEW MEXICO PUBLIC REGULATION COMMISSION 2015

## COMMISSIONERS

DISTRICT 1 KAREN L. MONTOYA, CHAIRWOMAN  
 DISTRICT 2 PATRICK H. LYONS  
 DISTRICT 3 VALERIE ESPINOZA  
 DISTRICT 4 LYNDA LOVEJOY, VICE CHAIR  
 DISTRICT 5 SANDY JONES

## CHIEF OF STAFF

S. Vincent Martinez



P.O. Box 1269  
 1120 Paseo de Peralta  
 Santa Fe, NM 87504-1269  
 LINCOLN COUNTY NM

## STATE FIRE MARSHAL DIVISION

Room 413  
 800-244-6702 (In-state only)  
 (505) 476-0174  
 Fax : (505) 476-0100

NEW MEXICO STATE FIRE MARSHAL DIVISION  
 FISCAL YEAR 2016 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2016 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2015.

FIRE DEPARTMENT White Oaks COUNTY: Lincoln

FIRE DEPARTMENT ADDRESS: 142 Patos Road, White Oaks, NM 88301

ISO CLASSIFICATION: 9

Approved number of Sub Stations is 0

0 Sub-Stations

Approved number of Main Stations is 1

Same As Above

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: \_\_\_\_\_

The projected minimum amount for fire fund distribution, based on the above information, is \$39,058. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2015. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2016 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'15 to FY'16. \$ \$65,000 Building - Cap out

\*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 90,103.61

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.

This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at [vernon.muller@state.nm.us](mailto:vernon.muller@state.nm.us)

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
1. \_\_\_\_\_  
2. \_\_\_\_\_

*The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.*

Signed and submitted on this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_/S \_\_\_\_\_

Printed Name

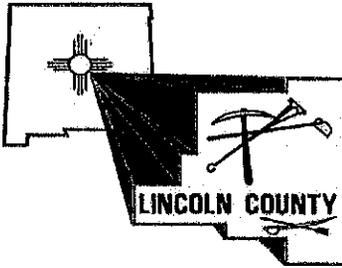
Joe Kenmore

Signature of Commission Chair or Authorized Local Government Designee

Joe Kenmore

Printed Name

Signature of County Fire Chief / Fire Marshal or District Chief



www.lincolncountynm.net

# County of Lincoln

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

## ROAD NAME REQUEST

This is a request to approve a new Road Name to an existing road in Lon NM in the County of Lincoln. The County Rural Addressing Office has approved the following name:

### EASTERN RD

This is a name that is currently available and not duplicated. Attached is a general map of the area.

**NOW, THEREFORE,** the above name Eastern Rd is hereby approved.

**ADOPTED, PASSED AND SIGNED** the 21st day of April, 2015.

\_\_\_\_\_  
Preston Stone  
Chairwoman

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

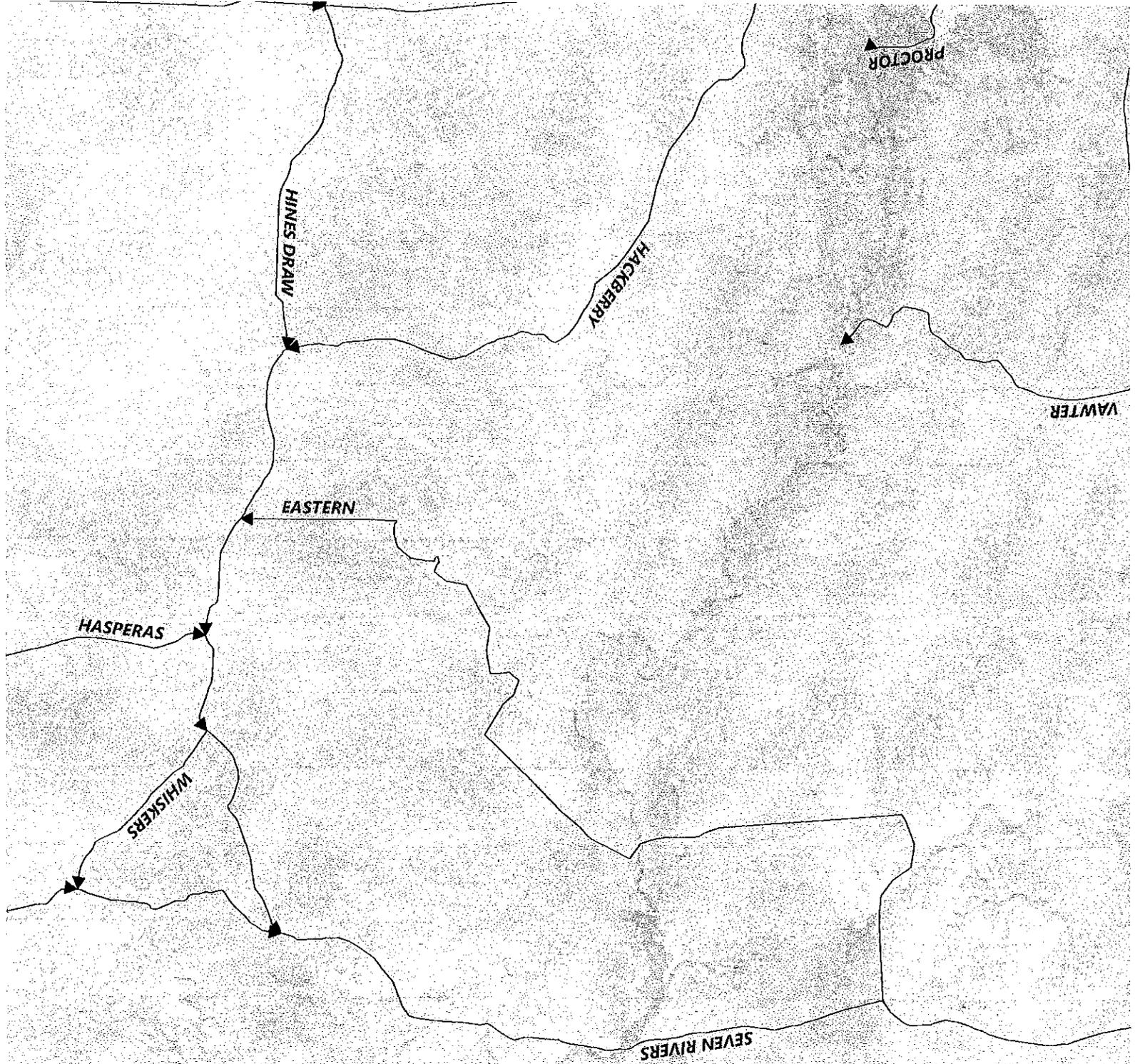
\_\_\_\_\_  
Lynn Willard  
Commissioner

\_\_\_\_\_  
Tom Stewart  
Commissioner

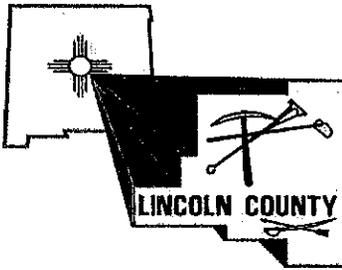
\_\_\_\_\_  
Elaine Allen  
Commissioner

ATTEST:

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



N  
KELLEY



www.lincolncountynm.net

# County of Lincoln

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

## ROAD NAME REQUEST

This is a request to approve a new Road Name to an existing County Road (B030) in Lon NM in the County of Lincoln. The County Rural Addressing Office has approved the following name:

### GRADER RD

This is a name that is currently available and not duplicated. Attached is a general map of the area.

**NOW, THEREFORE**, the above name Grader Rd is hereby approved.

**ADOPTED, PASSED AND SIGNED** the 21st day of April, 2015.

\_\_\_\_\_  
Preston Stone  
Chairwoman

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

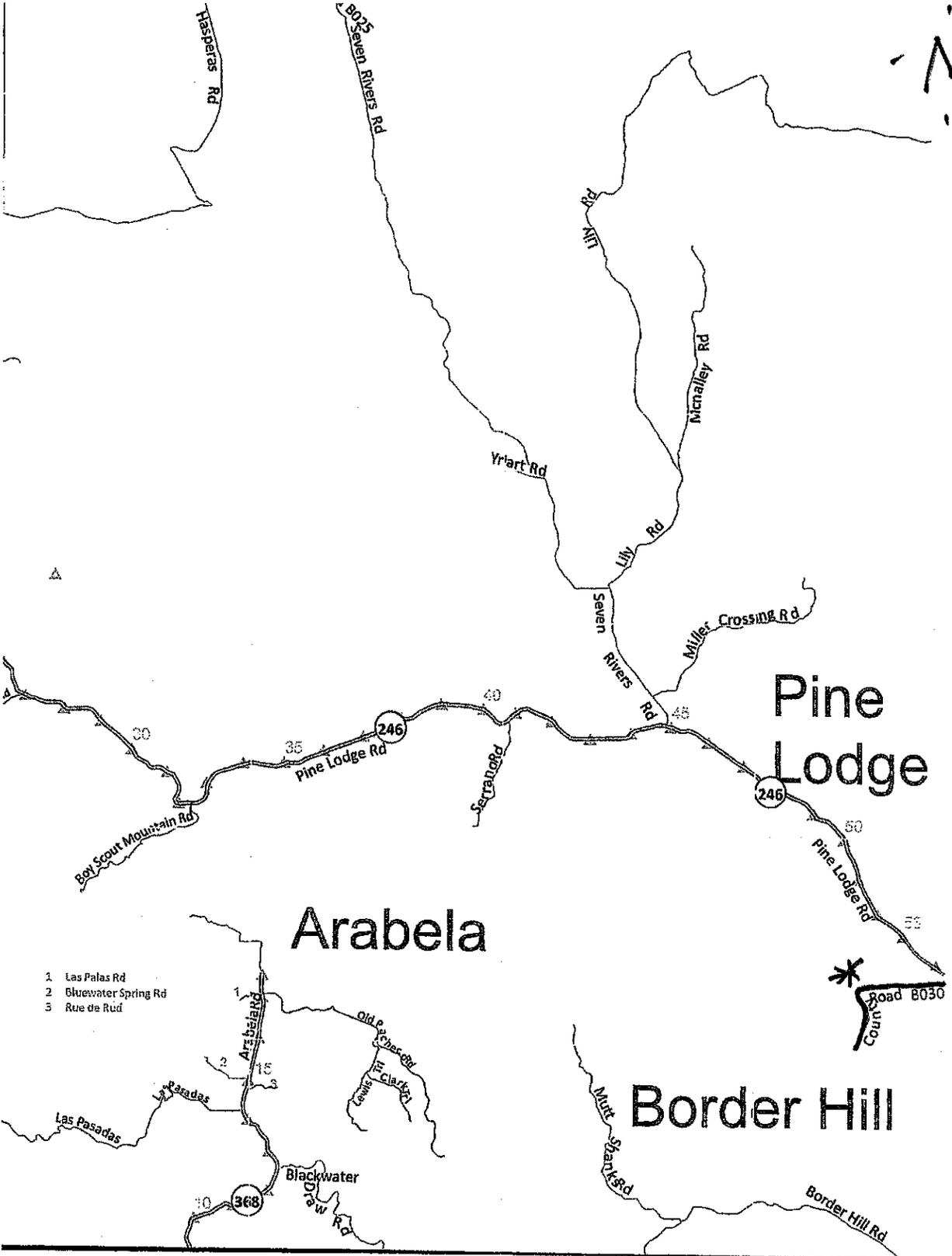
\_\_\_\_\_  
Lynn Willard  
Commissioner

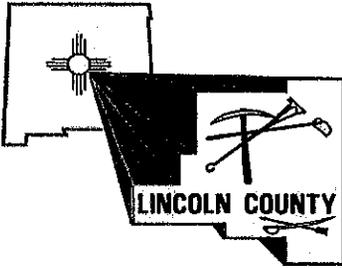
\_\_\_\_\_  
Tom Stewart  
Commissioner

\_\_\_\_\_  
Elaine Allen  
Commissioner

ATTEST:

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





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# County of Lincoln

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

## ROAD NAME REQUEST

This is a request to approve a new Road Name to an existing County Road (B030) in Pine Lodge NM in the County of Lincoln. The County Rural Addressing Office has approved the following name:

### BLIND LN

This is a name that is currently available and not duplicated. Attached is a general map of the area.

**NOW, THEREFORE**, the above name Blind Ln is hereby approved.

**ADOPTED, PASSED AND SIGNED** the 21st day of April, 2015.

\_\_\_\_\_  
Preston Stone  
Chairwoman

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

\_\_\_\_\_  
Lynn Willard  
Commissioner

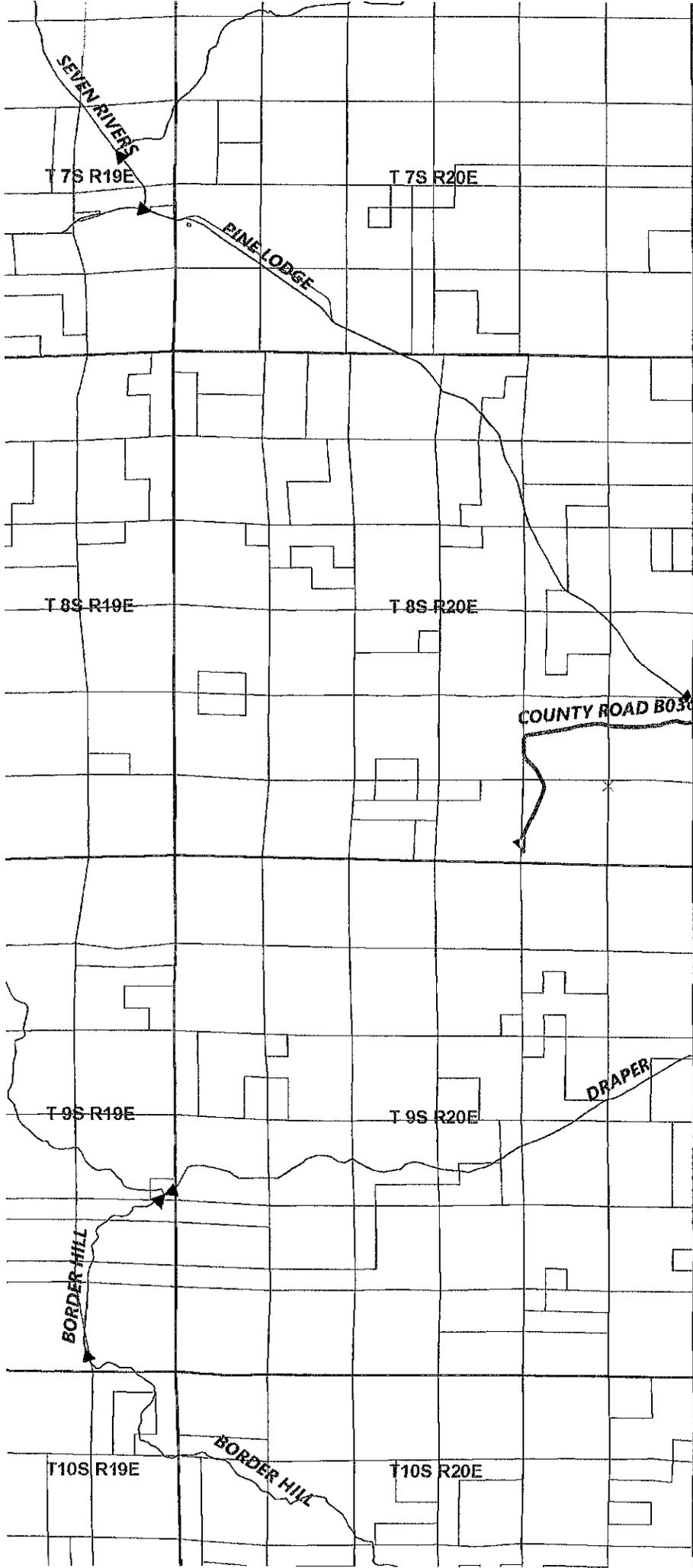
\_\_\_\_\_  
Tom Stewart  
Commissioner

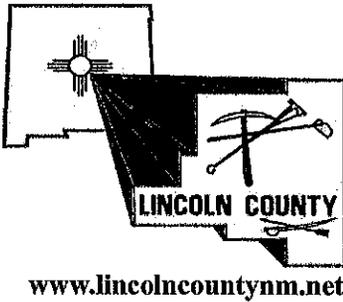
\_\_\_\_\_  
Elaine Allen  
Commissioner

ATTEST:

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

N





# County of Lincoln

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

## ROAD NAME REQUEST

This is a request to approve a new Road Name to an existing County Road (C009) in Capitan NM in the County of Lincoln. The County Rural Addressing Office has approved the following name:

### BLACK HORSE TRL

This is a name that is currently available and not duplicated. Attached is a general map of the area.

**NOW, THEREFORE,** the above name **Black Horse Trl** is hereby approved.

**ADOPTED, PASSED AND SIGNED** the 21st day of April, 2015.

\_\_\_\_\_  
Preston Stone  
Chairwoman

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

\_\_\_\_\_  
Lynn Willard  
Commissioner

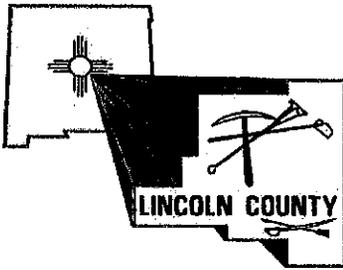
\_\_\_\_\_  
Tom Stewart  
Commissioner

\_\_\_\_\_  
Elaine Allen  
Commissioner

ATTEST:

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





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# County of Lincoln

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## ROAD NAME REQUEST

This is a request to approve a new Road Name to an existing Forest Road (FS102) in Corona NM in the County of Lincoln. The County Rural Addressing Office has approved the following name:

### SWIRL TRL

This is a name that is currently available and not duplicated. Attached is a general map of the area.

**NOW, THEREFORE**, the above name Swirl Trl is hereby approved.

**ADOPTED, PASSED AND SIGNED** the 21st day of April, 2015.

\_\_\_\_\_  
Preston Stone  
Chairwoman

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

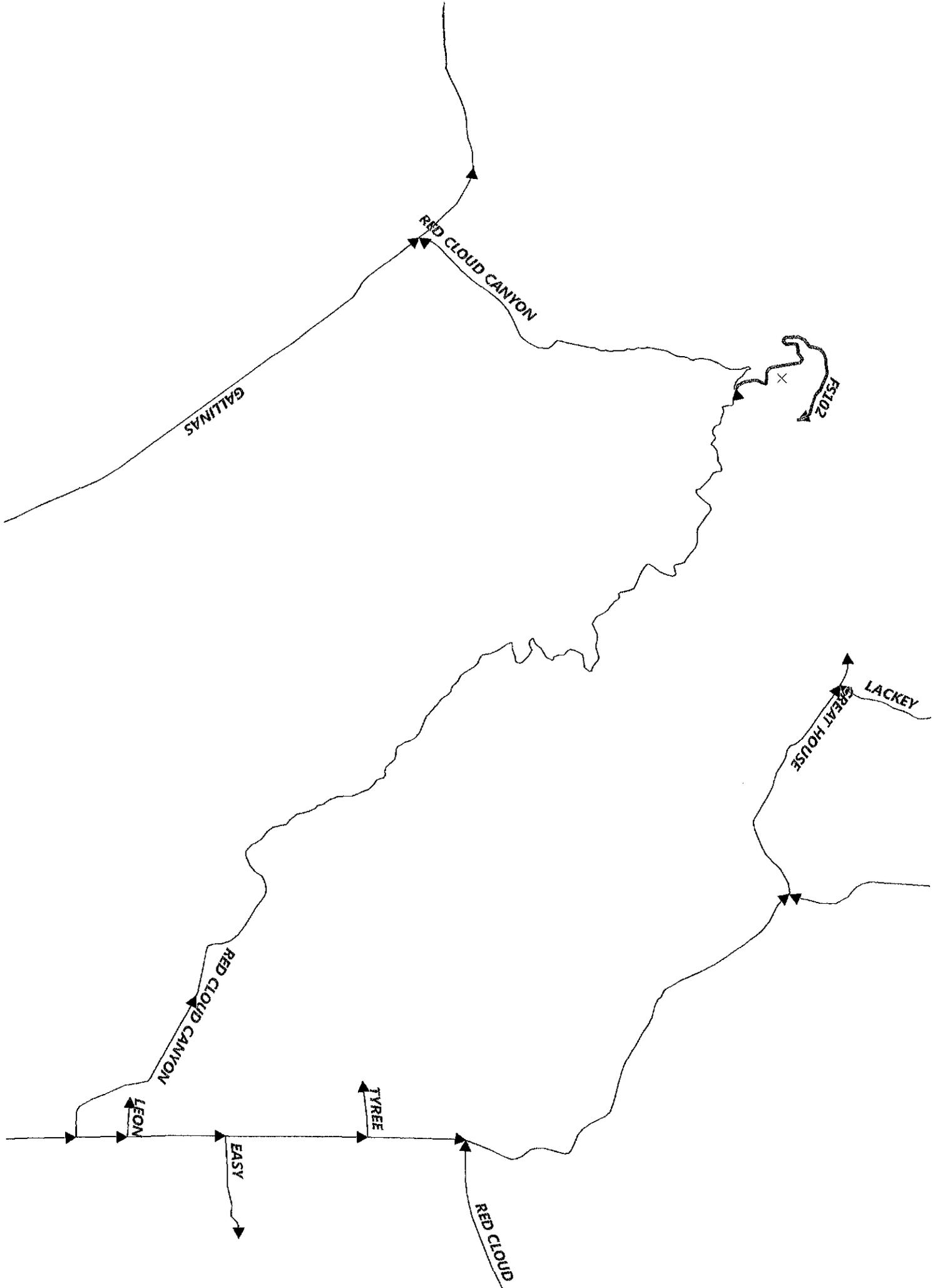
\_\_\_\_\_  
Lynn Willard  
Commissioner

\_\_\_\_\_  
Tom Stewart  
Commissioner

\_\_\_\_\_  
Elaine Allen  
Commissioner

ATTEST:

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



GALLINAS

RED CLOUD CANYON

RED CLOUD CANYON

LEON

EASY

TREE

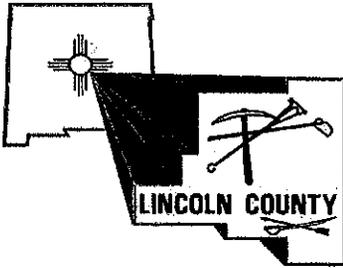
RED CLOUD

GREAT HOUSE

LACKEY

FS102

-N-



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# County of Lincoln

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

## ROAD NAME REQUEST

This is a request to approve a new road name (to clear up confusion) for County Road B025 in Capitan (a connecting road between Hines Draw & Seven Rivers Rd) in the County of Lincoln. The County Rural Addressing Office has approved the following name:

### Whiskers Trl

This is a name that is currently available and not duplicated. Attached is a general map of the area.

