

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

**Jackie Powell**, Chairwoman

**Mark Doth**, Member

**Dallas Draper**, Member

**Glenna N. Robbins**, Treasurer

**Rhonda B. Burrows**, Clerk

**Preston Stone**, Vice Chair

**Kathryn L. Minter**, Member

**Robert Shepperd**, Sheriff

**Paul Baca**, Assessor

**Stirling Spencer**, Probate Judge

**Nita Taylor**, County Manager

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**AGENDA**

**Commission Chambers, Friday, April 25, 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. Approval of Minutes - March 18, 2014 Regular Commission Meeting
7. Approval of Consent Agenda
  - a. Payroll/Accounts Payable/Budget/ Expenditures
  - b. Treasurer’s Financial Report for the Month ending March 31, 2014
  - c. 2014 Fire Fund Distribution Applications
  - d. Road Name Change
8. Smokey Bear District Ranger Update
9. Response to County Request to Cibola National Forest for Investigation of Mountainair Ranger District
10. Lincoln County Detention Center Update
11. Consideration / Potential Action on Resolution No. 2013-37: Relating to the Adoption and Establishment of Rules for the Accrual of Deduction of Time for Good Behavior and Industry

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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.

12. **9:00 A.M.:** Consideration and Action on Lodger's Tax Applications with Backup Material:

- a. Funding Request: \$4,550.29; Art Loop July 4-6, 2014; Application 1715  
Presenter: Ronda Dougherty/Lincoln County Art Loop
- b. Funding Request: \$ 1,000.00; Christmas Jubilee November 7-9, 2014 Application 1716  
Presenter: Linda McKinley/Ruidoso Valley Greeters
- c. Funding Request: \$ 5,000.00; Fort Stanton Live July 11-13, 2014;  
Application 1717  
Presenter: Larry Auld/Fort Stanton, Inc.
- d. Funding Request: \$ 2,800.00; Ruidoso Grindstone Trail Runs July 26, 2014  
Application 1718  
Presenter: Frederic Moras/Ski Run Road Challenge
- e. Funding Request: \$ 10,000.00; True Enchantment Tourism Board  
March 1, 2014-February 28, 2015  
Application 1719  
Presenter: Jim Boswell/Carrizozo Works, Inc.

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

14. Manager's Report

15. Water issues/Forest/Wildlife Health Programs

16. Consideration / Potential Action on Bid Awards: Bid 13-14-009 Resurfacing Cedar Creek Road

17. Consideration/Potential Action on Purchase of Water Tender for Bonito Volunteer Fire Department

18. Consideration/Potential Action on Offer to Donate Building for Nogal Voluntary Fire Department

19. Consideration/Potential Action on Substance Abuse Agreement

20. Consideration / Potential Action of Indigent Health Care Claims

21. **11:30 A.M.** Inspection of the Courthouse/Sheriff Expansion

22. **1:00 P.M.** Public Hearing to consider County Ordinance 2014 -3 to Dedicate to the Safety Net Care Pool Fund an Amount Equal to a Gross Receipts Tax Rate of One-Twelfth Percent; in Accordance with CS/SB268 – Sole Community Provider Hospital Federal Compliance

23. Report on Completed Lodgers' Tax Audits Per Requirements of County Ordinance 2004-04 for Calendar Year 2012

24. Cooperative Education Services – Presentation

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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.

25. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinance
  - a. Ordinance Prohibiting Contraband in Lincoln County Detention Center
  - b. Hazardous Tree Ordinance
  
26. Consideration of Appointments and Removals from Boards/Commissioners/Committees:
  - a. Lodger's Tax Committee
  - b. Planning Commission
  - c. Tabled-Senior Citizens Olympic Committee
  
27. 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).
  
28. Signing of Official Documents
  
29. Next meetings:
  - a. May 2, 2014 Special Regular Commission Meeting
  - b. May 20, 2014 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 No. 6**

### **SUBJECT**

Approval of Minutes:

1. March 18, 2014, Regular Commission Meeting

1 **COUNTY OF LINCOLN**

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

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

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

8  
9  
10 **Minutes**  
11 **Tuesday March 18, 2014**

12  
13 Minutes of the Special Meeting of the Lincoln County Commission held at 8:30 AM on March 18,  
14 2014 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New  
15 Mexico.

16  
17 **1. Call to Order**

18  
19 Chair Powell called the Regular Meeting of the Board of County Commissioners to order at  
20 8:30:74 AM.

