

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

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

**Preston Stone**, Vice Chair  
**Kathryn L. Minter**, Member  
**Robert Shepperd**, Sheriff  
**Paul Baca**, Assessor  
**Stirling Spencer**, Probate

**Nita Taylor**, County Manager

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**Agenda**

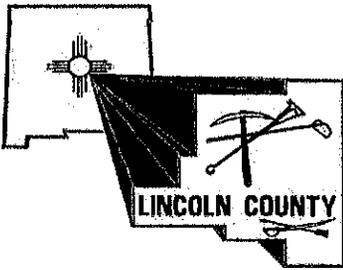
**Commission Chambers, Friday, November 7, 2014 @ 8:30 A.M.**

1. Call to order
2. Roll Call
3. Invocation
4. Pledge of Allegiance
  - A. Pledge – U.S.A. Flag
  - B. Salute – N.M. Flag – (“I salute the flag of the State of New Mexico, the Zia Symbol of perfect friendship among united cultures”)
5. Approval of Agenda
6. Canvass November 4, 2014 General Election Votes
7. Budget Adjustment – Approval of New Position: Solid Waste Collection Clerk
8. Next Regular Meeting – Wednesday, November 19, 2014
9. Signing of Official Documents
10. Adjournment

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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.**

**November 7, 2014: THIS AGENDA IS SUBJECT TO CHANGE**



[www.lincolncountynm.net](http://www.lincolncountynm.net)

# County of Lincoln

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

## Agenda Item No. 6

November 4, 2014

### MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager

SUBJECT: Canvass of the Vote- General Election of November 4, 2014

**Purpose:** To canvass the votes of the General Election held November 4, 2014.

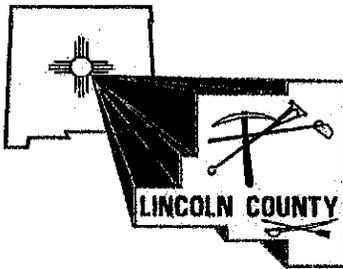
#### **Discussion:**

The board of county commissioners is required to recess their commission meeting and convene as the county canvassing board.

In accordance with NMSA 1-13-1, the board of county commissioners is the ex-officio county canvassing board. The board must meet within three days after the election to canvass the election returns. The board must examine rosters and result tapes of each precinct to determine if they contain the properly executed certificates required by the Election Code. Also, the board ascertains whether any discrepancy, omission, or error appears in the election returns. The board cannot adjourn until it has canvassed all the returns of the election; however, the board must complete the canvass of the returns and declare the results within ten days of the election. The expense of any proceedings necessary to complete and correct any returns or certificate is to be paid by the county general fund upon voucher signed by the clerk.

The clerk will walk the canvassing board through the process.

**Recommendation:** Certify the results of the General Election; adjourn the canvassing board meeting, and reconvene as the board of county commissioners.



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## Agenda Item No. 7

November 6, 2014

### MEMORANDUM

**TO:** County Commissioners

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

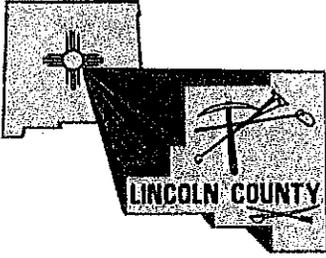
**SUBJECT:** Budget Adjustment / Additional County Position – Solid Waste Collection Clerk

**Purpose:** To consider and take action on request for additional position to bill to and collect from Lincoln County Residents Located Outside of Municipalities for Solid Waste Collection Services

**Discussion:** During its October 21<sup>st</sup> meeting, the Commission authorized the termination of the Joint Powers Agreement between the County and Greentree Solid Waste Authority, effective December 31, 2014, for the billing for solid waste collection services for Lincoln County residents located outside the municipalities. The Commission directed Manager Taylor to notify GSWA of that action. See Enclosure 1. In conjunction with that decision, the Commission also issued direction that a Public Notice was to be posted in the Ruidoso News that would inform the public of this billing change action, and of the amount that would be billed per quarter based on the most recent Commission-approved rated. See Enclosure 2.

The County has been working with Triadic Enterprises, Inc., to ensure we will have the processes and software in a timely manner to handle the billing. The County also requires an additional position responsible for the billing, collection and research activity to ensure County residents are being billed appropriately. As a result of the discussions with the Compensation Board, the recommendation is for this position to be approved at a Grade 22, starting at \$14.98 per hour. The annual cost to the County, including benefits, is estimated to be \$35,305.

**Recommendation:** I recommend approval of the additional position required to bill and collect for Solid Waste Services provided to County residents located outside of municipalities and to authorize a subsequent title change (other than Solid Waste Collection Clerk) if deemed appropriate.



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# County of Lincoln

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October 21, 2014

Ray Dean  
Chairman, Greentree Solid Waste Authority  
P. O. Box 2405  
Ruidoso Downs, NM 88346

Re: Notice of Termination of Joint Powers Agreement for billing Solid Waste Collection assessments dated November 16, 1992

Dear Chairman Dean:

I have attached to this correspondence a copy of Lincoln County/Lincoln County Solid Waste Authority Joint Powers Agreement for billing Solid Waste Collection Assessments dated November 16, 1992. Pursuant to Section 7 titled Term of Agreement, Termination and Withdrawal, please accept this correspondence as the County of Lincoln's Notice of Intent to terminate this agreement effective December 31, 2014. Section 7 of this Joint Powers Agreement, Section B states as follows:

"This Agreement may be terminated by either party upon at least thirty (30) days prior written notice, except that such termination shall, in no way, affect or change any obligations incurred under the Agreement until a full settlement has been made."

The County of Lincoln will assume billing responsibility for Lincoln County residents located outside all municipal boundaries effective January 1, 2015.

Sincerely,

NITA TAYLOR  
Lincoln County Manager

# **PUBLIC NOTICE**

Please be advised that the County of Lincoln will take charge of billing for solid waste services provided to Lincoln County residents located outside of all municipalities effective January 1, 2015.

The County of Lincoln has determined that it has become necessary to terminate billing services provided by Greentree Solid Waste Authority (GSWA) due to the fact that GSWA has implemented two (2) unlawful fee increases and was planning a third increase to County residents without Lincoln County Commission approval and in violation of the New Mexico Open Meetings Act.

The County of Lincoln has the right to assume billing responsibilities for County residents, outside of all municipalities, having provided thirty (30) days' Notice of Termination of the November 16, 1992 Joint Powers Agreement for Billing Solid Waste Collection Assessments entered into between GSWA and the County of Lincoln.

All other members of GSWA (City of Ruidoso Downs, Village of Capitan, Town of Carrizozo and Village of Corona) bill and collect for solid waste services provided to their citizens. The County of Lincoln has found it necessary to assume billing services to ensure that County residents are charged rates that have been lawfully authorized by the Lincoln County Commission.

The current lawfully approved rate for residential solid waste services outside of the municipalities is \$53.85 per quarter, plus Gross Receipts Tax of \$3.06 for a total of \$56.91 pursuant to Lincoln County Resolution 2008-42.