**NOW, THEREFORE**, the above name Whiskers Trl is hereby approved.

**ADOPTED, PASSED AND SIGNED** the 21<sup>st</sup> day of April, 2015.

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

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

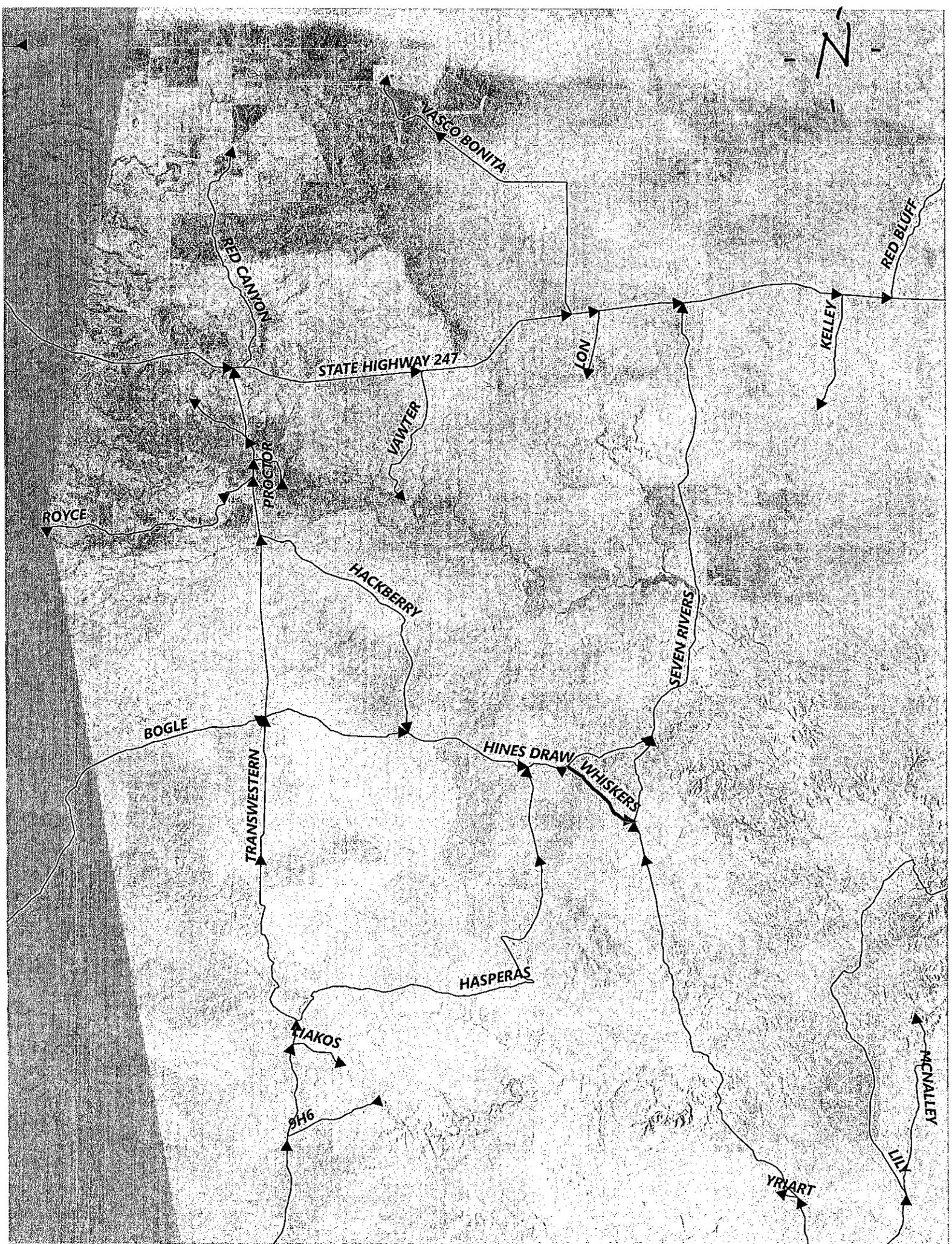
\_\_\_\_\_  
Lynn Willard  
Commissioner

\_\_\_\_\_  
Tom Stewart  
Commissioner

\_\_\_\_\_  
Elaine Allen  
Commissioner

ATTEST:

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



VASCO BONITA

RED CANYON

RED BLUFF

STATE HIGHWAY 247

LOW

KELLEY

VANVATER

ROYCE

PROCTOR

HACKBERRY

SEVEN RIVERS

BOGLE

TRANSWESTERN

HINES DRAW

WHISKERS

HASPERAS

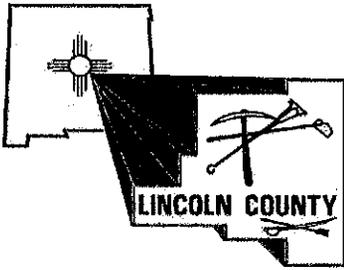
YIAKOS

9H6

YRIART

MCNALLEY

LILY



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# County of Lincoln

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

## ROAD NAME REQUEST

This is a request to approve a new road name (to clear up confusion) for an easement off of El Paisano Rd in Capitan in the County of Lincoln. The County Rural Addressing Office has approved the following name:

### Hollyhock Hill Dr

This is a name that is currently available and not duplicated. Attached is a general map of the area.

**NOW, THEREFORE,** the above name **Hollyhock Hill Dr** is hereby approved.

**ADOPTED, PASSED AND SIGNED** the 21<sup>st</sup> day of April, 2015.

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

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

\_\_\_\_\_  
Lynn Willard  
Commissioner

\_\_\_\_\_  
Tom Stewart  
Commissioner

\_\_\_\_\_  
Elaine Allen  
Commissioner

ATTEST:

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



Carrizozo Soil & Water Conservation District  
305 12<sup>th</sup> Street – PO Box 457, Carrizozo, NM 88301  
575-648-2941

Mill Levy Rate Resolution # 02 – 2014 - 2015

**WHEREAS** the Board of Supervisors was authorized by a referendum held May 4, 1999 to establish a mill levy for a period of 10 years, not to exceed the rate of one dollar per thousand dollars of the net taxable value of real property within the District; and

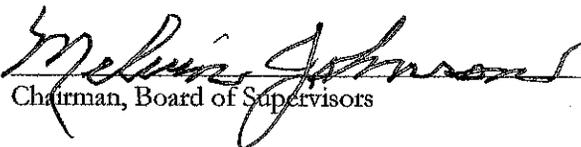
**WHEREAS**, said referendum was conducted in accordance with provisions of the Soil and Water Conservation District Act [73-20-25 to 73-20-48 NMSA 1978]; and

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

**WHEREAS**, the Carrizozo SWCD is currently in debt to Upper Hondo SWCD for \$3,000.00 with a maturity date of May 1, 2018; and

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

**NOW THEREFORE**, on this 9th day of March, 2015 the Board of Supervisors of the Carrizozo Soil & Water Conservation District being in session in accordance with the Open Meetings Act, a quorum being present, and following public discussion does hereby resolve to establish a mill levy at the rate of one dollar per thousand dollars of the net taxable value of real property within the District for the 2015 tax year.

  
\_\_\_\_\_  
Chairman, Board of Supervisors

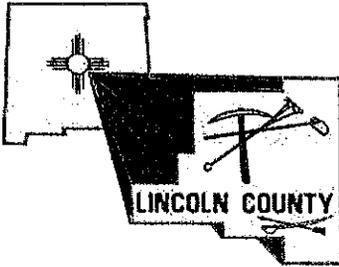
This resolution passed on a motion by Romney Todd  
and second by Jim Grider.

Vote as follows (enter yea or nay):

Melvin Johnson	<u>Yea</u>
Jim Grider	<u>Yea</u>
Steve Harkey	<u>Yea</u>
Gray Gallacher	<u>Yea</u>
Romney Todd	<u>Yea</u>

Attest: Barb's Ripps

March 9, 2015



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# County of Lincoln

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

## AGENDA ITEM 8

April 15, 2015

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Monthly Smokey Bear District Ranger Report

**Purpose:** To provide an opportunity for an update from Smokey Bear Ranger District

### **Discussion:**

Ranger Warnack has been temporarily assigned to the Gila National Forest. See **Enclosure 1**. Christina Thompson will be acting District Ranger in his absence. She is unable to attend this Commission Meeting, but has provided an update at **Enclosure 2**.

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

## Nita Taylor

---

**From:** Warnack, David -FS <[dwarnack@fs.fed.us](mailto:dwarnack@fs.fed.us)>  
**Sent:** Friday, April 03, 2015 2:45 PM  
**Subject:** My Whereabouts

Hello Friends and Partners –

I want to let you know that starting next week (4/6/15), I will be temporarily assigned to the Gila National Forest. I anticipate being in that assignment for 3 months, but it may be shorter or longer – just really don't know for sure at this point. While I'm away, you are in good hands --- Christina Thompson will be our Acting District Ranger. Christina is currently the Recreation/Lands/Minerals Staff Officer on the district. She has worked here for many years and has a solid understanding of our operations and our communities. Christina can be reached at 575-257-4095 or [cmthompson@fs.fed.us](mailto:cmthompson@fs.fed.us)

If needed, you can always contact our Forest Supervisor, Travis Moseley, at his office in Alamogordo – 575-434-7200 or [tmoseley@fs.fed.us](mailto:tmoseley@fs.fed.us)

I hope you have a great Spring/Summer – and I look forward to seeing you later in the year.

Regards,



**David Warnack**  
**District Ranger**  
**Forest Service**  
**Smokey Bear Ranger District, Lincoln National Forest**

**p: 575-630-3010**  
**c: 575-937-4878**  
**[dwarnack@fs.fed.us](mailto:dwarnack@fs.fed.us)**

901 Mechem Drive  
Ruidoso, NM 88345  
[www.fs.fed.us](http://www.fs.fed.us)



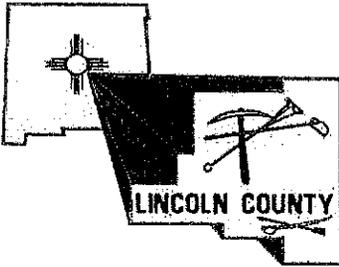
**Caring for the land and serving people**

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

**Critical Updates**

- Forest Plan Revision Community Conversations
  - These public meetings were held throughout the local communities, including one at the Lodge at Sierra Blanca on March 25<sup>th</sup> from 6:00pm-9:00pm.
  - A wide variety of the public attended these meetings to discuss the Forest's future plan revision.
  - The presentation and discussion centered around "What is Plan Revision" and how the public can be involved and participate in the revision process.
  - Future public meetings will be scheduled as the plan revision process develops.
- Fire Danger Rating moved to Moderate
  - Fire restrictions have not been implemented to date, but the combination of low moisture, high winds and warm weather have elevated our fire danger rating from low to moderate.
- Smokey Bear Ranger District Fully Staffed
  - All seasonal crews have been on-boarded and are ready for a productive field season. The Fire organization, including the hotshot crew and engine crews are fully staffed and prepared for fire season.

End of Report



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# County of Lincoln

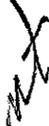
P.O. Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

## AGENDA ITEM No. 9

April 14, 2015

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Lodger's Tax Applications with backup material

**Purpose:** To approve Lodger's Tax Applications

**Discussion:** The Lodger's Tax Committee was presented with six requests and of these six requests, four were approved. Requests 1 and 5 voluntarily withdrew their applications due to the fact that their events would occur much later in the year and could be submitted and considered at a later date.

1. **TABLED:** Funding Request: \$5,000  
Purpose: Golden Aspen Rally  
Date(s) of Event: September 16-20, 2015  
Presenter: Patric Pearson: CP6, Solutions, LLC
2. **TABLED:** Funding Request: \$23,247.26/**Lodger's Approved 4,000**  
Purpose: Old Lincoln Days  
Date(s) of Event: August 7-9, 2015  
Presenter: Cherie Hobbs, Lincoln Pageant & Festivals
3. Funding Request: \$6,400/**Lodger's Approved \$2,000**  
Purpose: Art Loop  
Date(s) of Event: July 3-5, 2015  
Presenter: Rhonda Dougherty/Art Loop
4. Funding Request: \$5,000/**Lodger's Approved \$2,000**  
Purpose: Fort Stanton Live  
Date(s) of Event: July 10-12, 2015  
Presenter: Larry Auld/Fort Stanton, Inc.
5. Funding Request \$2,000  
Purpose: The Frontier Trail  
Date(s) of Event: NA  
Presenter: Peter Renich/TinTopTec/Carrizozo Chamber
6. Funding Request: \$4,000/**Lodger's Approved \$1,000**  
Purpose: Carrizozo Music  
Date(s) of Event: \$2015 Season/7 concert-3 to 4 School Concerts  
Presenter: Elaine Brannen/Carrizozo Works, Inc.

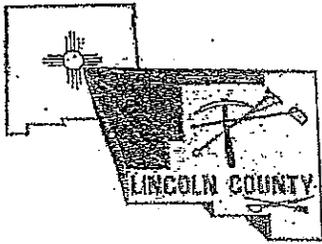
**Recommendation:** Approve the \$9,000.00 as recommended by the Lodger's Tax Committee.

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816





# County of Lincoln

Withdrawn

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: \$ 5,000.00

DESCRIBE EVENT BACKGROUND & RATIONALE: S. & N.I. MOTORCYCLE CONVENTION & TRADE SHOW. HISTORICALLY THE EVENT ATTRACTS 30,000+ 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? CURRENT 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 - \$2,500.00

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

### RULES AND REGULATIONS

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

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

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

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816

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/>
	<b>\$250,000.00</b>

*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

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**\$200,000.00**

*Net Revenue* \$50,000.00

*Seed Money* \$20,000.00

*Net Income* **\$30,000.00**

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

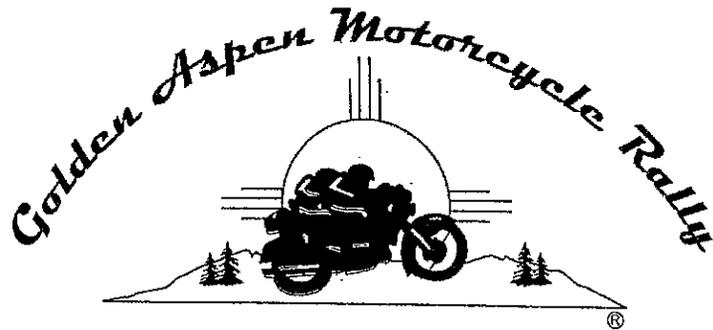
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**\$211,000.05**

*Net Revenue* \$38,802.95

*Seed Money* \$22,000.00

*Net Income* **\$16,802.95**

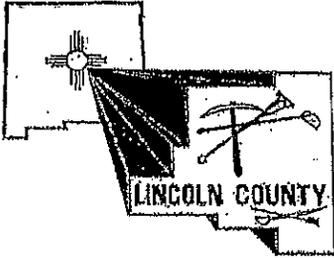


PO Box 1467  
Ruidoso, NM 88355

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.



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? 99 %  
WILL YOU HAVE A WEBSITE FOR YOUR EVENT?  YES  NO

FUNDS WILL BE USED FOR:

NEWSPAPER ADVERTISING:	\$ <u>4518.59</u>
RADIO:	\$ <u>2915.20</u>
MAGAZINE:	\$ <u>5580.35</u>
INTERNET:	\$ <u>609.34</u>
PRINTING:	\$ <u>7636.89</u>
OTHER:	\$ <u>4891.49</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 Haddis</u>
SIGNATURE OF APPLICANT:	<u>Cherie Haddis</u>
ADDRESS/CITY/ZIP:	<u>PO Box 92 Lincoln NM 88338</u>
PHONE: <u>575-430-3120</u>	EMAIL ADDRESS: <u>haddisabc@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.

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816

2015

# 75<sup>th</sup> 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

Advertising 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

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

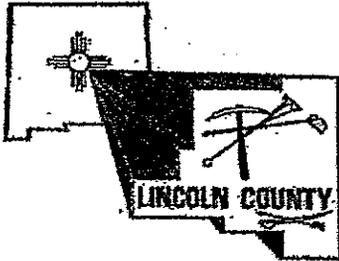
Banner on horse drawn troll at wine festival in Las Cruces \$300.00

Porta Pottys \$3619.80

Trash \$376.69

Total \$4269.49

Grand Total \$23,247.26



#3 RECEIVED  
MAR 13 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: Art Loop DATE(S) OF EVENT: July 3, 4 and 5, 2015

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: Art Loop

AMOUNT REQUESTED: \$ 6400.00

DESCRIBE EVENT BACKGROUND & RATIONALE: Art Loop began as a creative venture amongst artists 20 years ago and continues to be one of the most successful studio tours in New Mexico. Educational demonstrations are ongoing thru out the tour.

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? Attached Page - Advertisers 2100 Maps mailed outside Lincoln County. Participate in National Campaign "American Made" - website & event.

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? Survey & Drawings Survey - Attached - form - 2014

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

ON Survey/ Drawing Pages, Also with lodgers

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 66%

WILL YOU HAVE A WEBSITE FOR YOUR EVENT?  YES  NO www.artloop.org, Facebook Boosts, Pinterest and "American Made" event

FUNDS WILL BE USED FOR:

NEWSPAPER ADVERTISING:	\$	<u>1325.00</u>	
RADIO:	\$		
MAGAZINE:	\$	<u>2585.00</u>	Quote Attached
INTERNET:	\$		
PRINTING:	\$	<u>2569.53</u>	
OTHER:	\$		
TOTAL:	\$	<u>6459.53</u>	

OTHER FUNDING SOURCE & AMOUNT: Artists Fees 3600, Ad sales 5160, Website Ads 450.00

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.

*Tronela Knight* 575-653-421

NAME (PRINT) OF APPLICANT MAKING REQUEST:	
SIGNATURE OF APPLICANT:	
ADDRESS/CITY/ZIP:	
PHONE:	EMAIL ADDRESS:
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.

Attached

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816

### Art Loop Budget 2014/2015

<b>Income:</b>	<b>2014 Est:</b>	<b>Actual:</b>	<b>2015 Est</b>
<b>Artist Application Fee</b>	<b>\$ 675.00</b>	<b>\$ 675.00</b>	
<b>Artist Participation Fee</b>	<b>\$ 5300.00</b>	<b>\$ 4900.00</b>	<b>\$ 3000</b>
<b>Brochure Advertisers</b>	<b>\$ 5239.00</b>	<b>\$ 5251.43</b>	<b>\$ 5300</b>
<b>Website Advertisers</b>	<b>\$ 450.00</b>	<b>\$ 300.00</b>	<b>\$ 300</b>
<b>Lodgers Tax</b>	<b>\$ 2300.00</b>	<b>\$ 4000.00</b>	<b>\$ 6400</b>
<b>Total Income:</b>	<b>\$ 13964.00</b>	<b>\$ 15126.43</b>	<b>\$ 15000</b>

#### **Expenses:**

<b>Brochure Design</b>	<b>\$ 1200.00</b>	<b>\$ 1360.00</b>	<b>\$ 1500</b>
<b>Website, Host, Domain</b>	<b>\$ 400.00</b>	<b>\$ 184.00</b>	<b>\$ 200</b>
<b>Brochure</b>	<b>\$ 2529.80</b>	<b>\$ 2990.29</b>	<b>\$ 3000</b>
<b>Postage &amp; Mailing</b>	<b>\$ 2000.00</b>	<b>\$ 1508.75</b>	<b>\$ 1500</b>
<b>Insurance</b>	<b>\$ 465.00</b>	<b>\$ 531.61</b>	<b>\$ 550</b>
<b>Chamber Membership</b>	<b>\$ 225.00</b>	<b>\$ 125.00</b>	<b>\$ 125</b>
<b>PO Box Fee</b>	<b>\$ 65.00</b>	<b>\$ 50.00</b>	<b>\$ 50</b>
<b>Advertising</b>	<b>\$ 5400.00</b>	<b>\$ 6320.44</b>	<b>\$ 6000</b>
<b>Parade Expenses</b>	<b>\$ 100.00</b>	<b>\$ 9.88</b>	<b>\$ 200</b>
<b>Signage</b>	<b>\$ 200.00</b>	<b>\$ 228.12</b>	<b>\$ 200</b>

**Art Loop Budget 2014/2015 (Continued)**

<b>Expenses:</b>	<b>2014 Est.</b>	<b>Actual</b>	<b>2015 Est.</b>
<b>Office Supplies</b>	<b>\$ 100.00</b>	<b>\$ 364.94</b>	<b>\$ 200</b>
<b>Printing</b>	<b>\$</b>	<b>\$ 215.67</b>	<b>\$ 200</b>
<b>Storage</b>	<b>\$</b>	<b>\$ 128.25</b>	<b>\$ 600</b>
<b>Thank You Gifts (Jurors)</b>	<b>\$</b>	<b>\$ 145.16</b>	<b>\$ 92</b>
<b>CRS Tax</b>	<b>\$</b>	<b>\$ 372.70</b>	<b>\$ 375</b>
<b>Total Expenses</b>	<b>\$ 13028.80</b>	<b>\$ 14781.60</b>	<b>\$ 14792</b>

# ART LOOP 2014 STATISTICS

Art loop estimated attendance 3425  
12 % of attendees answered our survey

We received 411 surveys back.

According to the surveys 147 attendees were from out of town, of which 134 stayed in hotels in Lincoln County.

We have included several of the surveys as an example.

Note: this year we will incorporate a page on our website to list lodgers that are willing to give a discount to Art Loop attendees. We have a form that will be filled out for each lodger that will participate. This way we can call the lodgers back to get an actual count of hotel rooms, B & B and RV parks, sold during Art Loop 2015.

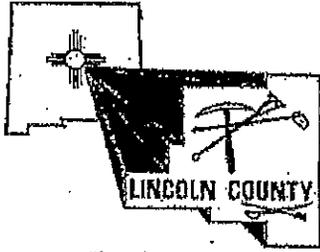
# Art Loop 2015 Proposed Advertising Plan

Southwest Art Magazine – June ¼ page	\$800.
Midland Odessa Pulse Magazine	\$450.
Lubbock Newspaper (May and June)	\$575.
El Paso Scene (June)	\$660.
Tucson AZ Newspaper	\$750.
Ruidoso Visitor Guide ¼ page	\$425.
Ruidoso Summer Guide 1/8 page	\$300.
Ruidoso Newspaper – Vamonos Full page	\$441.
Las Cruces Ink	\$300.
Roswell Vision Magazine (2 times 1 and 3 week)	\$355.
Alamogordo paper	\$200.
New Mexico Artist’s Studio Tour Guide Magazine ¼ page	\$450.
Radio spots KWES Radio (5 days 8 spots)	\$440.
Radio spots KIDX Radio (5 days 8 spots)	\$440.
Radio talk (free) 30 minute talk with Madeline	Free
Total	\$6,586.00

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FEB 27 2015

#4



# 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: Fort Stanton Live DATE(S) OF EVENT: July 10-12, 2015

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: Fort Stanton Inc.