21  
22 **2. Roll Call**

23  
24 **Roll Call.**

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

26 **Absent:** Commissioner Stone.

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

30  
31 **3. Invocation**

32  
33 The invocation was presented by Commissioner Minter.

34  
35 **4. Pledge of Allegiance**

- 36  
37 a. Pledge – U.S. A. Flag  
38 b. Salute – N.M. Flag  
39

40 **5. Approval of Agenda**

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

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

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

45 **Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Minter.  
46

47 **6. Approval of Minutes**

48  
49  
50  
51

February 18, 2014 - Regular Commission Meeting  
March 7, 2014 – Special Commission Meeting

52 **Motion:** Approve the minutes of the February 18, 2014 Regular Commission Meeting with minor  
53 corrections and the March 7, 2014 Special Commission Meeting as presented,  
54 **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Commissioner Doth.  
55 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
56 **Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Minter.

57

58 **7. Approval of Consent Agenda**

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64  
65

- a. Payroll/Accounts Payable/Budget/ Expenditures
- b. Treasurer's Financial Report for the Month ending February 28, 2014
- c. Volunteer Firefighters Annual Report to PERA
- d. Law Enforcement Protection Fund
- e. Mill Levy Assessment-Chaves Soil and Water Conservation District

66 **Motion:** Approval of Consent items as presented,  
67 **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Minter.  
68 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
69 **Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Minter.

70

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

73

74 **8. Consideration / Direction on Assignment of Research and Development of Land**  
75 **Development Ordinance to Lincoln County Planning Commission**

76

77 Ms. Taylor reminded Curt Temple, Planning Director previously proposed seeking a planning  
78 grant assisting with development of a Land Development Ordinance. Ms. Taylor stated Mr.  
79 Temple subsequently learned the County was ineligible to apply for this grant assistance as the  
80 medium income level of the County exceeded grant limits. Ms. Taylor stated the Land  
81 Development Ordinance was proposed to aid in the management of development within  
82 previously approved but currently undeveloped subdivisions and also development of parcels  
83 created by claims of exemption. Ms. Taylor discussed the significant investment of time and  
84 resources required to create such an ordinance and suggested, at a minimum, the Lincoln County  
85 Planning Commission could begin researching related issues and draft a document for review.

86

87 **Motion:** Table for further discussion later in the meeting, **Action:** Approve, **Moved by**  
88 Commissioner Doth, **Seconded by** Commissioner Minter.  
89 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
90 **Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Minter.

91

92 **9. Lincoln County Detention Center Update**

93

94 Warden Arthur Anderson informed on monthly bookings and releases at the Lincoln County  
95 Detention Center and stated the total average daily population was 140. Warden Anderson stated  
96 the current population was 140 including 19 BIA prisoners and no US Marshal prisoners.

97 Warden Anderson stated the current population was composed of 33 female and 107 male  
98 prisoners.  
99

100 **10. Consideration / Action on 2014 Annual Certified County Maintained Mileage by**  
101 **Resolution 2013-35**  
102

103 Ms. Taylor stated in accordance with NMSA 66-6-23 and responding to notification from the NM  
104 Department of Transportation, the annual Certified County Maintained Mileage Report was due  
105 by April 1, 2014. Ms. Taylor reminded the County was required to adopt an Administrative  
106 Resolution specifying the total maintained mileage for the current year as part of the certification  
107 process.  
108

109 Ms. Taylor stated the Rural Addressing Department calculated this year's total County mileage  
110 as 807,1291 miles including 703,0970 miles of regular county roads and 104,0321 of county roads  
111 in National Forests.  
112

113 **Motion:** Adopt Resolution 2013-35, **Action:** Approve, **Moved by** Commissioner Draper,  
114 **Seconded by** Commissioner Doth.