AMOUNT REQUESTED: \$ 5,000.00

DESCRIBE EVENT BACKGROUND & RATIONALE: The three day event includes a living history, military reenactment, live music, historical presentations & food. The event appeals to families, tourist, and others who seek a unique event.

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? We will advertise the event in the Lubbock, EL PASO, Albuquerque, Roswell, Alamogordo, and Ruidoso markets through Newspaper, internet, print and personal appearances.

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? We also use event surveys to track how attendees learn of the event, where they come from, where they stay and whether they attend our prior events.

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER?  YES  NO HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED? These discussions are still taking place and have not been finalized.

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 60%  
WILL YOU HAVE A WEBSITE FOR YOUR EVENT?  YES  NO  
and a Facebook page

FUNDS WILL BE USED FOR:	
NEWSPAPER ADVERTISING:	\$ <u>3,000.00</u>
RADIO:	\$ <u>1,000.00</u>
MAGAZINE:	\$ _____
INTERNET:	\$ _____
PRINTING:	\$ <u>1,000.00</u>
OTHER:	\$ _____
TOTAL:	\$ _____

OTHER FUNDING SOURCE & AMOUNT Posters

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

### RULES AND REGULATIONS

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NAME (PRINT) OF APPLICANT MAKING REQUEST:	<u>Larry Auld</u>
SIGNATURE OF APPLICANT:	<u>Larry Auld</u>
ADDRESS/CITY/ZIP:	<u>P.O. Box 1 Fort Stanton, N.M. 88323</u>
PHONE: <u>817-454-6368</u>	EMAIL ADDRESS: <u>larry.auld@motion-ind.com</u>
DATE SUBMITTED: <u>02/28/15</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.

*(wpittman@uwa.edu)*

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816

Fort Stanton Live Expenses  
2014

FUNCTION	EXPENSE
Chris Kofakis	\$ 1,000.00
Adventure Marketing	\$ 850.00
Bonkers Graphic Design	\$ 550.00
True West Publishing	\$ 350.00
New Mexico Magazine	\$ 1,050.00
Visual Imaging	\$ 120.00
Visitors Guide Ruidoso	\$ 850.00
Clear Channel Broadcasting	\$ 580.00
Ruidoso News	\$ 3,000.00
Cannon Industries Porta Potties	\$ 2,650.00
Wild West Magazine	\$ 525.00
Ruidoso News	\$ 665.00
Abilene Reporter	\$ 600.00
Albuquerque On Line	\$ 1,285.00
Clear Channel El Paso	\$ 580.00
Bear Sky Graphics	\$ 520.00
San Angelo Standard	\$ 600.00
MTD Inc.	\$ 500.00
The West Radio	\$ 200.00
Majestic Roswell	\$ 640.00
The Agency	\$ 340.00
Ronney Moon Radio Portales	\$ 650.00
Carlsbad Rancho	\$ 400.00
Mescalero	\$ 800.00
Band	\$ 800.00
Gift Shop Bags	\$ 1,000.00
T Shirts	\$ 650.00
KCRS-AM Odessa	\$ 570.00
Petty Cash, Reenactors, etc.	\$ 4,000.00
Reenactor Meals	\$ 950.00
Wieder History Group, Advertise	\$ 530.00
J. Pope	\$ 200.00
	\$ 28,005.00

MOTION INDUSTRIES

2300 E 7<sup>th</sup> street

Clovis NM, 88101

PH: 575-762-4773

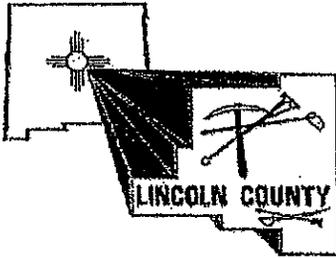
FAX: 575-762-1766

From: Larry Auld

Fort Stanton INC,  
President

ATTN: Billie-Jo Guevara

FAX 575-648-4182



# County of Lincoln

RECEIVED

MAR 09 2015

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: The Frontier Trail DATE(S) OF EVENT: NA - See Attached

NAME OF ORGANIZATIONS(S) APPLYING FOR FUNDING: TinTopTech / Carrizozo Chamber- See Attached

AMOUNT REQUESTED: \$ \$2,000

DESCRIBE EVENT BACKGROUND & RATIONALE: See Attached

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? See Attached

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? Stacounter Web Analytics - See Attached

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

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 100 %  
WILL YOU HAVE A WEBSITE FOR YOUR EVENT?  YES  NO See Attached

FUNDS WILL BE USED FOR:

NEWSPAPER ADVERTISING:	\$	_____
RADIO:	\$	_____
MAGAZINE:	\$	_____
INTERNET:	\$	<u>\$1,750</u>
PRINTING:	\$	_____
OTHER:	\$	<u>\$250</u>
TOTAL:	\$	_____

OTHER FUNDING SOURCE & AMOUNT Chamber Membership & Events Advertisement Fees

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

**RULES AND REGULATIONS**

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NAME (PRINT) OF APPLICANT MAKING REQUEST:	<u>Peter B. Renich</u>
SIGNATURE OF APPLICANT:	<u><i>Peter B. Renich</i></u>
ADDRESS/CITY/ZIP:	<u>133 Lavano Drive, Box 1202, 88136-1202</u>
PHONE:	<u>575.353.3232</u>
EMAIL ADDRESS:	<u>peterbrandt38@gmail.com</u>
DATE SUBMITTED:	<u>March 6th, 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.

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816

## Lincoln County Lodgers Tax Submission

**NAME OF EVENT:** Not Applicable      **DATE(S) OF EVENT:** Not Applicable

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

**AMOUNT REQUESTED:** \$2,000

**DESCRIBE EVENT BACKGROUND & RATIONAL:** About 3 years ago the communities of Capitan & Carrizozo undertook a collaboration, combining their websites into a single entity. The result is 'The Frontier Trail', promoting tourism and relocation in Capitan, Carrizozo, Corona, Hondo, Lincoln, Nogal, and San Patricio & White Oaks. The funding will be used to update and expand the content specifically aimed to promote and encourage tourism related events, activities, recreation, dining and accommodations, which when updated will include a complete listing of Cabins, Vacation Rentals, Bed & Breakfast, Guest Ranches, RV Parks and Camp Grounds in Rural Lincoln County.

To preserve the community identities, the 2 independent websites share similar content:

The Capitan site, [www.villageofcapitan.com](http://www.villageofcapitan.com) has been online since August 8<sup>th</sup>, 2001

The Carrizozo site, [www.carrizozochamber.org](http://www.carrizozochamber.org) has been online since September 16<sup>th</sup>, 2008

The site may be viewed in its entirety at either website address. See enclosed Sample A (index page)

**Of particular note are several key enhancements:**

**A color coded, categorized guided tour map** promoting day and weekend trips to the Frontier Trail linked to specific pages on the website. See enclosed examples B (map) linked to C (Treasure Hunt).

**Expand the Relocation Section**, the assumption being that browsers seeking to relocate will spend several days or more exploring the region. The section will include a comprehensive description of amenities, housing and land availabilities, statistical & demographic information for each community on the Frontier Trail.

**HOW WILL YOU ADVERTISE & MARKET THE EVENT:** The Frontier Trail is the primary marketing tool, which currently provides detailed promotional material focused on tourism. There is an additional option of short-term front page display ads for special events. For example the Village of Capitan has promoted the annual 4<sup>th</sup> of July weekend and solicited 40% of parade applications online during the month preceding the Event. See enclosed example D, a 4-6 week promotion for Smokey Bear Days in Capitan. Collateral support for The Frontier Trail will be undertaken by email newsletters to strategic locations outside Lincoln County.

**HOW WILL ATTENDANCE AND ORGIN BE MEASURED:** Statcounter Website Analytics

**HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING THE WITH A LINCOLN COUNTY LODGER?**

No, but intend to do so if the Grant is approved.

**HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED?** Both websites have tracking software installed. While I will not be able to track actual occupancy rates until after the fact by informal polling, keep an accurate count of hits to the lodging page of both sites for 30-60 days before the event.

During the 2014 tourist season (May 1-Sept. 30) Statcounter recorded 5,218 visitors & 12,472 page views globally. For the month of February Statcounter recorded 717 visitors & 2,387 page views globally.

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

100% of the budget will be used to develop and promote the website which has global reach.

**WILL YOU HAVE A WEBSITE FOR YOUR EVENT?** Yes

**FUNDS WILL BE USED FOR:** INTERNET: \$1,750    EMAIL NEWSLETTERS: \$250

**OTHER FUNDING SOURCES:** CHAMBER MEMBERSHIP & ENHANCED EVENT ADVERTISEMENT FEES.

**NAME OF APPLICANT MAKING REQUEST:** Peter B. Renich

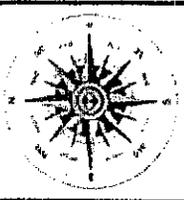
**SIGNATURE OF APPLICANT:** \_\_\_\_\_

**ADDRESS/CITY/ZIP:** 133 Lavano Drive, Box 1202, Capitan New Mexico 88316-1202

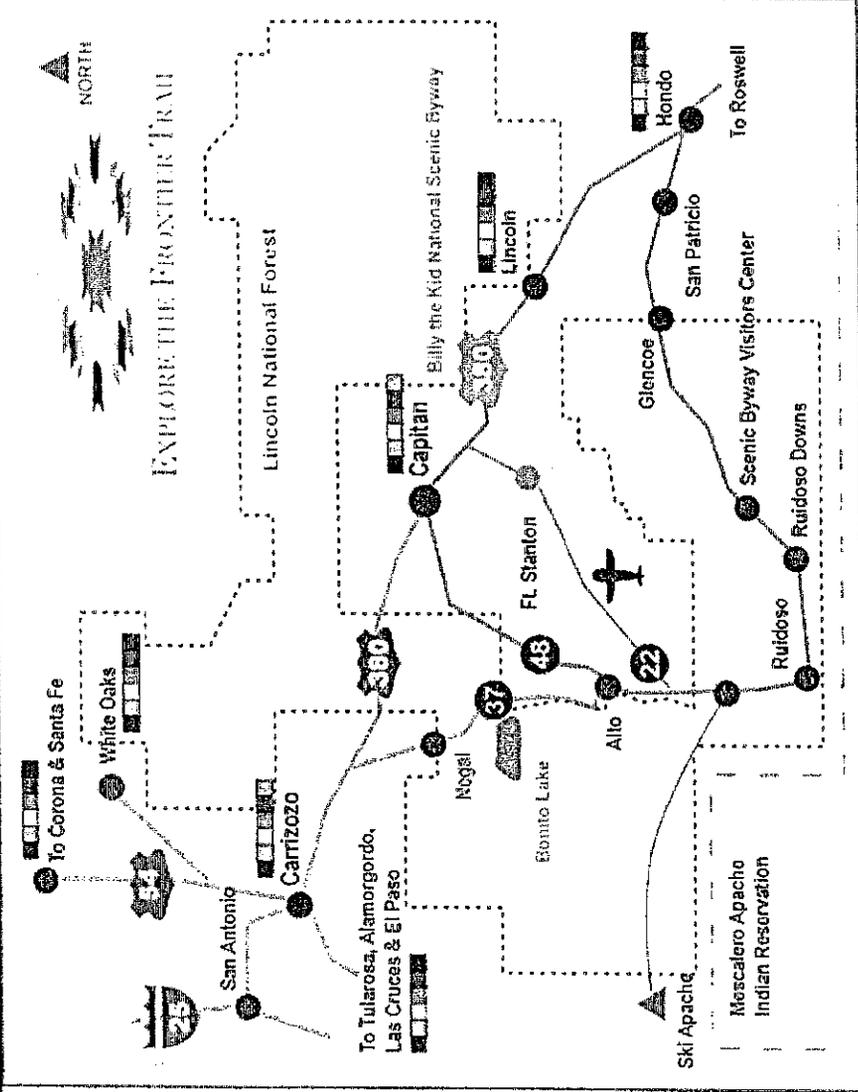
**PHONE:** 575.353.3232      **EMAIL ADDRESS:** [peterbrandt38@gmail.com](mailto:peterbrandt38@gmail.com)

**DATE SUBMITTED:** February 6<sup>th</sup>, 2015      **PRESENTED AT MEETING ON:** \_\_\_\_\_





- MAP LEGEND
- ACTIVITIES
- ARTS/CRAPTS
- CULTURE
- DINING
- ENTERTAINMENT
- LODGING
- REGISTRATION
- TREASURE HUNT

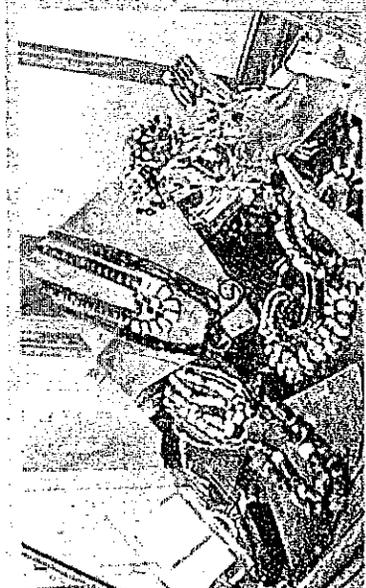
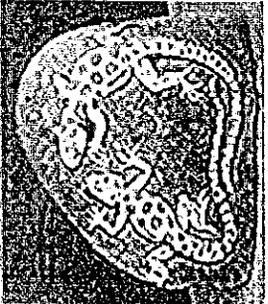


The Frontier Trail is a tourist favorite because of its beautiful scenery, wonderful climate, special events, rodeos, festivals, summer horse racing & superior winter skiing. The Lincoln National Forest is a sportsman's paradise.

The Trail is home to a wide variety of excellent galleries, studios & museums. Follow the Byway and you'll find an eclectic collection of period & contemporary collectibles, vintage, antiques and crafts of the highest caliber- paintings, sculpture, jewelry, ceramics, fiber arts, woodworking, glass, basketry, collectibles, vintage, antiques & apparel. Spend a day, a night or weekend. For a fun holiday, exit the freeways and explore a leisurely drive along the frontier trail. To complete the Trail Loop from Carrizozo or Hondo is approximately 80 miles.

ARTS/CRAPTS

Granite Night Lizards  
Acrylic paint on  
river rock, 4 "x7"  
Jeannite Adams  
Old Lincoln Gallery  
1068 Calle La Placita  
Lincoln, NM 88338  
575-354-5039  
EMAIL



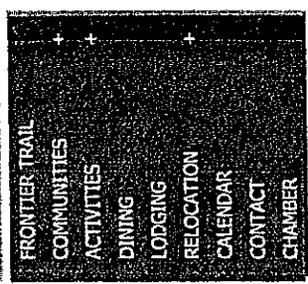
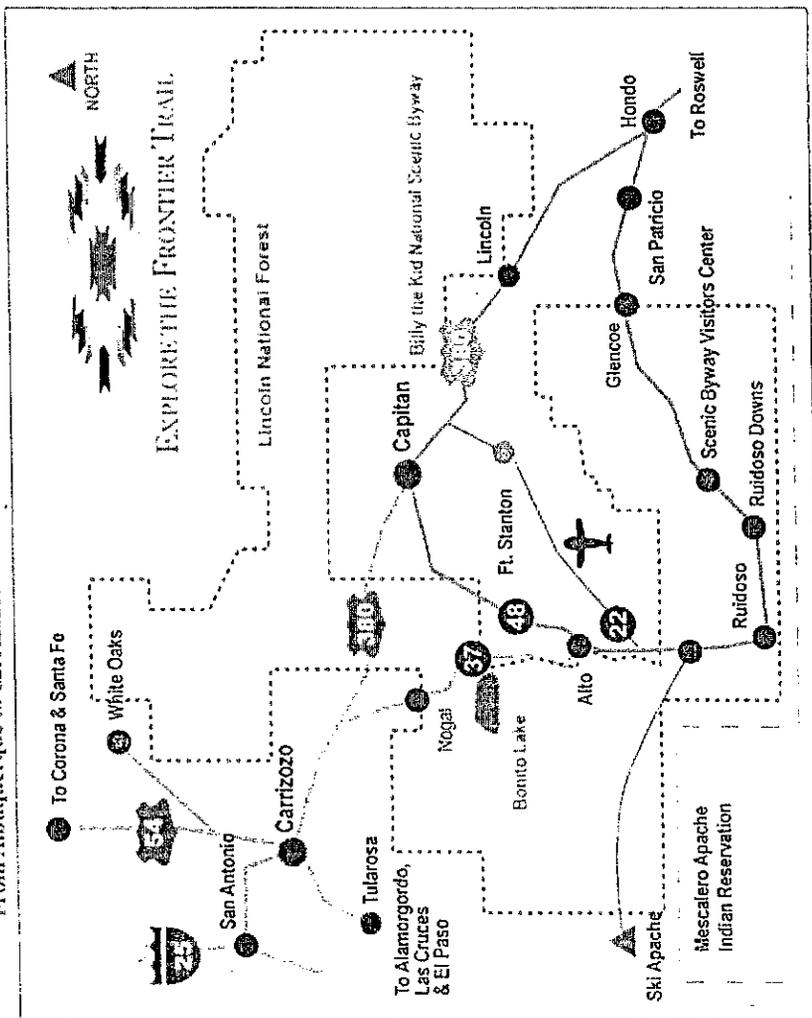
GALLERY 408 WEBSITE



Three Rivers Trading Post  
9667 US Hwy. 54, Tularosa, New Mexico

THREE RIVERS TRADING POST WEBSITE

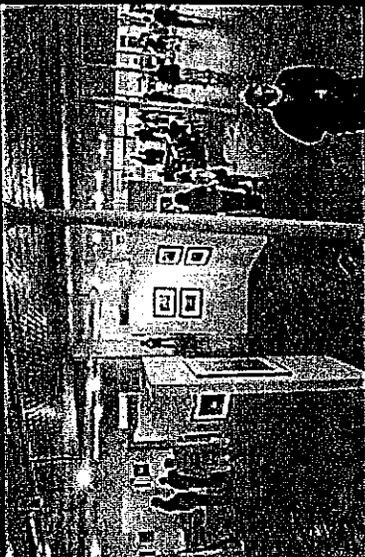
Find Hidden Treasures. Follow the Frontier Trail, a Day or Weekend Trip of Vintage, Antique and Arts/Crafts Shopping. Just follow the Red Dots: US Hwy 54 from Tularosa to Carrizozo, Hwy 380 to Capitan & Lincoln. From Albuquerque to Carrizozo: 100 miles, From Las Cruces to Tularosa 80 Miles.



- Vintage Revival
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- 575.585.2923
- Hwy 54 Emporium
- 1114 Central Avenue, Carrizozo
- 575.418.8178
- Soul of the West
- 407 Central Avenue, Carrizozo
- 575.648.3243
- Dark Horse
- 407 Central Avenue, Carrizozo
- 575.973.0571
- Gallery 408
- 408 12th Street, Carrizozo
- 575.646.2598
- What Do You Want It For?
- Smokey Bear Blvd., Capitan
- 575.354.4235
- From Heart To Hand
- 107 Smokey Bear Blvd., Capitan
- 973.670.8155
- Not 2 Shabby Shop
- 217 Lincoln Ave (Hwy 48) Capitan
- 575.354.0149
- Ran La Roca Gallery
- 487 Hwy. 380, Lincoln
- 575.653.4219
- Fandangito
- 537A Hwy. Hwy.380, Carrizozo
- 409.770.4766
- DeLan House
- 836 Hwy. 380, Lincoln
- 575.653.4670
- The Arrowsmith Store
- Hwy. 380, Lincoln
- 575.653.4034

PRINT THIS PAGE FOR A HANDY REFERENCE

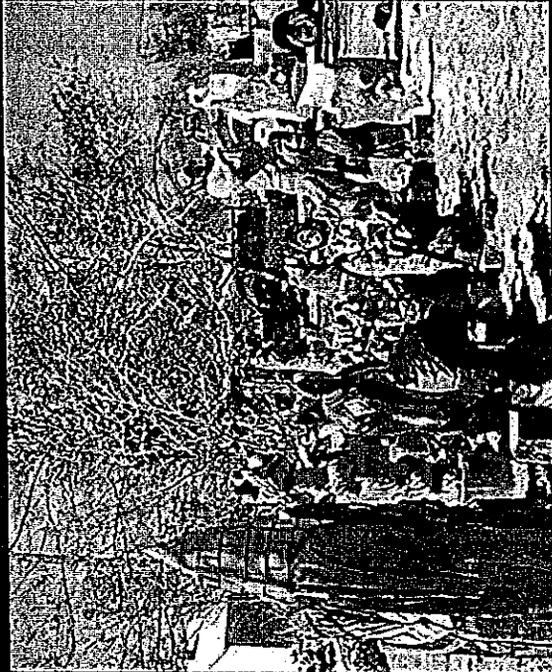
# EXPLORE! THE FRONTIER TRAIL



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**FRONTIER TRAIL  
TREASURE HUNT!**

**2015 SMOKEY BEAR DAYS  
SCHEDULE OF EVENTS**



## SMOKEY BEAR DAYS MAY 1-3, CAPITAN NEW MEXICO

Bring the Kids and Come on Down to Enjoy the Fun!

**Friday: Smokey Bear Marketplace**  
 Art, Gifts, Crafts, Smokey Bear Memorabilia & Food Vendors, Live Disk Jockey, Movie in the park

**Saturday: Marketplace, Chain Saw Carving & Auction, Petting Zoo, Pony rides, Firefighter Challenge, Live Music, Kids Events**  
 8pm-Midnight - Dance at fairgrounds

**Sunday: 8:30 - 10:00 - Pancake breakfast Eagles room - Smokey Bear Parade, Car Show, Petting Zoo, Children's Table.**

- [FRONTIER TRAIL](#)
- [COMMUNITIES](#)
- [ACTIVITIES](#)
- [DINING](#)
- [LODGING](#)
- [RELOCATION](#)
- [CALENDAR](#)
- [CONTACT](#)
- [CHAMBER](#)

< March 2015 >

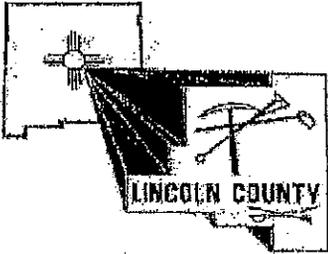
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4



RECEIVED

MAR 23 2015

#6



# 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: Carrizozo Music DATE(S) OF EVENT: 2015 Season/7concerts- 3to4 School Concerts.

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: Carrizozo Works Inc. / Carrizozo Music

AMOUNT REQUESTED: \$ 4000.00

DESCRIBE EVENT BACKGROUND & RATIONALE: 8<sup>th</sup> Successful Season of sponsoring free and accessible Classical Music Concerts in Lincoln County. The series has become an adjunct reason for people with second homes in Ruidoso and also Texans who come to Lincoln County to enjoy our cooler weather, many plan there trips to coincide with the concert.

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? Campaign (detailed on pg2) is in motion for advertising in the El Paso, Lubbock and Dallas Symphony playbills. Other venues include The Vamanos, The Ink, Alamo Daily, Holloman AB, Rack Cards, posters, and our extensive mail & email lists.

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? A count is taken as people enter the doors of the concert hall and they are each asked how they heard about the event. Then results are logged and tallied.

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER? X YES  
HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED? A call is placed to the Lincoln County Lodgers and numbers are gathered and tallied. Websites to the various Motels are emailed to our list of subscribers.

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 75%  
WILL YOU HAVE A WEBSITE FOR YOUR EVENT? X YES

FUNDS WILL BE USED FOR:

NEWSPAPER ADVERTISING:	\$ <u>1500</u>
RADIO:	\$ _____
MAGAZINE:	\$ <u>1500</u>
INTERNET:	\$ _____
PRINTING:	\$ <u>500</u>
OTHER: website/design&maintenance	\$ <u>500</u>
TOTAL:	\$ <u>4000.00</u>

OTHER FUNDING SOURCE & AMOUNT: Zia NG-1500 Otero Electric-2500 Tularosa Basin-1000 Sacred Grounds- 400 Union Pacific-2500 McCune Foundation-2500 Piatigorsky Foundation-2200 Community Foundation of Lincoln county-500 Westaff- 900(matching grant) Village of Carrizozo-1500

### 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: Elaine Brannen

SIGNATURE OF APPLICANT: *Elaine Brannen*

ADDRESS/CITY/ZIP: PO Box 465 Carrizozo, NM 88301

PHONE: 575 648-2757

EMAIL ADDRESS: ebrannen@gmail.com

DATE SUBMITTED: March 23, 2015

PRESENTED AT MEETING ON: 3-31 2015

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

## **West Texas Advertising Campaign**

For the 2015 Carrizozo Music Concert Series

We are specifically targeting West Texas symphony goers by running ads in several symphony playbills. These reach a large number of targeted people who read the playbills during wait time at concerts and usually take the playbill home for reference.

Our intent is to reach people who would be interested to hear about quality classical concerts happening in Lincoln County and might plan a vacation to coincide with a concert. We want to get them to our website and schedule. We know from talking with attendees at the concerts that people are excited to come to Lincoln County and discover that there is a quality concert venue available to them. So we want to reach them before they come, assisting them in tailoring their vacations to include us. As part of this campaign we intend to run the following ads:

Dallas Symphony May playbill (distribution 32,000) \$400

Lubbock Symphony May Playbill (10,000-13,000) \$250

El Paso Pro Musica playbill Oct-April \$400

El Paso Symphony playbill Sept-Dec and Jan-May \$400

We will evaluate the TX symphony playbill ads impact on our audience by counting out of state attendees, asking where they are staying and how they heard about us.

Thank you in advance for your consideration of this request.  
Elaine Brannen and committee members of Carrizozo Music

## MUSIC IN THE PARKS

### BUDGET – 2015

(1/1/15 – 12/31/15)

Balance on Hand 1/1/15: \$2901

#### PROJECTED INCOME:

##### Donations:

• Lodgers Tax		
o Lincoln County	\$2000	
o Carrizozo	1500 (pass through)	
• Business	600	
• Organizations	850	
• Private	4500	
• Possible Grants	5000	
	<u>\$ 14450</u>	
	Total	<u>+ 14450</u>
		17351

#### PROJECT EXPENSES

##### Planned Concerts

• Piatigorsky Foundation Concert (3/1-2)	\$950
• Enchantment Trio (5/10-11)	1250
• NMPAS(6/14)	2300
• July17	1350
• SW Chamber Winds(8/30)	1800
• Willy and Friends(9/29)	2300
• Zuill Bailey & David Leisner (October)	2050

Advertising	\$3000
Postage/Supplies	300
Piano Tuning	475
Building Rental for Concerts	<u>500</u>
Total	\$16275

PROJECTED ENDING BALANCE 12/31/15: **\$ 1076**

#### IN-KIND SERVICES:

• Donation of 21 motel rooms @ \$50/room	\$1050
• Service Hours: (1180 hours x \$15/ph)	\$17,700
Managing; finding musicians; negotiating fees; scheduling; liaison time with school; graphic designing on flyers, programs, rack cards; organizing receptions; advertising; fundraising; keeping accurate records of all events; bookkeeping	



Karin Wolner | Proprietor

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## YoungStars

NOVEMBER 8, 2014  
 BLAC BOX AT THE BORDERLAND ARTS CENTER  
 How Green Was My Valley

NOVEMBER 18 2014  
 BLAC BOX AT THE BORDERLAND ARTS CENTER



# TOSCA

Starring New York City Opera  
 star Lauren Flanigan

MARCH 19 & 21, 2015  
 ABRAHAM CHAVEZ THEATRE

*A Grand Night for Singing!*

MARCH 1, 2015 | LAS CRUCES  
 APRIL 26, 2015 | EL PASO

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 MCSE/COMPTIA A+, NET+

(915) 274-8724



# CLASSICAL SERIES

SUMMER POP

MUSIC OUTREACH

## MUSIC AT THE FOOT OF THE MOUNTAINS

Just two hours north of El Paso on U.S. 54

Visit our website: [www.carrizozomusic.org](http://www.carrizozomusic.org)

PAID FOR BY LINCOLN COUNTY LODGERS TAX

Welcome

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### ADVERTISE TODAY

Interested in placing an ad in the NMPHIL program book? Contact Christine Rancier: (505) 323-4343  
[crancier@nmphil.org](mailto:crancier@nmphil.org)

### CONNECT WITH US

[facebook.com/nmphilharmonic](https://www.facebook.com/nmphilharmonic)  
[twitter.com/nmphilharmonic](https://twitter.com/nmphilharmonic)  
[nmphil.org](http://nmphil.org)

*Carrizozo Music* 2014 Season

**MUSIC AT THE FOOT OF THE MOUNTAINS**

Monday, April 14 at 7 PM  
**PIATIGORSKY FOUNDATION CONCERT**  
Quin Li (violin) — Richard Dowling (piano)

Sunday, May 11 (Mother's Day) at 3 PM  
**BORDER BAROQUE**

Friday, June 6 at 7 PM  
**LORI LOVATO & FRIENDS — JAZZ**

Friday, July 25 at 7 PM  
**THE ALTURA WINDS**

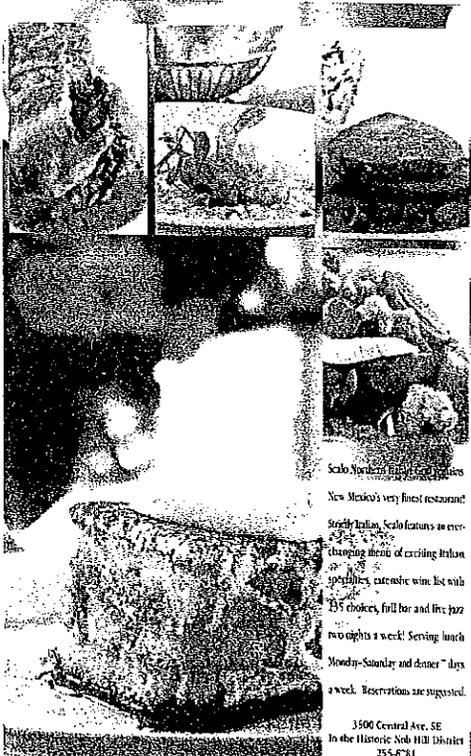
Thursday, August 21 at 7 PM  
**SHEPHERD MOON**

Coming in the Fall  
**LA CATRINA QUARTET**

Free admission to all concerts

For more information visit our website:  
[WWW.CARRIZOZOMUSIC.ORG](http://WWW.CARRIZOZOMUSIC.ORG)

**SCALO**  
*Northern Italian Grill*



Scalo Northern Italian Grill is New Mexico's very finest restaurant. Scalo features an ever-changing menu of exciting Italian specialties, extensive wine list with 25 choices, full bar and live jazz two nights a week! Serving lunch Monday-Saturday and dinner 7 days a week. Reservations are suggested.

3500 Central Ave. SE  
In the Historic Nob Hill District  
255-6781

**WOULDN'T YOU RATHER WATCH A VIDEO  
THAN READ THIS AD?**

Sure you would:

Because video is the most effective form of communication.

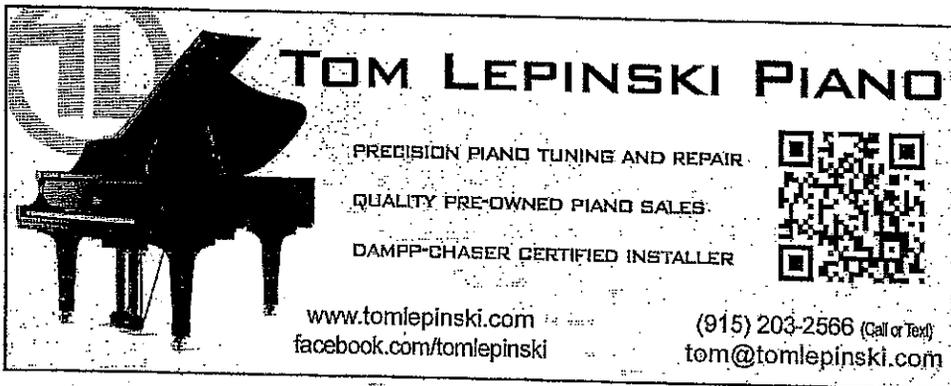
We Do Video:

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Watch samples at [ballyhoostudios.com](http://ballyhoostudios.com)

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DAMPP-CHASER CERTIFIED INSTALLER



[www.tomlepinski.com](http://www.tomlepinski.com) (915) 203-2566 (Call or Text)  
[facebook.com/tomlepinski](https://www.facebook.com/tomlepinski) [tom@tomlepinski.com](mailto:tom@tomlepinski.com)

The advertisement features a black and white photograph of a grand piano on the left. The text is arranged in a clean, professional layout with a QR code on the right side.



*Carrizozo Music* **CLASSICAL SERIES**  
SUMMER FIDE  
MUSIC OUTREACH

**MUSIC AT THE FOOT OF THE MOUNTAINS**  
Just two hours north of El Paso on U.S. 54  
Visit our website: [www.carrizozomusic.org](http://www.carrizozomusic.org)

PAID FOR BY LINCOLN COUNTY LODGERS TAX

The advertisement has a dark background with a silhouette of mountains. The Carrizozo Music logo is in a script font, and the main text is in bold, sans-serif fonts.



Original art by Linda Caperton

# Darling of the Desert VINTAGE MARKET

Saturday, Sept. 27 • 10a-5p  
407 Central Ave., Hwy. 54 • Carrizozo, NM  
Vintage & Antique Items • Original Art  
Up-cycled & Recycled Items & Decor  
Evening@hournal.com, 575-648-3243 or 575-937-6555 for more info.  
darlinsofthedesert.com

## Carrizozo Music

**Carrizozo** | Carrizozo Music announces its Fall Classical Series and Fall School Outreach.

The first fall concert in the Carrizozo Classical Series is on Monday, October 13 at 7pm. World renown cellist Zull Bailey, accompanied by pianist Lara Downes, will present the concert. *Some Other Time*, which features music by American composers of the 20s, 30s, and 40s at Trinity United Methodist Church. This concert will also be performed at an afternoon school outreach concert at 2pm at Carrizozo School Old Gym and an evening community concert.

Coming on Sunday, November 16 at 3pm and November 17 at 10am, will be La Catrina

Quartet, winners of the 2012 Latin Grammy and featuring Latin and standard string quartets.

All evening concerts are followed by a reception and opportunity to meet the musicians. All concerts are free, accessible, and open to the public, but space is limited, so it's a good idea to



### CLASSICAL SERIES SUMMER POPS SCHOOL OUTREACH

**MUSIC AT THE FOOT OF THE MOUNTAIN**  
Just two hours north of El Paso on U.S. 54

## ZULL BAILEY / CELLO / LARA DOWNES PIANO

*Some Other Time*  
American composers of the 20s-30s and 40s  
Monday, October 13 at 2 PM, Carrizozo Old School Gym  
Monday, October 13 at 7 PM, Trinity United Methodist Church  
Reception to follow evening concert.  
Both concerts are free but call or email to reserve your seat.

## LA CATRINA QUARTET

*Latin American and Standard String Quartets*  
Monday, November 16 at 3 PM, Trinity United Methodist Church  
Carrizozo School Multi-Purpose Room

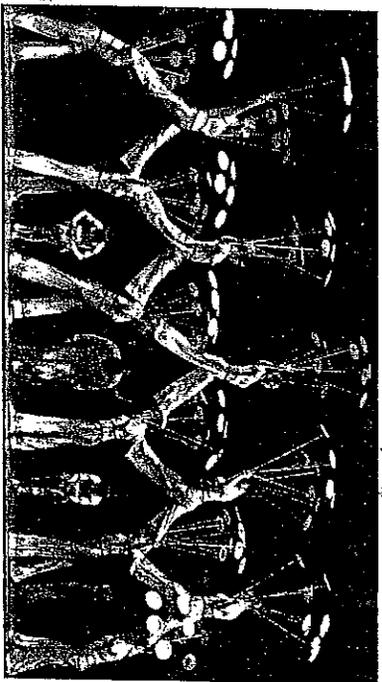
*All performances at Trinity United Methodist Church, 1000 D Avenue*  
Free admission to all concerts  
www.carrizozomusic.org  
Or phone Elaine at 575-648-2757  
or email darlinsofthedesert.com for tickets



WESTAF  
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Sponsor

## Spencer Theater Season Performances

**Alto/Ruidoso** | There's something for everyone in the Spencer Theater's Fall/Winter Season 2014-15. The 18 show line-up, all staged with superior lighting and grand acoustics at the award-winning, non-profit performance hall located 12 miles north of Ruidoso, will amaze all. Evening shows throughout the Season



begin at 7pm, with dinner buffets (\$20) in the Crystal Lobby starting at 5pm. Beat the show crowds and get the best views now by calling the Spencer at 336-4800 or 888-818-7872 for ticket information and orders, or visit [www.spencertheater.com](http://www.spencertheater.com).

Headlining this exciting Season include the following performances.

- September 30: The National Acrobats of China. Featuring a company of 45 award-winning athletes, this trope comes direct from Beijing with a multi-faceted program of breath-taking beauty and physical dering-do. Tickets are \$39-\$69. Pre-show ginger cashew chicken & Mongolian beef lobby buffet (\$20) at 5pm.
- October 3: Clint Black. CMA & ACM Best Vocalist of the Year winner, Clint Black offers a night of country classics, including all time favorites from his Triple Platinum & Platinum albums, *Killin' Time*, *The Hard Way*, *No Time To Kill*, and *One Emotion*, among other Clint classics. Tickets are \$89-\$99. Pre-show herb roasted pork tenderloin lobby buffet (\$20) at 5pm.
- October 25: Broadway Tenors. Broadway stars David Burnham, John Cudia, and Brent Barrett—3 of the leading tenors/actors in *Wicked*, *Phantom of the Opera*,

Ballet Theatre. A sparkling jewel of the Russian National Ballet Theatre repertoire, this is a tale of love and heartache performed the world over. The 2 act romance features more than 50 distinguished dancers under the artistic direction of the legendary Bolshoi principal dancer Elena Radchenko. Tickets are \$39-\$72. Pre-show tempura cod filet lobby buffet (\$20) at 5pm.

- February 25: Vienna Boys Choir. The Vienna Boys Choir are a legendary institution dating back to 1498. Almost peerless through the centuries, the boys' vocals create heaven on earth as they sing gorgeous melodies like *Amazing Grace*, Schubert's *Ave Maria*, Handel's *Messiah*, Strauss's *The Blue Danube*, and Rogers & Hammerstein's *Edelweiss* and *Do-Re-Mi*. Tickets are \$39-\$69. Pre-show Angus beef meatloaf lobby buffet (\$20) at 5pm.
- March 7: The Australian Bee Gees Show. A nostalgic trip through the Gibbs brothers' legacy with matching vocals, swirling lights, and impeccable moves. The multi-media stage production features a gifted trio of spot-on singers—Matt Baldoni, Jack Lettley, and Paul Lines—and accompanying musicians in Bee Gees blockbuster hits like *Night Fever*, *How Deep Is Your Love*, *Nights On Broadway*, and *Stayin' Alive*. Tickets are \$39-\$75. Pre-show meat & vegetarian lasagna lobby buffet (\$20) at 5pm.
- March 18: *Buddy, The Buddy Holly Story*.

This fall stage dramatic musical tells the story of the 3 years in which the young Lubbock man in horn-rimmed glasses became the world's ton recording artist in a show that features a

## Las Miserables, and Chicago, (respectively)—

dezzle with their sterling vocals in a program of Broadway classics. Tickets are \$39-\$69. Pre-show tortilla wrapped flamin' habb' buffet (\$20) at 5pm

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

Nº 1723

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1

Name of Organization: Art 2000

Organization is:  Profit  Non-Profit  Government Related

Address: PO Box 2601 Capitan NM 865316

Contact Person (s): Ronda Dougherty Telephone # (s): 575-653-1019

Amount Requested: \$ 2100 Money is to be used for: Printing Brochures

Brochures will be mailed out of U.M.C. Lincoln County

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: Ronda Dougherty Date: 3/31/15

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

Section 2

Meeting Date: 3/31/15 LODGER'S TAX COMMITTEE

Amount Approved: \$ 2,000.00 Request Denied: \_\_\_\_\_

Comments: See above  
Hand to Ronda  
Authorized Signature

Section 3

LINCOLN COUNTY COMMISSION

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

Comments: \_\_\_\_\_  
County Manager Signature: \_\_\_\_\_

FUNDS WILL NOT BE RELEASED BY LINCOLN COUNTY UNTIL THE AWARDED FUNDS REIMBURSEMENT FORM IS SIGNED AND FURNED INTO LINCOLN COUNTY.

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

Date: 31 March 2015

Nº 1726

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1: Fort Stanton (Live) Inc.  
Name of Organization

Organization is:  Profit  Non Profit  Government Related

PO Box 1 Fort Stanton NM 88323  
Address City State Zip

Pr. Walter Earl Pittman 575-491-4235  
Contact Person(s) Telephone # (s)

Amount Requested: \$ 2,000 Money is to be used for: Fort Stanton Live  
Reenactment and Celebration

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

Walter E. Pittman 31 March 2015  
Signature Date

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

Section 2: 3/31/15  
Meeting Date: 3/31/15 LODGER'S TAX COMMITTEE

Amount Approved: \$ 2000.00 Request Denied: \_\_\_\_\_

Comments: \_\_\_\_\_  
David D. Tejero  
Authorized Signature

Section 3: \_\_\_\_\_  
LINCOLN COUNTY COMMISSION

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

Comments: \_\_\_\_\_  
\_\_\_\_\_  
County Manager Signature

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

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

Date: 3/30/15

No 1725

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section CARRI 2020 Music  
Name of Organization

Organization is:  Profit  Non Profit  Government Related

PO Box 235 CARRI NM 87830  
Address City State Zip

EMANE BRANNON 575-648-2757  
Contact Person (s) Telephone # (s)

Amount Requested: \$ 1000 Money is to be used for:

May 10 in Ft. Las. Symphony play, 6th grade. 30  
minutes. Also, ABS in May, June, July  
will be done by

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] 3/31/15  
Signature Date

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

Section 2

Meeting Date: 2/25/15 LODGER'S TAX COMMITTEE  
Amount Approved: \$ 1000.00 Request Denied: \_\_\_\_\_

Comments: \_\_\_\_\_  
[Signature]  
Authorized Signature

Section 3

LINCOLN COUNTY COMMISSION

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

Comments: \_\_\_\_\_  
\_\_\_\_\_  
County Manager Signature

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

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

Date: 3-31-15

No 1724

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1  
Name of Organization: Lincoln Pageant & Festivals

Organization is:  Profit  Non Profit  Government-Related

Address: PO Box 99 City: Lincoln State: NM Zip: 88338

Contact Person(s): Cherie Hobbs Telephone #(s): 575-420-3100

Amount Requested: \$ 4000.00 Money is to be used for: Newspaper & Radio 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: [Handwritten Signature] Date: 3-31-15

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

Section 2  
Meeting Date: 3/31/15 LODGER'S TAX COMMITTEE /

Amount Approved: \$ 4,000.00 Request Denied: \_\_\_\_\_

Comments: \_\_\_\_\_  
Authorized Signature: [Handwritten Signature]

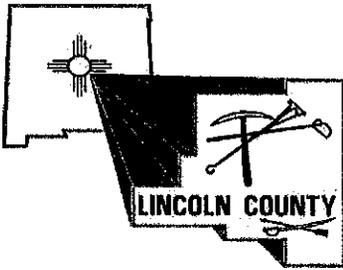
Section 3  
LINCOLN COUNTY COMMISSION

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

Comments: \_\_\_\_\_  
County Manager Signature: \_\_\_\_\_

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

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



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# *County of Lincoln*

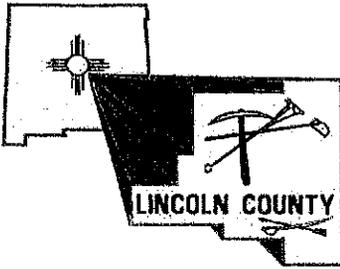
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## **Agenda Item No. 10**

### **SUBJECT**

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



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# County of Lincoln

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## AGENDA ITEM No. 11

April 17, 2015

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Potential Property Purchase – Sun Valley Station – Bonito Fire Department

**Purpose:** To obtain Commission Approval to order appraisal on potential property

**Discussion:** Chief Carl Bartley of Bonito Fire Department notified County that its Executive Board is exploring the possibility of purchasing a piece of property for a new Sun Valley Fire Station, for the eventual construction of the new station. Chief Bartley and the Executive Board have provided a thoughtful plan and timeline under which it would proceed with this process. See **Enclosure 1**. Chief Bartley's immediate request is for Commission approval to move forward with the land appraisal.

**Recommendation:** Approve Bonito Fire Department to work with County to order the land appraisal.

# BONITO FIRE DEPARTMENT

PO BOX 135, ALTO, NM 88312

April 6, 2016

Lincoln County Commissioners  
Nita Taylor, Lincoln County Manager  
Joe Kenmore, Lincoln County Emergency Services Director

RE: Exploration of possible land acquisition for future building site for a new Bonito Fire Department Sun Valley Fire Station

Dear Commissioners,

The Executive Board of Bonito Fire Department is exploring the possibility of purchasing a piece of property next to, and due east of our current Sun Valley Fire Station. The property is currently owned by Ken Whitney. We have approached him about possibly selling the property, which he is open to. A rough estimate is the property is approximately ½ acre in size and access would be directly from Highway 48.

The reasons we are considering this are as follows:

- Safety:

We believe the original Sun Valley Fire Station was built in the late 1960's and has been added on to three or four times. The engine bays are no longer large enough to fully accommodate the newer engines and apparatus we have been purchasing, with mere inches between the door posts and engine mirrors, as well as between engine bumpers and the walls/doors. This presents hazards when the engines are entering and leaving the building, as well as when personnel are doing their monthly service checks.