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

116 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.  
117

118 **SEE EXHIBIT B:** Copy of Resolution 2013-35 is attached hereto in reference thereto made a  
119 part hereof.  
120

121 **13. Consideration / Action on a June 2013 Outstanding Invoice**  
122

123 Ms. Taylor informed the County received an invoice in January of 2014 from CenturyLink for a  
124 911 ADE Full Database Extract of 13,116 units. Ms. Taylor stated after researching the invoice  
125 history she learned data was extracted once yearly in June to update the E911 database for the  
126 County's Code Red Program. Ms. Taylor stated the invoice was received late due to the initial  
127 billing of the Village of Ruidoso in error. Ms. Taylor stated the data transfer was essential to  
128 maintain an accurate database for the Code Red Service and steps were taken ensuring accurate  
129 and timely billing in the future.  
130

131 **Motion:** Approve payment of the June 2013 invoice from CenturyLink, **Action:** Approve,  
132 **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.  
133

134 Commissioner Doth discussed the dilemma of residents without land lines who are reliant upon  
135 cell phones and questioned how to access emergency contact information for those residents.  
136

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

138 **Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Minter.  
139

140 **8. Consideration / Direction on Assignment of Research and Development of Land**  
141 **Development Ordinance to Lincoln County Planning Commission (continued)**  
142

143 **Motion:** Remove the Item from the table for further discussion, **Action:** Adjourn, **Moved by**  
144 Commissioner Doth, **Seconded by** Commissioner Draper.

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

146 **Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Minter.  
147

148 Commissioner Minter supported Ms. Taylor's recommendation from the earlier discussion for the  
149 Lincoln County Planning Commission researching the feasibility of developing a Land  
150 Development Ordinance and provide recommendations.

151  
152 Tom Mann, member of Lincoln County Planning Commission stated belief the members of the  
153 Commission were in agreement as to the need addressing the undeveloped subdivisions within  
154 the County and they were eager to begin developing some guidelines.

155  
156 Curt Temple, Planning Director questioned if the Board of Commissioners had specific topics for  
157 the Planning Commission to consider.

158  
159 Commissioner Draper volunteered to attend the next meeting of the Planning Commission to  
160 participate in the discussion. Commissioner Draper stated concern about undeveloped  
161 subdivisions and the associated 10,000 lots. Commissioner Minter mentioned "left overs" from  
162 the recent discussion and revision of the County Subdivision Ordinance including water  
163 conservation devices for new construction and requirements for thinning on lots.

164  
165 Mr. Temple commented on a recent development which obtained subdivision status through a  
166 claim of exemption. Commissioner Minter suggested the Planning Commission research options  
167 addressing these claims of exemption. Chair Powell suggested the County's recently revised  
168 Comprehensive Land Use Plan might prove useful for guidance in development of a Land Use  
169 Ordinance. Mr. Temple discussed the use of zoning assisting with land development  
170 requirements and the potential need of zoning for enforcement. Commissioner Doth expressed  
171 a desire for a mechanism requiring full thinning of any subdivision. Mr. Temple discussed the  
172 potential need for a "minimum" lot size for future development. Chair Powell commented on the  
173 impact of thinning on an owner's insurance premiums as an incentive for thinning. Chair Powell  
174 also discussed the need for long-range thinning plans over 5, 10, and 20 years.

175  
176 There was general consensus to request the Planning Commission consider and develop  
177 recommendations for a Land Use Ordinance.

178  
179 **11. 9:00 A.M.: Consideration and Action on Lodger's Tax Applications with Backup**  
180 **Material:**

181  
182 Commissioner Doth recused himself from the vote on Item 11a due to a potential conflict of  
183 interest.

- 184  
185 a. **TABLED:** Funding Request: \$13,570  
186 Purpose: Smokey Bear Days  
187 Date(s) of Event: May 2-4, 2014  
188 Presenter: Bennie Long/Smokey Bear's Hometown Association

189  
190 **Motion:** Remove Item 11a from the table, **Action:** Approve, **Moved by** Commissioner Minter,  
191 **Seconded by** Chair Powell.

192 **Vote:** Motion passed (**summary:** Yes = 3, No = 0, Abstain = 1).

193 **Yes:** Chair Powell, Commissioner Minter, Commissioner Draper.

194 **Abstain:** Commissioner Doth.

195  
196 Chair Powell questioned if the funds approved for this particular entity's request last year were  
197 totally expended. Punkin Schlarb, Finance Director reported the entity requested and was  
198 approved for \$7500 last year and had expended the total amount.

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Ms. Taylor stated for future requests staff would provide the amount requested by each entity in the previous year and the amount actually expended.

**Motion:** Approve the Smokey Bear Days Request for \$13,570, **Action:** Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Minter.

**Vote:** Motion passed (**summary:** Yes = 3, No = 0, Abstain = 1).

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

**Abstain:** Commissioner Doth.

- b. Funding Request: \$1,900  
Purpose: Ruidoso Sprint Triathlon  
Date(s) of Event: June 14, 2014  
Presenter: Frederic Moras/Bicycle Ruidoso

**Motion:** Approve the Ruidoso Sprint Triathlon request for \$1,900, **Action:** Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Doth

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

**Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.

- c. Funding Request: \$8,500  
Purpose: Lincoln Merchant Brochure  
Date(s) of Event: Brochure  
Presenter: Elaine Brannen/Lincoln Merchants Association

**Motion:** Approve the Lincoln Merchant Brochure request for \$8,500, **Action:** Approve, **Moved by** Commissioner Minter, **Seconded by** Commissioner Draper

Commissioner Draper questioned if the request was attached to a particular event. Elaine Allen of the Lincoln Merchants Association explained the purpose of the request was to print and distribute a brochure advertising the sixteen merchants in Lincoln but not to promote a specific event.

Chair Powell suggested future requests be limited to 50% of actual cost with merchants providing the additional "buy in" of the cost. Commissioner Doth requested a more detailed budget including the specific use of contributed funds. Chair Powell requested specific area events be included in the brochure. Ms. Allen agreed to comply with the suggestions.

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

**Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.

- d. Funding Request: \$2,500  
Purpose: Hondo Iris Festival  
Date(s) of Event: May 2014  
Presenter: David Hall & Alice Seely/Hondo Iris Farm

**Motion:** Approve the Hondo Iris Festival request for \$2,500, **Action:** Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Doth.

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

**Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.

250 e. Funding Request: \$5,000.00  
251 Purpose: Aspencash Motorcycle Rally  
252 Date(s) of Event: May 15-18, 2014  
253 Presenter: Patric Pearson/CP6 Solutions, LLC.  
254

255 f. Funding Request: \$5,000.00  
256 Purpose: Golden Aspen Rally  
257 Date(s) of Event: September 17-21, 2014  
258 Presenter: Patric Pearson/CP6 Solutions, LLC.  
259

260 **Motion:** Approve the Aspencash Motorcycle Rally and the Golden Aspen Rally request for  
261 \$5,000 each, **Action:** Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Doth.  
262 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
263 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.  
264

265 **12. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY**  
266 **OFFICIALS**  
267

268 Paul Baca, Assessor informed his office planned to mail the Annual Notices of Value to property  
269 owners on April 1, 2014. Mr. Baca reminded owners had thirty days to protest their assessed  
270 value. Mr. Baca also reminded the notices would contain new information including the previous  
271 year's tax rates and tax values for comparison. Mr. Baca stated the additional information would  
272 allow property owners to estimate their tax bill for comparison to last year.  
273

274 Paul Baca, speaking as a volunteer fire fighter, expressed appreciation for a recent class  
275 conducted by Spencer Baldwin, Office of Emergency Services and a USFS representative on wild  
276 land firefighting.  
277

278 Glenna Robbins, Treasurer stated her office would mail out 10,744 Notices of Second Half Tax  
279 Payment Due reminders this week. Ms. Robbins stated property tax collections were at 67.36%  
280 for the current tax year which was consistent with previous years.  
281

282 **15. Consideration / Action on Supporting H.R. 3189 – Water Rights Protection Act**  
283

284 Ms. Taylor requested guidance as to the level of support the Board of County Commissioners  
285 wished to lend to HR 3189 which was introduced to prevent action by a recent federal directive  
286 for federal agencies requiring certain entities to relinquish their water rights to the United States  
287 in order to use public lands. Ms. Taylor stated the current directive was applicable to ski areas  
288 specifically but concerns were that this was a threat to all water users including ranchers. Ms.  
289 Taylor stated the bill sponsored by US Representative Tipton would "prohibit federal agencies  
290 from pilfering water rights through leases, permits, and other land management arrangements".  
291

292 Ms. Taylor stated Commissioner Stone had requested support of this legislation. Chair Powell  
293 supported language of the letter provided by the NM Cattlemen's Association which addressed  
294 concerns of grazing permit holders.  
295

296 Commissioner Doth stated the bill passed the US House on March 13, 2014 and suggested any  
297 letter of support should go to the US Senate. Commissioner Doth expressed concern about  
298 legislation written for specific reasons which might create unintended consequences.  
299 Commissioner Minter questioned if the proposed legislation might impact the Village of Ruidoso.

300 Chair Powell expressed belief the letter would support the Village's right to utilize water from  
301 Federal Lands.

302  
303 There was general consensus to send a letter of support for HR 3189.