There is very little room between the station bay doors and the streets (Sun Valley Road and Fire Road). Currently, engines returning to the station have to stop in the street to turn around and back into the station bays. With the increased traffic on both roads we have had several incidents of vehicles nearly striking an engine while it is maneuvering to park in the bay, even though the driver will have all of the emergency lighting activated.

The new property would have direct access to Highway 48 with an ample area in front of the building to turn around and park the engines.

ENCL 1

- Efficiency:

We are working on developing plans for a building that will easily house the newer and larger engines with ample room for parking and servicing them. We think the property will accommodate an 80 ft X 90 Ft building with 4 large bays that will hold two engines/apparatus each (for a total of 8) along with a meeting room and restrooms. Our current Sun Valley Station will only hold 5 engines and as mentioned earlier, none of the engines service work can done in the bays.

A modern steel building with the correct insulation in the walls, doors and roof will significantly reduce heating costs, while adequately protecting all of the apparatus in the winter months. Insurance on the new building should also be less expensive, and is paid for out of our annual State Fire Marshall funding.

- Funding:

We are anticipating the fire department carry-over this year to be +/- \$100,000 with the same amount more than likely carried over during the next fiscal year, for a total of \$200,000 available in the next 6 - 12 months. We have been in contact with New Mexico State Fire Marshall's office regarding the carry-over and our desire to designate the funds to be used for a new fire station, which they are in full agreement with. When we have a fairly solid estimate on the full cost to complete the project we will apply for a grant with the New Mexico State Fire Marshall's office to fund the balance. We have been advised that this is an acceptable use of their grant funds, and are pleased that the fire department will have well over half of the funds to commit to the project.

We have not discussed what we would do with the old Sun Valley Fire Station in the event that Bonito Fire Department can purchase the property and proceed with construction of a new building. We will coordinate options with both the Commissioners and County Management should the project be approved as presented.

We are respectfully requesting the following action from the Commissioners and Lincoln County Management:

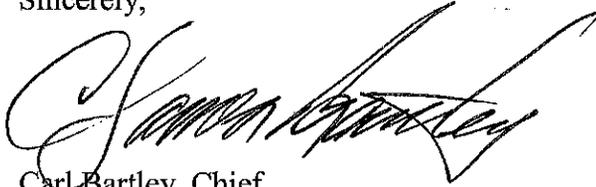
That the Bonito Fire Department in conjunction with County personnel be allowed to order an appraisal on the property to help determine a purchase price with the seller. We have sufficient funds within our current budget to pay for the appraisal and would use only a county authorized appraiser.

Upon completion of that process, we will then coordinate with County personnel, New Mexico State Fire Marshal and the commissioners to determine an appropriate offering purchase price which could be procured from current budget funds with the approval of all parties.

If all is approved and the sale is completed, we would then begin the process to allocate funding for the building itself. As mentioned earlier, we will have sufficient carryover funding that could be used in conjunction with appropriate grants to see this project to completion.

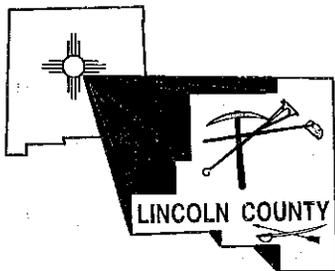
Your consideration of this request, is appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carl Bartley".

Carl Bartley, Chief  
Bonito Fire Department





# LINCOLN COUNTY CLERK

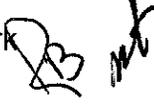
Rhonda B. Burrows, County Clerk Whitney E. Whittaker, Chief Deputy Clerk

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  
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## AGENDA ITEM 12

### Memorandum

TO: Lincoln County Board of County Commissioners

FROM: Rhonda Burrows Lincoln County Clerk 

DATE: April 7, 2015

SUBJECT: 2015 Board of Registration

---

Jack Nesbitt, Daryl Snyder, and Nina Grunseth, the members of the Board of Registration for the County of Lincoln and State of New Mexico convened on March 10, 2015 at 300 Central Ave, Carrizozo, New Mexico.

The Board of Registration reviewed a list of 1787 voters defined as eligible for removal under the Federal and State Statute.

New Mexico law provides that the secretary of state, county clerks and boards of registration, in compliance with the federal National Voter Registration Act of 1993, shall remove from the official list of eligible voters the names of voters who are ineligible to vote due to change of residence. 1-4-28A NMSA 1978.

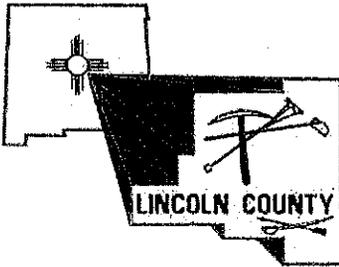
The members discussed and reached an agreement on criteria for review of the Purge List as follows:

1. 430 voters listed who had never voted in any election would be excluded from examination.
2. A minimum of 10% of the remaining 1356 would be subject to review
3. Each member would identify from a section of the list a random number of registrants for detailed review.

No discrepancies or objections were found to the list of voters, the Board of Registration classified all of the 1787 voters as removable.

Of the 1787 voters to be removed:

916 Republican  
441 Democrat  
420 Declined to State/Independent  
10 Libertarian



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# County of Lincoln

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## AGENDA ITEM 13

April 14, 2015

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Safety Net Care Pool & Indigent Health Care Claims

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

#### Discussion:

**Safety Net Care Pool Payments:** This month our coordinator processed a total of thirty (30) claims. Twenty-nine (29) are recommended for approval and one (1) is recommended for disapproval. If approved, the total recommended authorization this month is **\$17,063.29**. See **Enclosure 1**.

**Indigent Health Care Claims:** This month our coordinator processed fourteen (14) claims. Eight (8) claims are recommended for approval and six (6) are recommended for disapproval, for the reasons indicated in **Enclosure 2**. If approved, total recommended for payment this month is **\$4,886.50**. At **Enclosure 2** is a summary of total applications approved and denied. At **Enclosure 3** is the summary of the Indigent Fund Meeting for April and the Year-To-Date that list 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 \$61,095.94 or an average of \$6,109.59 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 \$208,617.54 or an average of \$20,861.75 a month.

**Recommendation:** Approve and disapprove the claims as indicated for the Safety Net Care Pool report at Enclosure 1 and the Indigent Health Care Program report as indicated at Enclosure 2.

Approved: \_\_\_\_\_  
Commission Chair Preston Stone

# SCP / SAFETY NET CARE POOL CLAIMS FISCAL YEAR 2014 - 2015

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$191,554.25

ADJUSTMENTS

TOTAL ADJUSTMENTS: \$0.00 \$0.00

APRIL # CLAIMS FOR APPROVAL 29  
# CLAIMS FOR DENIAL 1  
APRIL # TOTAL CLAIMS 30

APRIL TOTAL \$ AMOUNT APPROVED \$17,063.29

TOTAL # CLAIMS THIS FY APPROVED 204  
TOTAL # CLAIMS THIS FY DENIED 11  
TOTAL # CLAIMS FY 2014 - 2015 215

TOTAL APPROVED THIS FISCAL YEAR \$208,617.54

FACILITY: LINCOLN COUNTY MEDICAL CENTER 04/21/2015 THROUGH 04/21/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
20967	03/30/2015	455.00	350.35	077%
20928	02/18/2015	336.00	258.72	077%
20930	10/04/2014	97.20	74.84	077%
20968	03/30/2015	294.00	226.38	077%
20932	12/15/2014	50.14	38.61	077%
20933	12/19/2014	390.35	300.57	077%
20934	02/28/2015	2681.00	2064.37	077%
20935	12/29/2014	1216.00	936.32	077%
20936	01/16/2015	51.13	39.37	077%
20937	03/04/2015	3938.86	3032.92	077%
20969	04/01/2015	499.00		000%
DATE OF SERVICE NOT ELIGIBLE FOR PAYMENT				
20938	10/10/2014	300.00	231.00	077%
20939	10/30/2014	225.63	173.74	077%
20944	03/27/2015	1732.00	1333.64	077%
20949	02/24/2015	112.00	86.24	077%
20950	02/25/2015	60.60	46.66	077%
20951	02/26/2015	54.40	41.89	077%
20952	03/13/2015	95.80	73.77	077%
20955	09/30/2014	1418.60	1092.32	077%
20956	10/31/2015	1630.20	1255.25	077%
20957	11/18/2014	1368.80	1053.98	077%
20958	11/21/2014	1216.00	936.32	077%
20959	01/28/2015	1008.00	776.16	077%
20960	02/20/2015	1356.40	1044.43	077%
20961	08/20/2014	504.00	388.08	077%
20962	08/24/2014	168.00	129.36	077%
20963	09/26/2014	448.00	344.96	077%
20964	10/15/2014	504.00	388.08	077%
20965	10/24/2014	168.00	129.36	077%
20966	11/19/2014	280.00	215.60	077%

17063.29

APPROVED- 29 REJECTED- 1

# INDIGENT HEALTH CARE CLAIMS FISCAL YEAR 2014 - 2015

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$56,209.44

## ADJUSTMENTS

### TOTAL ADJUSTMENTS:

APRIL # CLAIMS FOR APPROVAL	8
# CLAIMS FOR DENIAL	6
APRIL # TOTAL CLAIMS	14

APRIL TOTAL \$ AMOUNT APPROVED \$4,886.50

TOTAL # CLAIMS THIS FY APPROVED	91
TOTAL # CLAIMS THIS FY DENIED	32
TOTAL # CLAIMS FY 2014 - 2015	123

CURRENT TOTAL APPROVED THIS FISCAL YEAR \$61,095.94  
\*Assuming the above is approved

FACILITY: DONA ANA MEDICAL SUPPLY DBA LINC 04/21/2015 THROUGH 04/21/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20926	02/24/2015	118.10	118.10 100%
20941	01/26/2015	153.78	153.78 100%
			271.88

APPROVED- 2 REJECTED-

FACILITY: EASTERN NM MEXICO MEDICAL CNTR 04/21/2015 THROUGH 04/21/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20927	10/24/2014	2616.23	2014.50 077%
			2014.50

APPROVED- 1 REJECTED-

FACILITY: GERALD CHAMPION REGIONAL MED CTR 04/21/2015 THROUGH 04/21/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20970	07/09/2014	1014.16	780.90 077%
			780.90

APPROVED- 1 REJECTED-

FACILITY: MICHAEL P CLEMENTS, M.D. 04/21/2015 THROUGH 04/21/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20942 PATIENT'S BILL IS BELOW \$50	01/28/2015	20.43	000%
20943 PATIENT'S BILL IS BELOW \$50	03/05/2015	20.43	000%

APPROVED- REJECTED- 2

FACILITY: NEW MEXICO ONCOLOGY HEMATOLOY 04/21/2015 THROUGH 04/21/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20940	03/04/2015	150.00	115.50 077%
20953	03/09/2015	8.33	000%
PATIENT'S BILL IS BELOW \$50			
20954	03/11/2015	371.78	286.27 077%
			401.77

APPROVED- 2 REJECTED- 1

FACILITY: PRESBYTERIAN HOSPITAL 04/21/2015 THROUGH 04/21/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20929	02/09/2015	11.68	000%
PATIENT'S BILL IS BELOW \$50			
20945	05/19/2015	30.94	000%
PATIENT'S BILL IS BELOW \$50			
20946	05/19/2014	290.78	000%
DATE OF SERVICE NOT ELIGIBLE FOR PAYMENT			

APPROVED- REJECTED- 3

FACILITY: UNM HEALTH SCIENCES CTR 04/21/2015 THROUGH 04/21/2015

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20947	06/19/2014	122.08	94.00 077%
20948	07/14/2014	1718.76	1323.45 077%
			1417.45

APPROVED- 2 REJECTED-

INDIGENT FUND MEETING

APRIL 21, 2015

TOTAL APPLICATIONS	44	21,949.79
TOTAL APPROVED	37	
TOTAL DENIED	7	
RUIDOSO		
DONA ANA MEDICAL SUPPLY DBA LINC		271.88
APPROVED-	2	
DENIED-		
ROSWELL		
EASTERN NM MEXICO MEDICAL CNTR		2,014.50
APPROVED-	1	
DENIED-		
ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		780.90
APPROVED-	1	
DENIED-		
RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		17,063.29
APPROVED-	29	
DENIED-	1	
RUIDOSO		
MICHAEL P CLEMENTS, M.D.		
APPROVED-		
DENIED-	2	
ALBUQUERQUE		
NEW MEXICO ONCOLOGY HEMATOLOY		401.77
APPROVED-	2	
DENIED-	1	
ALBUQUERQUE		
PRESBYTERIAN HOSPITAL		
APPROVED-		
DENIED-	3	
ALBUQUERQUE		
UNM HEALTH SCIENCES CTR		1,417.45
APPROVED-	2	
DENIED-		

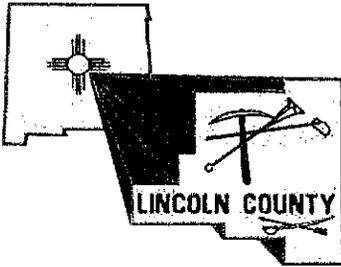
YTD

INDIGENT FUND MEETING

APRIL 21, 2015

TOTAL APPLICATIONS	351	269,713.48
TOTAL APPROVED	305	
TOTAL DENIED	46	
ALBUQUERQUE		
ANESTHESIA ASSOCIATES OF NM		3,669.42
APPROVED-	10	
DENIED-		
RUIDOSO		
DONA ANA MEDICAL SUPPLY DBA LINC		1,131.75
APPROVED-	10	
DENIED-		
ROSWELL		
EASTERN NM MEXICO MEDICAL CNTR		5,253.63
APPROVED-	3	
DENIED-		
ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		19,055.90
APPROVED-	14	
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		208,617.54
APPROVED-	204	
DENIED-	10	
ALTO		
LINCOLN COUNTY RADIOLOGY		755.89
APPROVED-	10	
DENIED-		
RUIDOSO		
MICHAEL P CLEMENTS, M.D.		48.02
APPROVED-	1	
DENIED-	8	

ALBUQUERQUE NEW MEXICO ONCOLOGY HEMATOLOY		
APPROVED-	16	4,421.63
DENIED-	5	
ROSWELL PATHOLOGY CONSULTANTS OF NM		
APPROVED-	1	679.33
DENIED-		
ALBUQUERQUE PRESBYTERIAN HOSPITAL		
APPROVED-	10	17,608.02
DENIED-	5	
RUIDOSO RUIDOSO HOME CARE & HOSPICE		
APPROVED-	1	3,000.00
DENIED-	2	
ALBUQUERQUE UNM HEALTH SCIENCES CTR		
APPROVED-	4	2,202.97
DENIED-		



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# County of Lincoln

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## AGENDA NO. 14

April 13, 2015

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Auction County Assets on Public Surplus

**Purpose:** To obtain approval of Resolution 2014-41 – Permission to Auction Public Surplus

**Discussion:** Approval is sought to auction County Assets on Public Surplus website

DESCRIPTION	AGENCY	SERIAL NUMBER	PLATE	INVENTORY#
• 1995 Lincoln	SHERIFF	1LNLM82W8SY648736	NONE	8706822
• 2006 Crown Victoria	SHERIFF	2FAHP71W36X159640	G66738	8704051
• 2008 Ford Expedition	SHERIFF	1FMFU16578LA63643	G73475	8704448
• 2008 Dodge Ram	HIDTA	1B7HC13ZOYJ154529	NONE	8706295
• Tire Balancer	EMS		NONE	NONE
• 2004 Chevy Chassis	EMS	1GBJK34G14E229033	G57203	8703662

**Recommendation:** Approve Resolution 2014-41 listing obsolete inventory to be disposed of via online auction, direct Staff to report to the State Auditor and DFA, and request at least three elected officials to review the actual property to be auctioned on Public Surplus website.

**RESOLUTION NO. 2014-41**

**APPROVAL OF DISPOSTION OF SURPLUS INVENTORY VIA ONLINE  
AUCTION**

**WHEREAS**, the Lincoln County Board of Commissioners meeting in regular session on April 21, 2015 did review the listed surplus inventory that is recommended for disposal via online auction, and

**WHEREAS**, the items listed were valued over \$5,000 at time of purchase, and

**WHEREAS**, none of the items listed are expected to sell for over \$5,000, and

**WHEREAS**, the computer hard drives will be removed and destroyed prior to sale, and

**WHEREAS**, county logos will be removed from all vehicles prior to sale

<b>DESCRIPTION</b>	<b>AGENCY</b>	<b>SERIAL NUMBER</b>	<b>PLATE</b>	<b>INVENTORY#</b>
1995 Lincoln	SHERIFF	1LNLM82W8SY648736	NONE	8706822
2006 Crown Victoria	SHERIFF	2FAHP71W36X159640	G66738	8704051
2008 Ford Expedition	SHERIFF	1FMFU16578LA63643	G73475	8704448
2008 Dodge Ram	HIDTA	1B7HC13ZOYJ154529	NONE	8706295
Tire Balancer	EMS		NONE	NONE
2004 Chev Chassis	EMS	1GBJK34G14E229033	G57203	8703662

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Lincoln County, approves the listed obsolete inventory be disposed of via online auction.

**PASSED, APPROVED AND ADOPTED** this 21<sup>st</sup> day of April, 2015.

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

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

\_\_\_\_\_  
Dallas Draper, Vice Chair

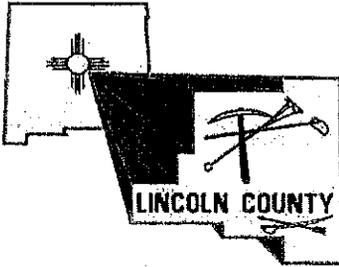
\_\_\_\_\_  
Elaine Allen, Member

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

\_\_\_\_\_  
Lynn Willard, Member

ATTEST:

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



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# County of Lincoln

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## AGENDA NO. 15

April 17, 2015

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Resolution 2014 – 42: Request for Special Legislative Session

**Purpose:** To obtain approval of Resolution 2014-42

### Discussion:

The 2015 Legislative Session ended on time on March 21, 2015. Among those bills that died on the either the Senate or House floor, not making it to the Governor for final approval, was the Capital Outlay Bill. The Fiscal Impact Report tracks the process of Senate Bill 159. See **Enclosure 1**.

- The original Senate Bill 159 authorized nearly \$170.3 million, with \$128.8 million from severance tax bond capacity and approximately \$41.5 million from other state funds, for the purpose of funding 170 state-owned and operated capital outlay projects statewide.
- Senate Finance Committee Substitute for Senate Bill 159 increased the authorization to approximately \$275.2 million with \$190.1 million from severance tax bond capacity and \$85.1 million from other state funds.
- On March 30<sup>th</sup> House Ways and Means Committee amended the SFCS for SB159 to revise the allocations. Time was insufficient for the amended bill to return to the Senate for consideration.

Due to the criticality that available capital outlay funds be considered for allocation to local governments and all other requesting agencies, it is imperative that the Commission relay to the Governor the importance of calling a Special Session of the Legislature. Resolution 2014 – 42 at **Enclosure 2** requests Governor Martinez to call a special session for the purpose of prioritizing and allocating capital outlay funds.

**Recommendation:** Approve Resolution 2014-42.

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](http://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 1/26/15

SPONSOR SFC LAST UPDATED 3/20/15 HB \_\_\_\_\_

SHORT TITLE Severance Tax Bond Projects SB 159/SFCS/aHWMC

ANALYST Kehoe/Snyder

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		
\$212,300.0		Nonrecurring	Severance Tax Bond Fund
\$8,700.0		Nonrecurring	General Fund
\$8,705.0		Nonrecurring	Public School Capital Outlay Fund
\$1,300.0		Nonrecurring	Public Project Revolving Fund
\$4,420.0		Nonrecurring	Water Project Fund
\$2,018.0		Nonrecurring	Colonias Infrastructure Fund
\$3,416.0		Nonrecurring	State Road Fund
\$700.0		Nonrecurring	Game and Fish Bond Retirement Fund
\$8,300.0		Nonrecurring	Game Protection Fund
\$200.0		Nonrecurring	Trail Safety Fund
\$2,000.0		Nonrecurring	Tribal Infrastructure Fund
\$630.0		Nonrecurring	State Lands Maintenance Fund
\$2,450.0		Nonrecurring	Miners' Trust Fund
\$1,000.0		Nonrecurring	Fire Protection Grant Fund
\$1,000.0		Nonrecurring	Fire Protection Fund
\$4,400.0		Nonrecurring	Capitol Building Repair Fund
\$2,500.00		Nonrecurring	Art in Public Places

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		
\$45,000.0			Nonrecurring	State Road Fund
\$1,300.0			Nonrecurring	Wastewater Facility Construction Loan Fund
\$12,700.0			Nonrecurring	Indian Water Rights Settlement Fund

(Parenthesis ( ) Indicate Revenue Decreases)

**SOURCES OF INFORMATION**

LFC Files

Responses Received From

- Children, Youth & Families Department (CYFD)
- Department of Cultural Affairs (DCA)
- Department of Finance And Administration (DFA)
- Department of Health (DOH)
- Department of Information Technology (DoIT)
- Department of Public Safety (DPS)
- Energy, Minerals And Natural Resources Department (EMNRD)
- General Services Department, Facilities Management Division (FMD)
- Higher Education Department (HED)
- New Mexico Corrections Department (NMCD)
- New Mexico Finance Authority (NMFA)

**SUMMARY**

Synopsis of HWMC Amendment

The House Ways and Means Committee amends the Senate Finance Committee Substitute for Senate Bill 159 includes \$22.2 million for House member local projects, authorizes \$45 million for roads statewide from severance tax bond rather than from the general fund, reduces senior citizen projects totaling \$8.5 million, reduces higher education projects by \$17.6 million and reduces or deletes various state agency capital projects. The reductions provide severance tax capacity to provide funding for the following priorities requested by the executive:

- \$12.5 for Local Economic Development Act (LEDA)
- \$8 million for Santa Teresa road improvements
- \$4.5 millio for Allison Gallup Interchange
- \$4 million for a Spaceport hangar

Synopsis of SFCS

The Senate Finance Committee Substitute for Senate Bill 159 authorizes approximately \$275.2 million, \$190.1 million from severance tax bond capacity and \$85.1 million from other state funds. The “other state funds” includes \$45 million from the general fund to the state road fund for road repairs statewide. Of the total, \$213.4 million is authorized for state-owned and –operated facilities, and \$61.8 million is authorized for local projects sponsored by 42 members of the Senate and 33 members of the House. Of the \$212.3 million severance tax bond capacity, \$22.2 million remains unexpended.

The bill contains an emergency clause. A chart of the projects proposed for funding within this bill is attached.