304  
305 **16. Consideration of Approval or Disapproval of Indigent Health Care Claims**

306  
307 Scott Annala, IHC Administrator presented the Sole Community Provider/Lincoln County Medical  
308 Center claims carried for approval. Mr. Annala processed 40 claims with 37 recommended for  
309 approval and 3 recommended for disapproval for a total authorization of \$72,410.37 and a year  
310 to date authorization of \$889,600.32. Mr. Annala noted the average monthly hospital claims to  
311 date was \$98,844 with a projected annual approval for FY 2013-2024 of approximately \$1.2  
312 million.

313  
314 Mr. Annala presented the Indigent Health Care Payments request for the month. Mr. Annala  
315 processed 44 claims with 35 recommended for approval and 9 recommended for disapproval.  
316 Mr. Annala noted the most prevalent reason for disapproval being individuals becoming eligible  
317 for Medicaid. Mr. Annala stated while there was a slowdown in applications, he had a large  
318 number of claims pending final approval or denial of eligibility from Medicaid. Mr. Annala stated  
319 the total of claims recommended for payment this month was \$10,259.85 for a year to date total  
320 of \$181,044. Mr. Annala noted the average monthly indigent claims to date were \$20,116 with a  
321 projected annual expenditure of \$241,392. Mr. Annala reminded the FY 2013 -2014 budget for  
322 Indigent claims was \$393,278 and projected adequate funds for the fiscal year.

323  
324 **Motion:** Approval and denial of the claims as indicated for Sole Community Provider and Indigent  
325 Health Care Program payments as recommended, **Action:** Approve, **Moved by** Commissioner  
326 Doth, **Seconded by** Commissioner Minter.

327  
328 Commissioner Doth questioned if beginning in the next fiscal year the 1/12<sup>th</sup> required by Senate  
329 Bill 268 would reduce the Indigent Health Care budget. Mr. Annala stated the final language of  
330 the bill provided flexibility as to how each County could fund the equivalent of 1/12<sup>th</sup> GRT including  
331 but not limited to the Indigent Health Care GRT, the Mill Levy, or other taxing authority. Mr.  
332 Annala noted the bill required adoption of an Ordinance committing the equivalent of 1/12<sup>th</sup> to the  
333 State. Commissioner Draper discussed the line item veto of particular language in the bill. Mr.  
334 Annala stated counties were expressing concern about the legality of vetoing "language" within  
335 SB 268.

336  
337 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).

338 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.

339 **Excused:** Commissioner Stone.

340  
341 **SEE EXHIBIT C:** Copies of the Sole Community Provider and Indigent Health Care Payments  
342 are attached hereto in reference thereto made a part hereof.

343  
344 Chair Powell recessed the Regular Meeting at 9:59:12 AM and reconvened at 10:14:31 AM.

345  
346 **14. Consideration / Action on Resolution 2013-36 – Supporting Local Water**  
347 **Management By Acequias in New Mexico and Commemorating the Twenty-Fifth**  
348 **Anniversary of the New Mexico Acequia Association**

349

350 Ms. Taylor stated the Resolution was drafted in conjunction with Senate Memorial 57 passed  
351 during the recent legislative session to recognize the water management capabilities of the  
352 acequias in New Mexico and to acknowledge the contribution of acequias as a form of water  
353 governance with an overall positive effect on watersheds.  
354

355 Chair Powell commented on the historical nature of acequias and stated the political structure of  
356 acequia management was one of the oldest forms of governance within the United States. Chair  
357 Powell presented a map of acequias in the State of NM indicating the 82 acequias located in  
358 Lincoln County. Chair Powell stated acequias were acknowledged as formal political subdivisions  
359 of the State of New Mexico in 1996.  
360

361 **Motion:** Adopt Resolution 2013-36, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded**  
362 **by** Commissioner Draper.

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

364 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.  
365

366 **SEE EXHIBIT D:** Copy of Resolution 2013-36 is attached hereto in reference thereto made a  
367 part hereof.  
368

## 369 17. Manager's Report 370

371 1. **Smokey Bear Ranger District.** Acting Smokey Bear District Forester, Larry Cordova,  
372 reported the remodel of the Ruidoso Ranger Station was near completion with a "soft  
373 grand opening" scheduled in April and a formal grand opening set for August 9, 2014 on  
374 Smokey Bear's 70<sup>th</sup> birthday. The Smokey Bear Hotshots were scheduled to start work  
375 this week. District Ranger Dave Warnack on special assignment in Flagstaff, Arizona  
376 informed he was looking forward to sharing acquired information about implementation of  
377 new fire and flood mitigation processes.  
378

379 2. **GSWA.** The Manager reminded a Special Meeting was held on March 7, 2014 to take  
380 action on GSWA's request for approval of the First Amendment to the Joint Powers  
381 Agreement for the Financing and Establishment of the Otero County/Lincoln County  
382 Regional Landfill. The Manager stated the amendment allowed a rebate of excess  
383 revenues from the Landfill to GSWA and Otero County, with GSWA's net amount (after  
384 payment to the Village of Ruidoso) being \$86,270. The Manager further reminded the  
385 Commissioners approved the amendment contingent, upon GSWA Board approval of the  
386 following motion:  
387

388 ***GSWA Board Member:** I move that this Board direct that the refund to Greentree  
389 Solid Waste Authority in the approximate amount of \$86,270.00, once received, be  
390 restricted to repayment of the New Mexico Finance authority debt incurred by GSWA.  
391*

392 3. **EPA Revised "New Source Performance Standards (NSPS) for new residential wood  
393 heaters".** The Manager reported the Environmental Protection Agency had proposed  
394 revising the New Source Performance Standards (NSPS) for new residential wood  
395 heaters. The EPA contended action was necessary to update 1988 NSPS to reflect  
396 significant advancements in wood heater technologies and design. The rule is expected  
397 to require manufacturers to redesign wood heaters to be cleaner and lower-emitting.  
398 These standards would apply only to new residential wood heaters and not to existing  
399 residential wood heating appliances. The Manager stated consumer concern was the new  
400 standards may effectively kill the fireplace and wood stove market, as there may be little

401 or no ability to adhere to new guidelines. Additionally, although the standards would not  
402 apply to existing wood-heating appliances, the use of wood as a source for heating new  
403 homes would be reduced or minimized. The Manager stated formal comments were due  
404 by May 5, 2014.  
405

406 Commissioner Doth stated comments posted on the EPA website by manufacturers regarding the  
407 proposed changes indicated the new requirements would effectively eliminate the cost  
408 effectiveness of producing wood heaters. There was a general consensus to prepare comments  
409 for approval at the next meeting.  
410

411 **4. Update: Request for USFS Investigation – Cibola National Forest – Mountainair**  
412 **District.** The Manager provided a copy of Attorney Morel's formal request for an  
413 Investigation into the Mountainair District Ranger's decision to ban or modify grazing  
414 privileges on the Cibola National Forest on January 22, 2013. The Manager reported  
415 Deputy Director Gilbert Zepeta had stated the County would receive a letter of response  
416 within the next week.  
417

418 **5. Legislative Update and Capital Outlay:**  
419

420 a. The Manager provided copy of a letter received from Senator Phil Griego providing  
421 a summary of events and actions during the 2014 legislative session.  
422

423 b. The Manager provided copy of a letter received from Hubert Quintana, Executive  
424 Director-SNMEDD which included a 2014 SNMEDD Legislative Recap. The  
425 Manager detailed specific capital outlay requests approved for the County:

426	i. Construct / expand Detention Center	\$ 163,000
427	ii. Construct Expansion of White Oaks VFD	\$ 20,000
428	iii. Construct Hondo VFD Fire Station	\$ 25,000
429	iv. Construct Communications Tower	\$ 25,000
430	v. Storm Ditch Improvements	\$ 50,000
431	vi. SEO Alto Lake Dam Improvement	\$ 300,000

432  
433 **6. Upcoming Events:** The Manager provided a detailed list of events including:  
434

435	a. The New Deal in New Mexico – Art and Photographic Exhibit –	
436	Opening Event Ft. Stanton Museum Galleries	March 16
437	b. NMAC Legislative Update – Alamogordo	March 19
438	c. Exploring New Frontiers-Carrizozo Heritage Museum	March 20
439	d. NM 2014 Wildland Urban Interface Summit – Taos	April 2-3
440	e. Forest Health Conference – Village of Ruidoso	April 11
441	f. Town Hall on Water Planning Development & Use – Albuquerque	April 15 & 16

442  
443 **7. Building Updates:**  
444

445 a. The Manager reported the Court / Sheriff's Complex expansion was proceeding  
446 on time and on budget.

447 b. The energy-audit work prescribed by Verterre, Inc. to replace windows, lighting  
448 and HVAC units in the existing building was being coordinated;

449 c. Ft. Stanton Fire Department was near completion.