Synopsis of Original Bill

Senate Bill 159 authorizes nearly \$170.3 million, \$128.8 million from severance tax bond capacity and approximately \$41.5 million from other state funds, for the purpose of funding 170 state-owned and –operated capital outlay projects statewide. The bill contains an emergency clause. A listing of the projects proposed for funding within this bill is attached.

**FISCAL IMPLICATIONS**

The estimated severance tax bond (STB) net capacity in fiscal year 2015 is \$212.3 million after deductions from the estimated \$296.8 million senior STB gross capacity. Deductions from gross capacity include: \$25.2 million for authorized but unissued bonds; 10 percent of capacity equal to \$29.7 million for deposit into the water project fund; 5 percent of capacity equal to \$14.8 million for deposit into the tribal infrastructure project fund; and 5 percent of capacity equal to \$14.8 million for deposit into the colonias infrastructure project fund. Supplemental severance tax bond capacity dedicated for public school construction is approximately \$179.5 million for deposit into the public school capital outlay fund.

The appropriations and authorization to expend funds in this bill are nonrecurring expenses to STB capacity and other state funds (OSF). Any unexpended or unencumbered balance shall revert to the originating fund. The public school capital outlay fund is a non-reverting fund. The balance of appropriations made from the general fund or other state fund to the Indian Affairs Department or the Aging and Long-Term Services Department for a project located on lands of an Indian nation, tribe or pueblo shall revert to the tribal infrastructure project fund.

Except for appropriations to the capital program fund and public school capital outlay fund, money from STB proceeds and any other state funds contained in this bill may not be used to pay indirect project costs.

For the purposes in Sections 2 and 3 of this bill, “unexpended balance” means the remainder of an appropriation after reserving for unpaid costs and expenses covered by binding written obligations to third parties. If an agency has not certified the readiness for STB issuance by the end of fiscal year 2017, the authorization is void.

In compliance with the Severance Tax Bonding Act, the State Board of Finance (BOF) is authorized to issue and sell STB in an amount not to exceed the total of the amounts appropriated in this bill. The BOF must also comply with the Internal Revenue Code of 1986, as amended. The agencies named in this bill shall certify to the BOF when the money from the proceeds of the severance tax bonds authorized in the bill is needed for the purposes specified in the applicable section of the bill. Before an agency certifies for issuance of the bonds, the project must be developed sufficiently so that the agency reasonably expects to: 1) incur within six months after the applicable bonds have been issued a substantial binding obligation to a third party to expend at least five percent of the bond proceeds for the project; and 2) spend at least eighty-five percent of the bond proceeds within three years after the applicable bonds have been issued.

Based on the certification of project readiness by grantees, the BOF authorizes the sale of bonds. The issuance of tax-exempt bonds for projects not ready to commence leaves the state open to noncompliance with the Internal Revenue Service Code. Failure to spend STB proceeds in a timely manner causes the state, under IRS regulations, to have to rebate interest earnings the state could otherwise use to reduce the cost of a project or to reduce debt service costs.

### **SIGNIFICANT ISSUES**

As in past years, infrastructure requests for state and local needs are far greater than available bonding capacity. State agencies, higher education institutions, and special and tribal schools requested \$431.4 million for capital projects. This bill contains the “framework” developed by LFC staff for consideration by the full Legislature. The proposed projects and funding are based on criteria, site visits, review of infrastructure capital improvement plans, monthly meetings with major departments, and testimony at hearings held in the interim. The projects reflect the most critical projects impacting public health and safety and ongoing projects requiring additional funds to complete. The failure to pass a capital outlay bill during the 2011 session, combined with little or no funding for state-owned facilities in 2014 such as at hospitals, veterans’ home, adult and juvenile facilities, and cultural facilities amplifies the need to fund state facilities or risk unsafe conditions for citizens that are housed and under the protection of the state at these facilities. A lack of resources to address fire and environmental codes and possible violations, Americans with Disabilities Act regulations, and other licensing and certification requirements could mean significant additional costs to the state, including a loss of federal funds. Addressing the most critical infrastructure projects listed in the bill will significantly reduce operating expenses.

### **ADMINISTRATIVE IMPLICATIONS**

While facility repairs are a major concern, the ratio of project management compared with the number of major projects are not adequate to address the needs in a timely manner.

### **TECHNICAL ISSUES**

As requested by several state agencies and institutions of higher education, language changes were incorporated in the bill. The proposed changes were reviewed by staff of the LFC and DFA and were determined to be of technical nature rather than substantive.

### **OTHER SUBSTANTIVE ISSUES**

Volume I of the LFC Budget Document (Investments in Infrastructure) includes a short description of some of the most critical needs requested by the larger state agencies.

LMK:SS/bb

**RESOLUTION 2014-42**  
**In Support of**  
**A Special Legislative Session to Address Capital Outlay Project Funding**

**WHEREAS**, historically the state of New Mexico has granted capital outlay funding to state and local governments for the purpose of designing and completing critical capital outlay projects that would otherwise be unaffordable; and,

**WHEREAS**, historically the County of Lincoln, the municipalities within its geographic area and other quasi-governmental agencies have been awarded millions of dollars to design and construct these projects critical to its infrastructure; to purchase required vehicles necessary to meet the needs of the public; to implement water system improvements; to build and maintain emergency services facilities; all of which are crucial to ensure the continued health, safety and welfare of our citizens and visitors; and

**WHEREAS**, prior to the 2015 Legislative Session, the County of Lincoln, the municipalities within its geographic area and other quasi-governmental agencies spent significant time to identify and prioritize over thirty-five projects totaling \$7.2 million to meet critical needs, and presented those to its legislators for support; and

**WHEREAS**, the Fiscal Impact Report issued on March 20, 2015 by the Legislative Finance Committee regarding the Senate Finance Committee Substitute for Senate Bill 159, stated that: “\$190.1 million is authorized from severance tax bond capacity and \$85.1 million from other state funds. Of the total, \$213.4 million is authorized for state-owned and operated facilities, and \$61.8 million is authorized for local projects sponsored by forty-two members of the Senate and thirty-three members of the House; and

**WHEREAS**, the \$264 million capital outlay bill, amended by the House Ways & Means Committee, died on the final day of the 2015 Regular Legislative Session, leaving work to be done regarding these projects and funds. If the Legislature does not meet to address the awarding of available capital outlay funds, it is certain that thousands of critical projects ensuring the health, safety and welfare of our citizens will not be completed.

**NOW, THEREFORE, BE IT RESOLVED**, the County of Lincoln Board of Commissioners is grateful for the historical action taken by the Legislature and the Governor to thoughtfully prioritize projects and allocate funds accordingly. Lincoln County respectfully urges Governor Susana Martinez to expeditiously call for a special session to restore the \$264 million capital outlay bill.

**PASSED, APPROVED AND ADOPTED** this 21st day of April, 2015.

**Board of Commissioners**  
**Lincoln County, State of New Mexico**

\_\_\_\_\_  
Preston Stone, Chair

\_\_\_\_\_  
Dallas Draper, Vice Chair

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

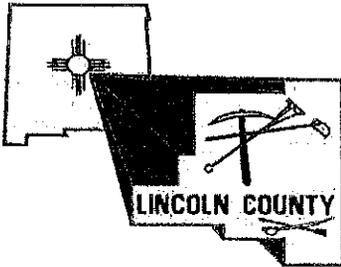
\_\_\_\_\_  
Tom Stewart, Member

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

ATTEST:

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

ENCL 2



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# County of Lincoln

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

## AGENDA NO. 16

April 16, 2015

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Alarm Permit Ordinance Violations

**Purpose:** To obtain approval to file liens for Alarm Permit Violations

#### Discussion:

County Ordinance 2011-04 – Lincoln County Alarm System Ordinance requires individuals who possess a burglar alarm to have a permit for the alarm, and to register/renew it with the County of Lincoln. Non-payment/non-renewal of active house alarm systems constitutes a violation of the Ordinance. See **Enclosure 1** for a summary of the violations for the following individuals:

1. Angel & Mary Salazar
2. Michael & Deborah Miller
3. Jesus & Brisa Garcia
4. Charles Welch

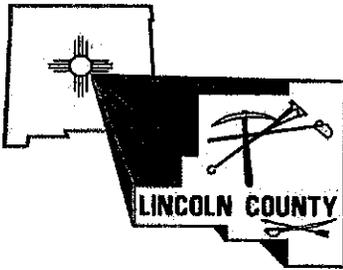
**Recommendation:** Direct County Attorney to place liens on the properties that are (still) in violation of the County Ordinance 2011-04

**Below is a list of current alarm possessors that have failed to register their burglar alarms with the County of Lincoln for 2015:**

<b>Name</b>	<b>Address</b>	<b>Owner #</b>
<b>1. Angel &amp; Mary Salazar</b>	330 Highway 220	304485
<b>2. Michael &amp; Deborah Miller</b>	207 Racoon Court	271088
<b>3. Jesus &amp; Brisa Garcia</b>	126 Musketball Dr.	332810
<b>4. Charles Welch</b>	246 Deer Park Drive	330627

1. **Angel & Mary Salazar** are customers of Vivint and it was verified on March 4, 2015 that they are active customers. They have failed to renew their alarm permit for the year 2015.
  - Renewal letters were mailed out *October 20, 2014 and December 19, 2015.*
  - Penalty fee with registration letters were mailed out *February 2, 2015.*
  - A letter was mailed certified with a return receipt on March 10, 2015 and was signed for.
  - The O.A. called their telephone number the Salazar's supplied on their 2014 application on March 31, 2015 and spoke with Angel informing him that his permit is delinquent and needs to be paid as soon as possible to avoid a lien being placed on his property. Mr. Salazar stated he would have his wife attend to this matter and to please call her. The O.A. then called Mrs. Salazar's telephone number and left a detailed voicemail in regards to the situation.
  
2. **Michael & Deborah Miller** are clients of Mountain Alarm and their account status was verified to be active on March 26, 2015. They have failed to register their alarm with the County.
  - Renewal letters were mailed out *October 20, 2014 and December 19, 2015.*
  - Penalty fee with registration letters were mailed out *February 2, 2015.*
  - A letter was mailed certified with a return receipt on March 10, 2015 and the return receipt has not been given back to the Ordinance Administrator to date.
  - On March 31, 2015, the O.A. contacted Mae at Mt. Alarm and informed her that this customer is delinquent on their County alarm permit. Mae stated she would inform the customer.
  
3. **Jesus & Brisa Garcia** are clients of Mountain Alarm and their account status was verified to be active on March 26, 2015. They have failed to register their alarm with the County.
  - Renewal letters were mailed out *October 20, 2014 and December 19, 2015.*
  - Penalty fee with registration letters were mailed out *February 2, 2015.*
  - A letter was mailed certified with a return receipt on March 10, 2015 and the return receipt has not been given back to the Ordinance Administrator to date.
  - On March 31, 2015, the O.A. contacted Mae at Mt. Alarm and informed her that this customer is delinquent on their County alarm permit. Mae stated she would inform the customer.

4. **Charles Welch** is a client of Mountain Alarm and his account status was verified to be active on March 26, 2015. He has failed to register his alarm with the County of Lincoln for 2015 for the 7<sup>th</sup> consecutive year.
- A letter was mailed on January 15, 2015 mailed certified & returned receipt and was declined on March 19, 2015. The Post Office made three attempts to deliver the letter. The letter stated that he needs to pay the fine or face a property lien. The County has not received a response to date.



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## AGENDA Item No. 18

April 17, 2015,

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Water Issues/Forest Health/Wildlife Programs

**Water Rights Notices.** There are no publications on the State Engineer's website for Lincoln County at this time. Regarding the pending litigation involving three separate transfer requests by the Village of Ruidoso and Sea Gem LLC for permits to change points of diversion from groundwater to surface water and groundwater located in the Hondo Valley, our attorney, Mr. Kelly Cassels corresponded with the State Engineer inquiring as to whether the Village of Ruidoso has met the necessary conditions of the Temporary Permits.

Mr. Cassels took the opportunity to say to the State Engineer that "the granting of these diversion rights without the input of people who are harmed by the action was offensive to hundreds of people. It seems to most that the taking of water from some and giving it to another, without giving the ones aggrieved a voice in the process, is abhorrent to our sense of justice, fair dealing and due process **See Enclosure 1.**

**Secure Rural Schools Expansion.** Last month the Department of Finance and Administration notified Counties that the Secure Rural Schools (SRS) program expired on September 30, 2014, and was not reauthorized by Congress: That translated to an estimated reduction of about \$151,000 to the Road Department, and over \$20,000 to the funding normally allocated to our partnership with South Central Mountain RC&D for forest health projects.

**Good News!** On April 15<sup>th</sup>, the U.S. Senate voted 92 – 8 to reauthorize the Secure Rural Schools program retroactively for FY2014 through FY2015. We hope to receive those funds by the end of the Fiscal Year. See **Enclosure 2** for Press Release.

See **Enclosure 3** South Central Mountain RC&D Rural Community Forester's Report.

**Recommendation:** No action required. For information only.

LAW OFFICES OF

**SANDERS, BRUIN, COLL & WORLEY, P. A.**

KELLY M. CASSELS  
STEVEN P. FISHER\*\* †  
CLAYTON S. HIGHTOWER  
ELIZABETH L. HIGHTOWER  
IAN D. McKELVY \*\*  
JAMES W. MITCHELL  
CLAY H. PAULOS \*\*  
ANNA G. RAINS  
CHELSEA R. SEATON  
AARON K. THOMPSON  
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(1908 - 1996)

JAMES L. BRUIN  
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RETIRED

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March 24, 2015

\*\*ALSO LICENSED IN TEXAS  
† OF COUNSEL

TOM BLAINE  
NEW MEXICO STATE ENGINEER  
P.O. BOX 25102  
SANTA FE, NEW MEXICO 87504-5102

Re: ***Village of Ruidoso Temporary Transfers (H-50-1 into SD-275-1 et al. and H-272 et al. (T); H-53-1 into SD-275-1 et al. and H-272 et al. (T); and SD-1300-1, SD-1300-2, SD-1300-3, SD-0826-2 into SD-275-1 et al. and H-272 et al. (T))***

Dear Mr. Blaine:

I represent several parties who have protested the above-referenced Applications in HU Nos. 14-039, 040 and 041, including Rio Hondo Land & Cattle Company, LP, Alto Lakes Water and Sanitation District, Kenneth Huseman, and Lincoln County. The above-referenced Temporary Transfers were approved by your office and the Village was granted the immediate right, without any opportunity for the several hundred Protestants to be heard in opposition, to begin diverting approximately 290 afa of water from the Rio Ruidoso. This decision impacted all water users on the Rio Ruidoso and the Rio Hondo below the Village diversions.

I am writing today to inquire of your office as to whether the Village has met the following conditions in each of the Temporary Permits; the issuance of the preliminary approval was March 18, 2014:

- A. Submit a plat acceptable to the State Engineer which shows the irrigated land to be dried up under the permits filed with the District II Office within 60 days from date of preliminary approval.
- B. Submit to the State Engineer an updated *Water Development Plan* consistent with NMSA 72-1-9 and acceptable to the State Engineer within one year from the



ENCL 1

date of issuance of this preliminary approval of the subject Lease Agreement. The *Water Development Plan* is to address the Village of Ruidoso's future need so as to limit the necessity of Lease Agreements and other temporary water transfers. Lease Agreements which do not cover the duration of the plan are to be replaced by permanent Water Rights.

- C. Within one year from the date of issuance of the preliminary approvals, submit a current *Water Conservation Plan* acceptable to the State Engineer's Water Use and Conservation Bureau. The *Water Conservation Plan* must conform to the standards and follow the template set forth in the OSE 2013 Technical Report 53, *New Mexico's Water Conservation Planning Guide for Public Water Suppliers*. The *Water Conservation Plan* may also incorporate standards set forth in the American Water Works Association Standard, *Water Conservation Program Operation and Management* (ANSI/AWWA G480-13). The *Water Conservation Plan* is to also include provisions for reducing water use during periods of extended drought consistent with appropriate drought management plans.
- D. On or before each March 1, in the form of an annual written report acceptable to the Water Use and Conservation Bureau, the Village is to provide information and data from the previous calendar year on water conservation efforts, monthly per capita use estimates utilizing State Engineer's GPCD Calculator, and an IWA/AWWA system water audit for that year. The annual report shall also identify priorities for supply/delivery and demand-side actions to be taken during the current calendar year under the *Water Conservation Plan* and shall report on the outcome of all actions taken under the *Water Conservation Plan* during the previous calendar year.

Conditions B and C discussed above each expressly stated that the Village's failure to meet the requirement "shall be grounds for revoking the requested diversion under this filing."

If your investigation reveals that the Village has failed to meet its obligations under the temporary approvals, we urge you to revoke the approvals and require the Village to prove that its taking of this water and its production of the same from its various wells in and around the Village will not be to the detriment of valid and existing water rights at both the move-from and the move-to locations.

In closing, I will take the opportunity to say that the granting of these diversion rights without the input of people who are harmed by the action was offensive to hundreds of people. It seems to most that the taking of water from some and giving it to another, without giving the ones aggrieved a voice in the process, is abhorrent to our sense of justice, fair dealing and due process. I know you were not in your current office when this decision was made. This is a wrong you can right, and no one can be blamed but the Village for its failures to meet its obligations under the temporary approvals. The

approvals could not have been clearer in stating what was required of the Village or the consequences if the Village shirked its responsibilities.

I have copied your attorneys with this correspondence. As this issue did not seem fit for resolution by the Hearing Examiner, since it stems from the conditions contained in the temporary approvals your office granted, I thought it best to direct this matter directly to your attention.

Thank you very much for your consideration of this matter. We look forward to the results of your investigation and your decision regarding this matter. I have not yet met you personally, but look forward to the opportunity.

With kindest regards, I am

Yours,

SANDERS, BRUIN, COLL & WORLEY, P.A.

  
Kelly Mack Cassels  
[kmcassels@sbew-law.com](mailto:kmcassels@sbew-law.com)

c Clients  
Juan Hernandez, NMOSE DII, via e-mail  
Chris Lindeen, Esq., NMOSE ALU, via e-mail  
Kristofer C. Knutson, Esq., NMOSE ALU, via e-mail



FOR IMMEDIATE RELEASE:

**Counties applaud Secure Rural Schools, health care services extension**  
*Two-year SRS reauthorization a major win for rural communities*

**WASHINGTON, D.C.** – The National Association of Counties (NACo) today applauded federal lawmakers for passing the Medicare Access and CHIP Reauthorization Act of 2015 (H.R. 2), the so-called "doc fix" bill. The bill includes provisions important to the nation's counties, particularly the much-needed reauthorization of the Secure Rural Schools (SRS) program retroactively for FY 2014 and through FY 2015 and an extension for the Children's Health Insurance Program (CHIP), Community Health Centers and other health care programs.

"Counties welcome this federal investment in services that will help millions of Americans," said Matthew Chase, NACo's executive director. "We applaud the House and Senate for working in a bipartisan manner to provide greater budgetary certainty to counties. This investment will help counties deliver essential services like infrastructure, education and health care."

The measure authorizes \$500 million through the SRS program to support local schools, transportation infrastructure, emergency response and other critical services. SRS funds will help more than 720 counties and 4,000 school districts across 41 states affected by the decline in revenue from timber harvests on federal lands. The bill also expedites SRS payments to counties by requiring the federal government to make payments within 45 days of the bill's enactment.

"This legislation is a significant victory for forest counties and their residents. We are very pleased that Congress is making an investment to support local schools, roads and public safety in communities across the country," said Chase. "Our partners on the Hill have heard the call echoing from forest counties across the country. Counties look forward to putting these much-needed, long-overdue funds to work as quickly as possible."

Reauthorization of SRS renews Congress' longstanding commitment to forest counties. "NACo encourages Congress to work together in the same bipartisan manner to enact legislation that promotes active natural resource management to support and

**U.S. COUNTIES AND SECURE RURAL SCHOOLS (SRS)**

Year	Number of Counties	Total SRS Funding	Per County	Per School District
2014	720	\$276.1 M	\$384.1 K	\$1.2 M
2015	720	\$500.0 M	\$694.4 K	\$2.1 M
2016	720	\$500.0 M	\$694.4 K	\$2.1 M

**SECURE RURAL SCHOOLS**  
 The Secure Rural Schools program provides critical services to forest counties and school districts across the country. The program is authorized through the Medicare Access and CHIP Reauthorization Act of 2015 (H.R. 2). The program is authorized through the Medicare Access and CHIP Reauthorization Act of 2015 (H.R. 2). The program is authorized through the Medicare Access and CHIP Reauthorization Act of 2015 (H.R. 2).

**OUR ASK**  
 NACo is asking Congress to reauthorize the Secure Rural Schools program through the Medicare Access and CHIP Reauthorization Act of 2015 (H.R. 2). NACo is asking Congress to reauthorize the Secure Rural Schools program through the Medicare Access and CHIP Reauthorization Act of 2015 (H.R. 2). NACo is asking Congress to reauthorize the Secure Rural Schools program through the Medicare Access and CHIP Reauthorization Act of 2015 (H.R. 2).

**2015 BIPARTISAN LEGISLATION**

- SECURE RURAL SCHOOLS
- CHIP EXTENSION
- COMMUNITY HEALTH CENTERS
- INDIAN HEALTH CARE
- INDIAN EDUCATION
- INDIAN HOUSING
- INDIAN INFRASTRUCTURE
- INDIAN LAND ACQUISITION
- INDIAN LAND MANAGEMENT
- INDIAN LAND RESTORATION
- INDIAN LAND USE
- INDIAN LAND USE PLANNING
- INDIAN LAND USE REVIEW
- INDIAN LAND USE STUDY
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- INDIAN LAND USE ZONING REVIEW
- INDIAN LAND USE ZONING STUDY
- INDIAN LAND USE ZONING TRAINING

strengthen forest communities," Chase added.

Since 1908, the U.S. Forest Service has shared 25 percent of timber revenues with rural counties whose ability to raise their own revenue to fund basic local services is limited by the presence of tax-exempt federal forest land. SRS was first enacted in 2000 as local governments faced steep reductions in timber revenues resulting from national policies that limit economic activities within federal forests.

Current 25 percent payments from forest revenues are no longer enough to support the services forest counties must provide, including education, transportation infrastructure maintenance and search and rescue.

Forest counties rely on **SRS funding** to provide essential services to their residents. In FY 2013 alone, the SRS program provided \$270 million to over 700 counties and 4,000 school districts. However, the authorization for SRS lapsed in 2013. Counties have yet to receive SRS payments for FY 2014 and were left with uncertainty as to whether SRS will be available to them in FY 2015. Due to this lapse, forest county payments **decreased over 80 percent** between 2013 and 2014. County-specific SRS profiles are available **here**.

Without critical SRS funds, counties and school districts nationwide are facing dramatic budgetary shortfalls, and some have been forced to halt infrastructure projects, terminate employees, cancel teacher contracts and reduce numerous other services.