450 d. All funding in-hand to begin coordination between SNMEDD and Wilson & Co. to  
451 begin work on the Carrizozo Senior Center.

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**8. Departmental Updates:**

- a. Punkin Schlarb, Finance Director discussed current efforts by Michelle Caskey, Fixed Asset Administrator to build a Capital Asset Plan for the County. Ms. Caskey stated the plan would provide the ability to sort assets by condition for evaluation and determination of the useful life of County assets. Ms. Schlarb reported Orlando Samora, Purchasing Agent was working toward the required State Certification for Purchasing Agents.
- b. Carl Palmer, Road Superintendent had no update other than bid awards for this meeting.
- c. Curt Temple, Planning Director informed the Rural Addressing Department continued to remove and replace old County road signs with street signs. Mr. Temple discussed the recent meeting of the Joint Land Use Study group and estimated the study was about one and one half years from completion. Mr. Temple reminded the JLUS group was a military directed study to preserve training capabilities of the associated bases. Mr. Temple noted the group associated with JLUS did not support the current route of the SunZia transmission line but did support development of alternative energy resources.
- d. Spencer Baldwin, EOC Coordinator reported on recent small fires in the area and ongoing fire preparedness training including a refresher course conducted for the County Road Department. Mr. Baldwin discussed the receipt of the SIMs table and noted he would receive additional training on the use of the table for training at the upcoming WUI conference.

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

1. Water Rights Notice Ms. Taylor reported one new water right notice was posted to the State Engineer's website as follows:

FNF Construction, Inc. filed Application T-6008 on January 22, 2014 requesting a permit to temporarily appropriate underground water within the Tularosa Underground Water Basin in Lincoln County. Applicant proposes to utilize an existing well on the Malkerson Ranch, LLC for a temporary appropriation of groundwater not to exceed 90 acre feet for NMDOT road construction Project No. 2100250 on Highway 54.

2. Ms. Taylor stated a Town Hall Meeting on Water Planning, Development and Use was scheduled by "New Mexico First" on April 15<sup>th</sup> and 16<sup>th</sup>, 2014 to bring people from all over the State to develop practical recommendations on water use and policy. Ms. Taylor stated specific topics included: long range and crisis water planning; New Mexico's aging water infrastructure; conservation and reuse; and water development to include possible desalination. Ms. Taylor stated registration information was available for the seminar for those interested in attending.

Ms. Taylor informed the Clean Water State Fund was soliciting requests from entities for funding to be used for watershed restoration. Ms. Taylor stated she would research the opportunity and application requirements for review at the next meeting.

Ms. Taylor reported Rick Merrick, the new Rural Forester with South Central RC&D had reported working on a New Mexico Association of Counties grant application and various other grant and funding opportunities for thinning projects.

**19. Status of Subdivision Development Ordinances within the County of Lincoln**

Ms. Taylor stated Ordinance 2013-03 was adopted on June 7, 2013 establishing a temporary moratorium on subdivision development within the County. Ms. Taylor reminded adoption of the Ordinance was predicated on the need to revise the existing Subdivision Ordinance due to concerns related to limited water resources. Ms. Taylor stated Ordinance 2013-03 which imposed the moratorium contained a clause of expiration after six months or until such time as the County Commission repealed the Ordinance. Ms. Taylor explained the six month expiration occurred first and therefore no action to consider a repeal was required at this time. Ms. Taylor stated subsequently the revised Subdivision Ordinance 2013-02 addressing water availability concerns was adopted on July 16, 2013.

Chair Powell noted while water rights might be available for transfer, the limited amount of water actually available in the County and current water use far exceeded the adjudicated water rights available.

**21. Consideration / Action on Bid Awards:**

Ms. Taylor detailed the bids received as follows:

a. Bid 13-14-006 Resurface Roads - Fawn Ridge Subdivision

1. Mesa Verde Enterprises, Inc.	\$ 60,348.65
2. Renegade Construction	\$ 79,435.76
3. Star Paving Company	\$ 81,331.25
4. Burn Construction Co., Inc.	\$ 97,080.85

b. Bid 13-14-007 Resurface Roads - Palo Verde and La Junta Ranch Subdivision

1. Mesa Verde Enterprises, Inc.	\$162,447.20
2. Renegade Construction	\$216,700.20
3. Star Paving Company	\$227,093.75
4. Burn Construction Co., Inc.	\$277,572.75

c. Bid 13-14-008 Resurface Roads - Valley Heights Subdivision

1. Mesa Verde Enterprises, Inc.	\$ 64,242.06
2. Renegade Construction	\$ 83,443.75
3. Star Paving Company	\$ 83,847.01
4. Burn Construction Co., Inc.	\$111,798.85

**Motion:** Award Bid 13-14-006 for \$ 60,348.65, Bid 13-14-007 for \$162,447.20, and Bid 13-14-008 for \$ 64,242.06 to Mesa Verde Enterprises, Inc, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Minter.