The "doc fix" legislation also extends several programs that counties use to maintain local health care systems. It extends CHIP, which helps to provide health coverage to more than eight million children and pregnant women with incomes above Medicaid eligibility levels; Community Health Centers, National Health Service Corps and Teaching Health Centers, which increase access to health care services in underserved areas, both urban and rural; and the Maternal, Infant, and Early Childhood Home Visiting Program — all by two years.

The bill helps counties provide Medicaid services by permanently extending the Qualifying Individuals and Transitional Medical Assistance Programs benefitting low-income seniors and working families. Additionally, H.R. 2 delays scheduled reductions to Medicaid disproportionate share hospital (DSH) payments by one year. DSH supports county hospitals serving a disproportionate share of Medicaid beneficiaries and the uninsured. Delaying these cuts allows the 960 county-supported hospitals nationwide that serve Medicaid beneficiaries to continue to stabilize local health care systems.

"Each year, counties invest nearly \$70 billion to provide health care services to their residents," said Chase. "This legislation will help counties deliver health care services to some of their most vulnerable populations – children, pregnant women, low-income individuals and families and elderly residents. We commend our partners on Capitol Hill for supporting services that have a direct impact on people's health and well-being."



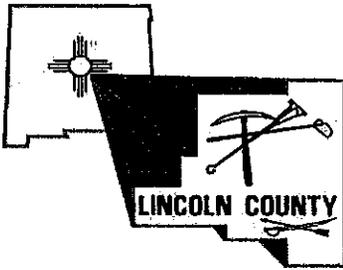
The National Association of Counties (NACo) is the only national organization that represents county governments in the United States. Founded in 1935, NACo provides essential services to the nation's 3,069 counties. NACo advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research and provides value-added services to save counties and taxpayers money.

South Central Mountain RC&D, Rural Community Forester Report

April 2015

- 1 Ruidoso WUI Interagency Prescribed Fire CFRP Grant : There was no RX burns conducted with collaborators during this period. The last report I received from Smokey Bear District was at this time it looks like the RX burn window is closing. We will be looking toward the monsoon season to come in, to continue with this program. We will continue the public outreach component of this grant. I set up a booth at the Ruidoso Home and Garden show, where I shared information on this grant program and talked about Firewise and Fire adapted community info. The VOR is still working on Hazardous Fuels removal on village land.
- 2 Lincoln County cost share program: We are now reviewing the list of landowners that signed up. Seasonal people are starting to come in and we will be contacting them to determine if they are still interested. We have a waiting list started and will make monies available to them as we go through the list.
- 3 Cedar Creek NFL: This project is just about finished. We still need to identify another 12 acres.
- 4 The RC&D participated in the post Little Bear FEMA grant, public outreach event. April 14, 2015
- 5 Spencer Baldwin, Frank Silva and I will be conducting a Firewise meeting at Ranches of Sontera Property Association meeting on April 21, 2015
- 6 RCD personnel attended WUI Summit at Silver City, NM.
- 7 This is what has been paid as of April 17,2015

Lincoln County Cost share program:	\$101,372.75
Cedar Creek NFL	\$194,733.00
CFRP grant	\$67,547.88
Total	\$363,656.63



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# County of Lincoln

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## AGENDA ITEM 19

April 15, 2015

### MEMORANDUM

**TO:** County Commissioners

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

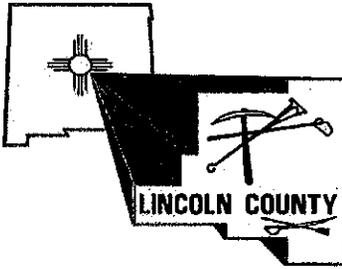
**SUBJECT:** Capitan Culinary Arts Presentation

**Purpose:** To provide an opportunity for Capitan Students in the Culinary Arts Program give a presentation to the Commission.

### Discussion:

Five students in the Capitan Schools Culinary Arts Program have won a State Competition and are eligible to represent the County of Lincoln in Washington, DC. These students have asked to give a presentation to the Commission and the public of their achievements.

**Recommendation:** None-information only.



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# County of Lincoln

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

Agenda Item No. 20

April 15, 2015

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Fair Housing Month Proclamation

**Purpose:** To present the 2015 Fair Housing Proclamation to the Commission for its discussion and consideration.

**Discussion:**

Manager was notified by Department of Finance & Administration (DFA) that each local government is required to certify that it will affirmatively further fair housing by implementing the following annually: 1) a fair housing self- assessment; 2) develop a Fair Housing resolution or proclamation; and 3) conduct a Fair Housing activity. Because April is Fair Housing month, a proclamation has been prepared for your consideration.

**Recommendation:** Adopt Fair Housing Month Proclamation.

**LINCOLN COUNTY COMMISSION  
FAIR HOUSING MONTH  
PROCLAMATION**

*WHEREAS, fair and equal housing is a right guaranteed to all Americans; and; and*

*WHEREAS, the principal of fair and equal housing is not only a national law and policy, but a fundamental human entitlement; and*

*WHEREAS, all citizens have a right to live where they choose within their financial means; and*

*WHEREAS; people must not be denied housing because of race, color, religion, sex, national origin, handicap or family status; and*

*WHEREAS, we acknowledge the importance of assuring fair and equal treatment of all citizens.*

**THEREFORE, BE IT RESOLVED WE DO HEREBY PROCLAIM THE MONTH OF APRIL AS  
“FAIR HOUSING MONTH” IN LINCOLN COUNTY AND URGE ALL OF OUR CITIZENS TO  
PARTICIPATE IN APPROPRIATE ACTIVITIES TO COMMEMORATE FAIR HOUSING.**

GIVEN UNDER OUR HAND, THIS APRIL 21, 2015, AT THE LINCOLN COUNTY  
COURTHOUSE, IN CARRIZOZO, NEW MEXICO.

\_\_\_\_\_  
**Preston Stone, Chair**

\_\_\_\_\_  
**Dallas Draper, Vice Chair**

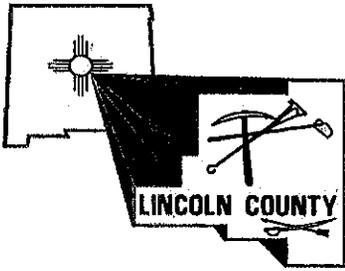
\_\_\_\_\_  
**Elaine Allen, Member**

\_\_\_\_\_  
**Tom Stewart, Member**

\_\_\_\_\_  
**Lynn Willard, Member**

**ATTEST:**  
\_\_\_\_\_

**Rhonda Burrows, County Clerk**



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# *County of Lincoln*

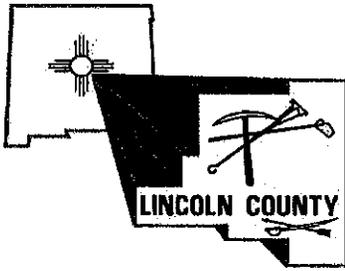
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## Agenda Item No. 21

### SUBJECT

1. **1:00 P.M.:** Public Hearing to consider the following Ordinance:
  - a. Amend Ordinance 2004-04 Lodger's Tax Ordinance by Ordinance 2015-02



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# County of Lincoln

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## AGENDA NO. 21

April 13, 2015

### MEMORANDUM

**TO:** County Commissioners

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

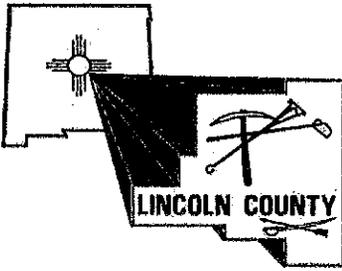
**SUBJECT:** Lodger's Tax Ordinance Revisions

**Purpose:** To obtain approval of the Lodgers Tax Committees' recommendations

**Discussion:** Attached you will find three forms which are responsive to the Board of Commissioner's request for forms revision from the Lodger's Tax Committee. The Committee approved the attached forms at their regular scheduled meeting of March 31, 2015.

1. Lodger's Tax Request form and Letter (Enc. 1) used as criteria in deciding whether to approve or disapprove requested funds; added to the form is the following:
  - a. Past County funding for the event
  - b. Past requested funds from the entity for the event
  - c. How out-of-town lodgers will be tracked
  - d. Matching funds or in-kind support has been solicited
2. Lincoln County Lodger's Tax Application for Funding at (Enc. 2) was updated
3. Lincoln County Lodger's Tax Awarded Funds Reimbursement Form at (Enc. 3); added to the form is the following:
  - a. How County funds were used in the entity's report
  - b. Tracking out-of-town lodgers information which the event tracked
  - c. 90 day verbiage which is reflected in new Ordinance 2015-2
4. For your consideration, a copy of a Contractual Agreement for Award and Expenditure of Lodger's Tax Funding is at (Enc.4). This agreement is currently utilized in San Miguel County, NM.
5. Lodger's Tax Ordinance 2015-2 with the recommended changes are at (Enc.5)

**Recommendation:** Approve the recommended forms, Contractual Agreement and revised Lodger's Tax Ordinance 2015-2.



# County of Lincoln

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

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April 16, 2015

Lodger's Tax Funds Applicants:

Please be advised of the following suggestions as you complete the attached form.

## PROCESS

Lincoln County Lodger's Tax Committee (LCLTC) is the first point of contact for your application process. After completing the attached form and submitting it to the County, the LCLTC will review your paperwork.

After their review, a decision will be rendered by the LCLTC to either proceed with your request or deny it. If proceeding, your request and background documentation will be submitted with the LCLTC's recommendation to the Lincoln County Board of Commissioners for their next regularly scheduled meeting. Commissioners will determine to accept and approve the LCLTC's recommendation or deny the request.

You will be informed as to the decision of the Commissioners after the meeting.

## ATTENDANCE

Entities who are requesting Lodger's Tax funds may attend both the LCLTC meetings and the Lincoln County Board of Commission meetings. Both meetings are scheduled in advance and are Open Meetings. Entities who wish to have representation at these meetings may or may not be given an opportunity to speak, however it is advantageous to have a person available to answer questions regarding requests, if questions are asked.

## PAPERWORK

The attached form must be completed prior to presenting your request to the LCLTC. It is IMPERATIVE that entities who wish to request Lodger's Tax funds keep the following in mind.

- a. Each item on the attached form is necessary to complete. Should you determine a letter of explanation is necessary or advantageous, please indicate SEE ATTACHED on the items you explain in your attached letter. Please read each line and ensure the question has been completely answered should you elect to attach a letter of explanation. Please do not leave any item blank. BLANK SLOTS are not favorably noted.
- b. As you determine your needs, please complete all applicable lines regarding the intended use of funds once received. The section labeled: FUNDS WILL BE USED FOR: gives both the LCLTC and the Board of Commissioners a better sense of your organization, your intentions and your purpose. Leaving these lines blank could impede or bring the process of funding your entity to a halt.

ENCL 1

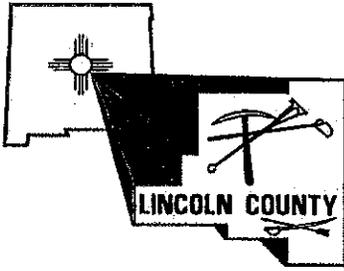
- c. Feel free to attach previous brochures, newsletters or information you feel will give the LCLTC and the Board of Commissioners a better idea of your purpose. PLEASE do not assume that by attaching additional documents the form does not need to be completed.
- d. Keep in mind that Lodger's Tax funds are available for the purpose of attracting tourists to Lincoln County with the objective of creating paying guests who will utilize county lodging, restaurants, shops and entertainment. Be prepared to show where advertising dollars will be spent, who is targeted to attend and how far-reaching your group's advertising will encompass. Please complete the attached form with this fact in mind.
- e. Documentation which tracks previous events and attendance/outcome of the event is extremely helpful for both the LCLTC and the Board of Commissioners to view. Consider making Tracking Documentation a standard of your event. If no such documentation currently exists, it is advantageous to plan to include records to reflect this aspect. If you have been granted Lodger's Tax funds in the past, please show documentation as to how received funds were expended.

**QUESTIONS**

Should you have any questions about completing the attached form or documentation you may wish to include prior to your presentation to the LCLTC, please do not hesitate to contact Billie-Jo Guevara, Administrative Assistant/Human Resources Director at 575-648-2385x100.

Sincerely,

Lincoln County Lodger's Tax Committee



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# County of Lincoln

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

## LODGER'S TAX REQUEST FORM

Name of Event: \_\_\_\_\_ Date(s) of Event: \_\_\_\_\_

Name of Organization(s) applying for Funding: \_\_\_\_\_

**Amount requested for consideration:** \_\_\_\_\_

The following list of items will be considered as the Board of County Commissioners and the Lodger's Tax Committee reviews your request for funding. If any space is left blank, please provide reasoning.

Describe Event:

\_\_\_\_\_

Have Lincoln County Lodger's Tax funds been requested for this event before? Please circle one:   yes   no

If yes:

How many years has Lincoln County Lodger's Tax funds been used for the Event listed below? \_\_\_\_\_

List past years' requested funding amount(s):

Year: \_\_\_\_\_ Amount requested: \_\_\_\_\_ Amount funded: \_\_\_\_\_

Year: \_\_\_\_\_ Amount requested: \_\_\_\_\_ Amount funded: \_\_\_\_\_

Year: \_\_\_\_\_ Amount requested: \_\_\_\_\_ Amount funded: \_\_\_\_\_

What is the estimated total cost of the Event listed above for this year? \_\_\_\_\_

What percentage of the cost of the Event listed above are you requesting from the County? \_\_\_\_\_

How will the Event track guests who attend to determine how many out-of-town guests utilized County lodging as a result of the Event? \_\_\_\_\_

\_\_\_\_\_

Are there any in-kind or matching funds anticipated for the Event? \_\_\_\_\_

If funding is granted by the Board of County Commissioners, please list dollar amounts of how funds are anticipated to be used in advertising:

Newspaper advertising:	Radio:
Magazines:	Internet:
Printing:	Other:

What percentage of your budget is planned to be used for out-of-County advertising? \_\_\_\_\_

What sources and what amount of funding have been requested elsewhere?  
\_\_\_\_\_

*Please feel free to add additional pages for consideration, and samples of past advertising or brochures.*

### STATEMENT OF UNDERSTANDING

I understand that I am requesting 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 ninety (90) days following the event or I may forfeit the funds. I understand that funding recommended for approval by the Lincoln County Lodger's Tax Committee must be approved by the Lincoln County Board of County Commissioners. I also understand that approved funding amounts may differ from the amount requested on this application.

Name of Applicant (Please Print):	
Signature of Applicant:	
Address: Street/City/Zip:	
Phone:	Email:
Date submitted:	

Please supply a list of attached documents, and include previous years' Event budgets:

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<b>FOR COUNTY USE:</b>
Date received:
Received by:
Added to Lodger's Tax Committee Agenda scheduled for:

**LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING**

Date: \_\_\_\_\_ Application Number: \_\_\_\_\_

**Section 1**

Name of Organization: \_\_\_\_\_

Organization is \_\_\_\_\_ Profit \_\_\_\_\_ Non-Profit \_\_\_\_\_ Government Related

Address of Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

\_\_\_\_\_

Amount requested: \_\_\_\_\_

If approved, funds will be used in the following manner:

\_\_\_\_\_  
\_\_\_\_\_

*By signing below, I attest that I will provide the County of Lincoln all applicable documentation necessary to validate that the funds received were used in accordance with the Lincoln County Lodger's Tax Ordinance.*

\_\_\_\_\_  
Signature of Contact \_\_\_\_\_ Date \_\_\_\_\_

*NOTE: Credit/Tag line MUST appear or be given as follows: Paid for by Lincoln County Lodger's Tax*

**Section 2 Lodger's Tax Committee**

Meeting date: \_\_\_\_\_ Amount approved for recommendation: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

**Section 3 Lincoln County Board of Commissioners**

Meeting date: \_\_\_\_\_ Amount approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Comments: \_\_\_\_\_

County Manager's Signature: \_\_\_\_\_

**NOTE: FUNDS WILL NOT BE RELEASED BY LINCOLN COUNTY UNTIL A FULLY EXECUTED REIMBURSEMENT FORM IS SIGNED AND RETURNED TO THE COUNTY OF LINCOLN.**

**Distribution:**

1. County Manager      2. County Finance      3. Lodger's Tax Committee      4. Organization

ENCL 2



**CONTRACTUAL AGREEMENT FOR AWARD AND EXPENDITURE OF  
LODGER'S TAX FUNDS**

THIS AGREEMENT is entered into as of \_\_\_\_\_ by and between the Board of County Commissioners of the County of Lincoln, New Mexico (Grantor) and \_\_\_\_\_ (Grantee) as authorized and required by the New Mexico Lodger's Tax Act, Sections 3-38-13 through 3-38-24, NMSA 1978.

**WITNESS:**

1. For the fiscal year beginning \_\_\_\_\_, and ending \_\_\_\_\_, Grantor has awarded to Grantee the total amount of \_\_\_\_\_ to be expended by Grantee as follows:

2. During the term of this Agreement, as required by Section 3-38-21.1, NMSA 1978 of the New Mexico Lodger's Tax Act, Grantee shall:

A. Provide to Grantor periodic reports, at least quarterly, listing the expenditures made and to be made under this Agreement for said period; and,

B. File with Lincoln County Manager quarterly invoices for all expenditures authorized under this Agreement; and,

C. Maintain complete and accurate financial records of each expenditure of Lodger's Tax fund revenue awarded by Grantor, and upon Grantor's request, Grantee shall make such records available for inspection; and

D. Refrain from sub-contracting any of the work and service which are the subject of this Agreement without the express written consent and approval of Grantor; and,

E. Ensure that the funds which are the subject of this Agreement are expended no later than \_\_\_\_\_, and that by said date Grantee file with the Lincoln County Finance Department all corresponding invoices and receiving reports; and,

F. Maintain accurate and complete records of the number of persons actually participating in or benefitting from the events or services listed and funded under Paragraph 1 herein above of this Agreement, and make such records available to the Lincoln County Manager upon request.

3. Upon Grantee's violation of any provision of this Agreement, or any provision of the New Mexico Lodger's Tax Act, supra, Grantor may revoke the award of public funds which is the subject of this Agreement, and avail itself of any other remedy provided by law.

4. This Agreement is limited to the fiscal year beginning \_\_\_\_\_ and ending \_\_\_\_\_ and nothing herein contained shall or is intended to create in Grantee any rights or expectations for any other or future grants, awards or terms.

5. The funding which is the subject of this Agreement was approved by the Board of County Commissioners of the County of Lincoln, New Mexico in public session, at its regularly scheduled monthly meeting which took place \_\_\_\_\_.

6. Grantee represents and covenants that it is a lawfully constituted business association, authorized and existing under and by virtue of the laws of the State of New Mexico, and that the person whose signature is affixed hereto on behalf of Grantee, has been authorized and empowered by Grantee to enter into this Agreement and to fully bind Grantee hereto.

NOW, THEREFORE, THE PARTIES HAVE SET THEIR HANDS AND SEALS HERETO AS OF THE DAY AND YEAR FIRST WRITTEN ABOVE.

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

By: \_\_\_\_\_  
It's Chairman

**ORDINANCE 2004-04 2015-02**

**LINCOLN COUNTY LODGERS' TAX**

AN ORDINANCE IMPOSING A TAX ON PERSONS USING COMMERCIAL LODGING FACILITIES; UTILIZING REVENUE THEREFROM FOR THE PURPOSE OF PROMOTING TOURISM WITHIN LINCOLN COUNTY; PROVIDING FOR EXEMPTIONS, LICENSING, COLLECTION OF TAXES, REPORTING, DUTIES OF VENDORS, AUDITS, AND ENFORCEMENT; REAFFIRMING THE LODGERS' TAX COMMITTEE; REQUIRING THE DISCLOSURE OF INFORMATION; PROVIDING FOR PENALTIES; SETTING REQUIREMENTS FOR FINANCIAL REPORTING; PROVIDING FOR THE SEVERABILITY OF PARTIES HEREOF, THE REPEAL OF ORDINANCES IN CONFLICT, AND FOR AN EFFECTIVE DATE.

**WHEREAS**, the Board of County Commissioners of the County of Lincoln, New Mexico, desires to amend and re-enact its ordinance imposing a tax on persons using commercial lodging facilities; and

**WHEREAS**, the revenue from such imposition of tax will serve to promote and publicize tourist-related attractions, facilities, and events or attractions within the area;

**WHEREAS**, the Board of County Commissioners of the County of Lincoln , New Mexico, finds that repealing Lincoln County Lodgers' Tax Ordinance 2002-07, 2004-04 and amending and re-enacting the Lincoln County Lodgers' Tax Ordinance will serve to promote the prosperity, order, comfort, and convenience of the County of Lincoln or its inhabitants.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lincoln County, New Mexico, that the Lincoln County Lodgers' Tax Ordinance be as follows:

**Section 1. Purpose.**

The purpose of this Ordinance is to impose a tax, which will be borne by persons using commercial lodging accommodations, which will provide revenues for the purpose of advertising, publicizing, and promoting County tourist-related attractions, facilities and events, and acquiring, establishing and operating tourist related facilities, attractions or transportation systems, as authorized in Section 4 of this Ordinance.

**Section 2. Definitions.**

As used in this Ordinance:

1. "Board or Committee" means the Lodgers' Tax Committee established herein to make recommendations to the Board of County Commissioners of Lincoln County, keep minutes of its proceedings and submit its recommendations, correspondence and other pertinent documents to the Board of County Commissioners.
2. "County Clerk" means the County Clerk or County Manager, or the Finance Department of the County, the County Treasurer, or other designated representatives of the County Clerk or County Manager as the case may be.
3. "County" or "Lincoln County" means all parts of the County of Lincoln outside the incorporated units of any municipality within the County of Lincoln.
4. "County Manager" means the chief executive officer of the County of Lincoln or his or her designee which may include the County Clerk.
5. "Gross taxable rent" means the total amount of rent paid for lodging, not including the state gross receipts or a local sales tax.
6. "Lodging" means the transaction of furnishing rooms or other accommodations by a vendor to a vendee who for rent uses, possesses or has the right to use or possess any room or rooms or other units of accommodations in or at a taxable premises.
7. "Lodgings" means the rooms or other accommodations furnished by a vendor to a vendee by a taxable service of lodgings.
8. "Occupancy tax" means the tax on lodging authorized by the Lodgers' Tax Act.
9. "Person" means a corporation, firm, other body corporate, partnership, association or individual. "Person" includes an executor, administrator, trustee, receiver or other representative appointed according to law and acting in a representative capacity. "Person" does not include the United States of America, the State of New Mexico, any corporation, department, instrumentality or agency of the Federal government or the State government, or any political subdivision of the State.

10. “Rent” means the consideration received by a vendor in money, credits, property or other consideration valued in money for lodgings subject to an occupancy tax authorized in the Lodgers’ Tax Act.
11. “Taxable premises” means a hotel, apartment, apartment hotel, apartment house, lodge, lodging house, rooming house, motor hotel, guest house, guest ranch, ranch resort, guest resort, mobile home, motor court, auto court, auto camp, trailer court, trailer camp, trailer park, tourist camp, cabin or other premises used for lodging.
12. “Tourist” means a person who travels for the purpose of business, pleasure or culture to a municipality or county imposing an occupancy tax.
13. “Tourist-related events” means events that are planned for, promoted to, and attended by tourists.
14. “Tourist-related facilities and attractions” means facilities and attractions that are intended to be used by or visited by tourists.
15. “Tourist-related transportation systems” means transportation systems that provide transportation for tourists to and from tourist-related facilities, and attractions, and tourist-related events.
16. “Vendee” means a natural person to whom lodgings are furnished in the exercise of the taxable service or lodging.
17. “Vendor” means a person furnishing lodgings in the exercise of the taxable service of lodging.

**Section 3. Imposition of Tax.**

There is hereby imposed an occupancy tax on revenues received from lodging within that part of Lincoln County outside the incorporated limits of any municipality of Lincoln County. The tax shall be four percent (4%) of gross taxable rent for lodging paid to vendors. Not less than one-half of the proceeds from the first three percent of the tax and not less than one-fourth of the proceeds from the tax in excess of three percent (one and three-quarters) (1¾) of the proceeds shall be used for advertising, publicizing, and promoting tourist-related attractions, facilities, and events.

**Section 4. Use of Tax Proceeds.**

The proceeds of the occupancy tax shall be used to defray costs of:

1. Collecting and otherwise administering the tax, including the performance of audits required by the Lodgers' Tax Act pursuant to guidelines issued by the Department of Finance and Administration;
2. Establishing, operating, purchasing, constructing, otherwise acquiring, reconstructing, extending, improving, equipping, furnishing or acquiring real property or any interest in real property for the site or grounds for tourist-related facilities, attractions or transportation systems of the municipality, the county in which the municipality is located or the county;
3. The principal of and interest on any prior redemption premiums due in connection with any other charges pertaining to revenue bonds authorized by §§3-38-23 or 3-38-24 NMSA 1978;
4. Advertising, publicizing, and promoting tourist-related attractions, facilities and events of the municipality or county and tourist facilities or attractions within the area;
5. Providing police and fire protection and sanitation service for tourist-related events, facilities, and attractions located in the respective municipality or county; or
6. Any combination of the foregoing purposes or transactions stated in this Section, but for no other municipal or County purpose.

**Section 5. Exemptions.**

The occupancy tax shall not apply:

1. If a vendee:
  - A. has been a permanent resident of the taxable premises for a period of at least thirty (30) consecutive days; or
  - B. enters into or has entered into a written agreement for lodgings at the taxable premises for a period of at least thirty (30) consecutive days;
2. if the rent paid by a vendee is less than Two Dollars (\$2.00) a day;
3. to lodging accommodations at institutes of the federal government, the state or any political subdivision thereof;
4. to lodging accommodations at religious, charitable, educational or philanthropic institutions, including without limitation such accommodations as summer camps operated by such institutions;
5. to clinics, hospitals or other medical facilities;

6. to privately-owned **owned** and operated convalescent homes or homes for the aged, infirm, indigent or chronically ill; or
7. if the vendor does not offer at least three rooms within or attached to a taxable premises for lodging or at least three other premises for lodging or a combination of these within the taxing jurisdiction.

**Section 6.      Licensing.**

1. No vendor shall engage in the business of providing lodging in the County who has not first obtained a license as provided in this section.
2. Applicants for a vendor's license shall submit an application to the County Manager stating:
  - A. the name of the vendor including identification of any person, as defined in this Ordinance, who owns or operates or both owns and operates a place of lodging and the name or trade names under which vendor proposes to do business and the post office address thereof;
  - B. a description of the facilities, including the number of rooms and the usual schedule of rates therefor;
  - C. a description of other facilities provided by vendor or others to users of the lodgings such as restaurant, bar, cleaning, laundry, courtesy car, stenographic, tailor or others, and a statement identifying the license issued, to whom issued, the authority issuing, and the period for which issued, if applicable, and identification number provided by the Bureau of Taxation and Revenue of the State of New Mexico;
  - D. the nature of the business practices of the vendor and to the extent, if any, **that** his business is exempt from the Lodgers' Tax; and
  - E. other information reasonably necessary to effect a determination of eligibility for such license.
3. The County Manager shall review applications for a license within ten (10) days of receipt thereof and grant the license in due course if he or she finds the applicant is doing business subject to the Lodgers' Tax.
4. If the County Manager finds that the applicant is not qualified to do business subject to the Lodgers' Tax, he or she shall, not more than ten (10) days after receipt of the application, advise the applicant of his or her decision and give the reasons therefor. The notice of such action shall be given by registered mail, postage prepaid, addressed to the

applicant at the address given on the application, deposited in a Lincoln County post office on the date thereof.

5. If the County Manager finds the applicant not exempt under the terms of this Ordinance, he or she shall, not more than ten (10) days after receipt of the application, advise the applicant of his or her decision and give the reasons therefor.
6. An applicant who is dissatisfied with the decision of the County Manager may appeal the decision to the County Commission by written notice to the County Manager of such appeal to be made within fifteen (15) days of the date of the decision of the County Manager on the application. The matter shall be referred to the County Commission for hearing at a regular or special meeting in the usual course of business. The decision of the County Commission made thereof shall be expressed in writing and be communicated in the same manner as the decision of the County Manager is transmitted. The action of the County Commission shall be final.
7. If the County Commission finds for the applicant, the County Manger shall issue the appropriate license or other notice conforming to the decision made by the County Commission.

**Section 7.     **Collection of the Occupancy Tax; Reporting.****

1. Every vendor providing lodgings within the County shall collect the proceeds of the tax thereon on behalf of the County and shall act as a trustee therefor.
2. The tax shall be collected from vendees in accordance with this Ordinance and shall be charged separately from the rent fixed by the vendor for the lodgings.
3. On and after July 1, 1985, each vendor licensed under this Ordinance shall be liable to the County for payment of the proceeds of the occupancy tax provided herein on the rent paid for lodging.
4. Each vendor shall make a report by the twenty-fifth (25<sup>th</sup>) day of each month on forms provided by the County Manager of the receipts for lodging paid to him in the preceding calendar month and shall remit therewith payment of the amounts due to the County. When the last day for filing a report and payment of taxes falls on a Saturday, Sunday, or legal state or national holiday, the act of filing the report and payment of taxes is timely if performed (paid or postmarked) on the next succeeding day which is not a Saturday, Sunday, or a legal state or national holiday. The report shall include sufficient information to enable the County to audit the report and shall be verified on oath by the vendor. Monthly reports shall be due from each vendor regulated by this Ordinance even if no tax is due during such reporting period.
5. Reporting forms shall include whether the taxpayer is utilizing a cash or accrual basis of accounting. Vendor's revenue recognition for lodgers' tax reporting shall be consistent

with gross receipts tax reporting regulations as specified under NMSA 1978, §§7-9-1 through 7-9-91.

**Section 8. Duty of Vendor.**

Vendor shall maintain adequate records of facilities subject to the tax and of proceeds received for the use thereof. Such records shall be maintained in Lincoln County and shall be open and available for immediate inspection at the vendor's place of business during reasonable hours and shall be retained for three (3) years.

**Section 9. Audit of Vendors.**

1. The County Commission shall select for annual random audits of one or more vendors to verify the amount of gross rent subject to the occupancy tax and to ensure that the full amount of occupancy tax on that rent is collected from each vendor thus audited. The County Commission shall annually determine first the number of vendors to be audited, and then the vendor(s) by lot.
2. The County may also, at any time deemed appropriate by the County Manager, audit any vendor to verify the amount of gross rent subject to the occupancy tax and to ensure that the full amount of occupancy tax on the rent is collected from each vendor audited.
3. A copy of each audit conducted under this Section shall be filed annually with the Local Government Division of the Department of Finance and Administration.
4. Procedures for audits under this Section shall be established by the County Manager and approved by the County Commission.

**Section 10. Failure to File Report; Failure to Pay Tax; Failure to Make Return; Computation, Civil Penalty, and Notice; Collection of Delinquencies; Occupancy Tax Is a Lien.**

1. If any vendor fails to file a report due under the provisions of this Ordinance, or if any vendor makes a return as required by this Ordinance without paying the tax then due, he or she shall be liable for the tax and a civil penalty for any such failure in an amount equal to the greater of ten percent (10%) of the amount that was not duly remitted to the County or One Hundred Dollars (\$100.00), whichever amount is greater.
2. If any vendor neglects or refuses to make a return and pay the tax as required by this Ordinance, the County may institute any appropriate action or proceedings to:
  - A. prevent the conduct of the business;
  - B. restrain, correct or abate the violation; or
  - C. prevent the occupancy of the building, structure or land on which the business is located.

3. In addition to the remedies provided in subsections 1 and 2 above, the business license fee and the business registration fee may be collected and enforced by the County by suit in District Court or under such other regulation as the County may provide by ordinance.
4. The County may initiate any appropriate action or proceeding as provided in subsections 1 and 2 of this section at any time up to four (4) years after the violation.
5. The occupancy tax imposed by a municipality or county constitutes a lien in favor of that municipality or county upon the personal and real property of the vendor providing lodgings in that municipality or county. The lien may be enforced as provided in NMSA 1978, §§ 3-36-1 and 3-37-7. Priority of the lien shall be determined from the date of filing.
6. Under process or order of court, no person shall sell the property of any vendor without first ascertaining from the County Clerk or Treasurer the amount of any occupancy tax due the County. Any occupancy tax due shall be paid from the proceeds of the sale before payment is made to the judgment creditor or any other person with a claim on the sale proceeds.
7. The County Clerk or Treasurer shall furnish to any person applying for such a certificate a certificate showing the amount of all liens in the records of the County against any vendor pursuant to NMSA 1978, Chapter 3, Article 38.

**Section 11. Enforcement.**

1. An action to enforce the Lodgers' Tax Act may be brought by:
  - A. The attorney general or the district attorney in the county of jurisdiction; or
  - B. A vendor who is collecting the proceeds of an occupancy tax in the county of jurisdiction.
2. A district court may issue a writ of mandamus or order an injunction or other appropriate remedy to enforce the provisions of the Lodgers' Tax Act.
3. The court shall award costs and reasonable attorney's fees to the prevailing party in a court action to enforce the provisions of the Lodgers' Tax Act.

**Section 12. Lodgers' Tax Committee, Creation.**

The Chairman of the County Commission shall appoint a five-member committee that consists of two members who are owners or operators of lodgings subject to the occupancy tax within the

unincorporated area of the County, two members who are owners or operators of industries located within the unincorporated area of the County that primarily provide services or products to tourists, and one member who is a resident of the unincorporated area of the County who represents the general public. The committee shall serve at the pleasure of the County Commission and shall advise the County on the expenditure of funds authorized by Section 4 of this Ordinance for advertising, publicizing, and promoting tourist attractions and facilities in the County. The committee shall submit to the County Commission recommendations for the expenditure of funds authorized pursuant to the Lodgers' Tax Act for advertising, publicizing, and promoting tourist-related attractions, facilities, and events in the County.

**Section 13. Composition of Lodgers' Tax Committee, Rules Governing the Operation of the Committee.**

1. Notwithstanding the terms established in subsection 2 hereof or any other provisions of law, any person serving on the committee may be removed by majority vote of the County Commission. Vacancies shall be filled by the Chairman of the County Commission. A person appointed to fill a vacancy shall serve the remainder of the term to which he is appointed.
2. The Lodgers' Tax Committee shall elect the following officers:
  - A. Chairman
  - B. Vice Chairman
  - C. Secretary
  - D. Treasurer
3. The Lodgers' Tax Committee shall meet monthly at a date and time established by the Committee. The meeting shall be conducted in compliance with the provisions of NMSA 1978, §10-15-1. The Secretary of the Lodgers' Tax Committee shall take minutes of each meeting, regular or special. Within ten (10) days of any meeting, the Secretary shall forward a copy of the minutes to the County Manager. The County Manager shall not be designated to take minutes.
4. In March of each year, the Lodgers' Tax Committee shall hold a budget hearing for the purpose of receiving public input concerning the expenditures of lodgers' tax monies. No later than April 15<sup>th</sup> of each year, the Lodgers' Tax Committee shall submit to the County Commission a proposed budget for the expenditure of lodgers' tax funds. The recommendation of the Lodgers' Tax Committee for the expenditures of the funds are advisory only and shall not be binding upon the County Commission.

**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 request 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.

#### **Section 14 15. Disclosure of Information.**

1. It is unlawful for any County official, employee or agent to reveal to any person other than another County official, employee or agent engaged in County tax administration, or an employee of the New Mexico Bureau of Revenue, any information about a vendor licensed by the County under this Ordinance or information acquired as the result of the vendor's collection and remittance of the tax described in this Ordinance. No County official, employee or agent charged with keeping such information shall be required to produce it in any action or proceeding in court except on behalf of:

The County in any action or proceeding under the provisions of NMSA 1978, §§3-38-13 through 3-38-24 (Lodgers' Tax Act) or under the provisions of this Ordinance when the information is directly involved in the action or proceeding, provided that such information is provided in accordance with the New Mexico Rules of Civil Procedure and applicable statutes of the State of New Mexico. In either event, the Court may

require the production of and admit in evidence only so much of the information as is pertinent to the action or proceeding.

2. Nothing contained herein shall be construed to:
  - A. Prohibit delivery to a vendor or his representative a copy of any return or report filed by that vendor in connection with the tax;
  - B. Prohibit the publication of statistics prepared so as to prevent the identification of a particular vendor's report or return and its contents; or
  - C. Inspection by the legal representative of the State or County of the report or return of any vendor by or against whom an action or proceeding is contemplated or has been instituted as authorized in NMSA 1978, §§3-38-13 through 3-38-24 (Lodgers' Tax Act) or as authorized in this Ordinance.
3. Reports, statements, and returns shall be preserved for three (3) years.

**Section 15-16. Criminal Penalties.**

Any person violating any of the provisions of the Lodgers' Tax Ordinance for failure to pay the tax, to remit proceeds thereof to the County, to properly account for any lodging and tax proceeds pertaining thereto, or for violating the confidentiality provisions of Section 14 of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00) or by imprisonment not to exceed ninety (90) days, or both.

**Section 16-17. Financial Reporting.**

1. The County Commission shall furnish to the Lodgers' Tax Committee that portion of any proposed budget, report or audit filed or received by the County Commission pursuant to NMSA 1978, Chapter 6, Article 6, or the Audit Act that relates to expenditure of occupancy tax funds within ten (10) days of the filing or receipt of such proposed budget, report or audit by the County Commission.
2. The County Commission shall report to the Local Government Division of the Department of Finance and Administration on a quarterly basis any expenditure of occupancy tax funds pursuant to NMSA 1978, §§3-38-15 and 3-38-21, and shall furnish a copy of this report to the Lodgers' Tax Committee when it is filed with the Division.

**Section 17-18. Severability.**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be

deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 18 19. Repealer.**

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 19-20. Effective Date.**

This Ordinance shall take effect thirty days after recording, at which time Ordinance ~~2002-07~~ **2004-04** shall be repealed.

**PASSED, APPROVED, and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2015.

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

~~Rex Wilson~~ Preston Stone, Chairman

~~Rick L. Simpson~~ Dallas Draper, Vice Chairman

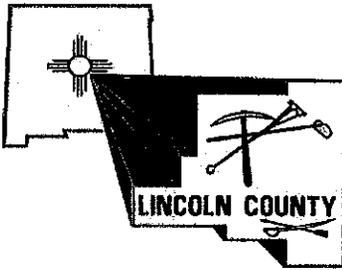
~~Earl B. Hobbs~~ Elaine Allen, Member

~~Leo Martinez~~ Thomas F. Stewart, Member

~~Mauriece St. John~~ Dr. Lynn Willard, Member

**Attest:**

~~Tammie J. Maddox~~ Rhonda Burrows,  
Lincoln County Clerk



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# County of Lincoln

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## AGENDA ITEM NO. 22

April 16, 2015

### MEMORANDUM

TO: County Commissioners

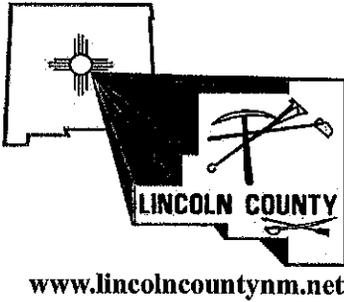
FROM: Nita Taylor, Lincoln County Manager *nt*

SUBJECT: Bid Awards:  
Bid 14-15-006 Chip Seal Bancroft Road in Capitan  
Bid 14-15-007 Chip Seal Biscuit Hill & Apple Blossom Roads in Ruidoso Downs  
Bid 14-15-008 Chip Seal Laughing Horse in Capitan  
Bid 14-15-009 Chip Seal Laughing Horse II in Capitan

Purpose: To award bids 14-15-006, 14-15-007, 14-15-008, and 14-15-009

#### **Discussion:**

Bid proposals will open on April 20, 2015 March 11, 2014 to chip seal roads in various subdivisions throughout the County. Manager will present information on bids received, and make a recommendation to the Commission at the April 21, 2015 Commission meeting.



# *County of Lincoln*

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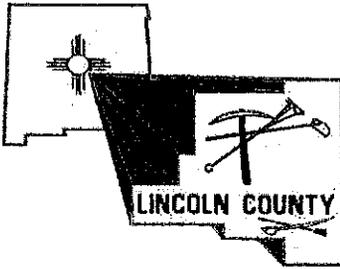
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## **Agenda Items No. 23**

### **SUBJECT**

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

- a. Adoption of the Preliminary Budget, Fiscal Year 2015-2016
- b. Amend Ordinance 2014-07 – Collection of Solid Waste in Lincoln County by Ordinance 2015-03



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## Agenda Item No. 24

April 13, 2015

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Appointments and Removals from Boards/Commissioners Committee

**Purpose:** To consider appointments to the following committees

### **Discussion:**

The Planning Commission has two vacant positions that need to be filled by Commission Districts 2 & 5. The Senior Citizens Olympic Committee has one vacant position. We have not received letters of interest for these committees. The Advisory Council – Senior Citizens Program was approved at the March 17, 2015 meeting to begin the process to solicit members. Enclosure 1 is the guidelines for this appointment.

**Recommendation:** Direct Manager to work with Senior Center Director to identify and solicit potential members for Commission appointment to the Senior Citizens Advisory Council.

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 7

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:

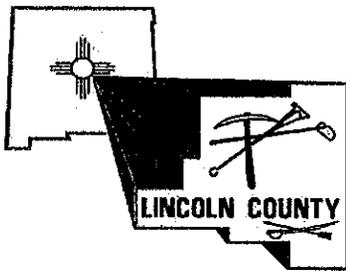
- 1) The roles and functions of the Council;
- 2) The procedure for selecting members;
- 3) Membership terms; and
- 4) Frequency of Meetings.

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.



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# *County of Lincoln*

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## Agenda Item 25

### SUBJECT

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

See attached list.

# Alan P. Morel, P.A.

Attorney at Law

700 Mechem Drive, Suite 12  
Post Office Box 1030  
Ruidoso, New Mexico 88355-1030

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

April 21, 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. *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. County was served May 14, 2014. Mr. Paul Melendres has been retained by the County. Hearing on All Pending Motions took place Nov. 20 before Judge Ritter, who found Mr. Beauvais had a conflict of interest and was disqualified from representing GSWA. GSWA has retained Robert Doughty as new counsel Dec. 13, 2014. Hearing regarding 1) 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 2) Lincoln County's Motion for Sanctions is scheduled for May 12, 2015 at 9 a.m.
3. *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.
4. *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.

5. *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.

**Hanley, Constance** – Tort Claim Notice received March 20, 2015 from attorney John Sugg alleging violations of 42 USC section 1983, malicious prosecution, failure to investigate, defamation of character, libel and abuse of process.

**\*Capitan Iron Mine through A. Blair Dunn** – Threatened Litigation on April 1, 2015 against the County of Lincoln should Lincoln County require Capitan Iron Mine comply with Lincoln County Mine Ordinance 2009-01.

**\*Chavez, Billy – Ordinance Violation: 2009-03 Regulating Refuse, Solid Waste and Litter in the County.** March 10, 2015 certified letter mailed to Mr. Chavez giving him 30 days to dispose of debris on his property at 142 White Cat Road, San Patricio (Section 26, Township-10S, Range 16E, tract of land lying in the NE 4SE4). April 10, 2015 the property was inspected and noted no progress had been made.

## 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 8<sup>th</sup> Amendment Rights.

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

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

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

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

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

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

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

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

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

## **2013**

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

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

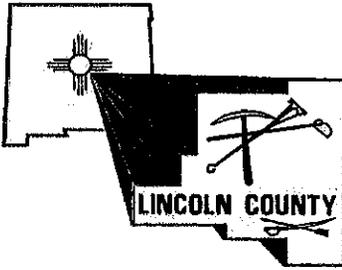
**Espinoza, Robert B** Tort Claim Notice received from Robert Espinoza on June 4, 2013, alleging property damage from vehicle accident while Linda Mullins, driving the LC Senior Center meal delivery van ran off road hitting chain link fence, poles and railroad ties.

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

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

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

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



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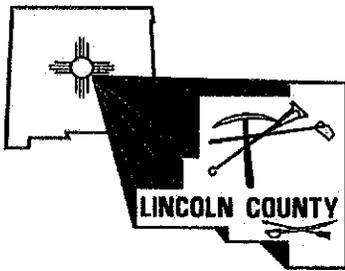
# County of Lincoln

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## Agenda Item 26

**SUBJECT:** Greentree Solid Waste Authority items for consideration/action:

- A. Re-negotiation of the current Joint Powers Agreement should the County of Lincoln elect to remain a full member of Greentree Solid Waste Authority. **Tabled**
- B. Potential Action on Rates for Solid Waste Collection Services in Lincoln County outside municipalities and Alto Lakes Water and Sanitation District by Resolution 2014-40 - **Tabled**
- C. Consideration of Options:
  - a. Issue Third party Request for Proposal (RFP) for County of Lincoln Solid Waste Services. - **Tabled**
  - b. Negotiation of Joint Powers Agreement and the status of the County of Lincoln should an RFP for a Third Party Contract for Services be sought.
- D. Consideration/Action of a possible advance of rate-payer funds from the County of Lincoln to Greentree Solid Waste Authority, and conditions for any such advance required by the County of Lincoln.
- E. Any and all other items pertaining to Greentree Solid Waste Authority and the County of Lincoln.



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# County of Lincoln

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## Agenda Item 27

**SUBJECT:** Lincoln County Medical Center (LCMC) items for consideration/action:

- A. Consider options and approval/authorization of LCMC renovation and expansion.
- B. Consideration approval/authorization to re-negotiate terms of LCMC/Lincoln County Lease with Presbyterian Healthcare Services.
- C. Consideration approval/authorization to file application with New Mexico Finance Authority for the sum of \$25 million dollars.
- D. Consider/approval/authorization to retain Dekker, Perich, Sabatini to complete design plans and enter into contract negotiations.