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

**Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.

552 Carl Palmer, Road Superintendent reminded these were Cap/Coop projects funded by the  
553 Department of Transportation and anticipated after completion of these projects additional funding  
554 might be available for other projects. Mr. Palmer stated he would request approval of additional  
555 projects such as striping. Commissioner Draper requested improvements be considered for roads  
556 in Alpine Village subdivision. Mr. Palmer discussed potential solutions to culverts being clogged  
557 in that area.

558  
559 **22. Budget Preparation Procedures and Timeline Approval FY 2014-2015**  
560

561 Ms. Taylor recommended a timeline for budget preparation and discussed procedures including  
562 the notice to external agencies requesting budget input. Ms. Taylor suggested a Special Budget  
563 Meeting scheduled for May 2, 2014 to develop a preliminary budget for submission to DFA on  
564 June 1, 2014 with plans for a Final Budget hearing during the Regular Meeting of July 15, 2014.  
565

566 **Motion:** Approve the proposed schedule of dates presented for budget development, **Action:**  
567 Approve, **Moved by** Commissioner Doth, **Seconded by** Commissioner Draper.  
568 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
569 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.  
570

571 **23. Authorization to Schedule Public Hearing to Consider Other Outdated or New**  
572 **Lincoln County Ordinance**  
573

- 574 a. Special Meeting and Public Hearing for Preliminary Budget Fiscal Year 2014-2015 for  
575 May 2, 2014  
576

577 **Motion:** Schedule a Special Meeting and Public Hearing for Preliminary Budget Fiscal Year  
578 2014-2015 for May 2, 2014, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by**  
579 Chair Powell.  
580 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
581 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.  
582

- 583 b. Schedule a Public Hearing to consider adoption of an Ordinance for compliance with  
584 SB 268  
585

586 **Motion:** Schedule a public hearing for the next Regular Meeting scheduled in April to consider  
587 adoption of an Ordinance for compliance with SB 268, **Action:** Approve, **Moved by**  
588 Commissioner Doth, **Seconded by** Chair Powell.  
589 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
590 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.  
591

592 Chair Powell recessed the Regular Meeting at 12:06:34 PM and reconvened at 1:03:56 PM.  
593

594 Chair Powell recessed the Regular Meeting at 1:04:07 PM and convened the Public Hearing.  
595

596 **20. 1:00 P.M. Public Hearing to Consider amending Ordinance 2007-2 An Ordinance**  
597 **Prohibiting the Import for Release into the Wild of Certain Genera by**  
598 **Ordinance 2014-2**  
599

600 Ms. Taylor reported on the increasing concerns of Commissioners and private citizens regarding  
601 the threat that the reintroduction and existence of the wolf in Lincoln County and surrounding  
602 counties posed to the County and its inhabitants. Ms. Taylor explained the US Fish and Wildlife

603 Services final rule implementing the introduction of the experimental wolf population did provide  
604 for Mexican Gray Wolves to be "taken" in certain instances. Ms. Taylor stated the purpose of the  
605 public hearing was to consider amending the County's current Ordinance 2007-2 to establish  
606 procedures for problem wolves presenting imminent danger to humans, domestic animals, or  
607 livestock to be "taken" in these instances. Ms. Taylor provided copy of an Ordinance adopted by  
608 similarly affected counties.

609  
610 Chair Powell commented on the expansion of the wolf territory to all land south of Interstate  
611 Highway 40 and the subsequent need to develop a process to protect people and property in the  
612 County.

613  
614 Commissioner Doth discussed concerns about the potential burden the proposed Ordinance  
615 might place on the Board of County Commissioners and suggested the language might be more  
616 "touchy feely" than practical.

617  
618 Ms. Taylor explained Commissioner Stone had requested review of the Ordinance and had  
619 expressed concern that while the current Ordinance prohibited the release of wolves, no remedy  
620 or method to deal with wolves placing population at risk was included. Ms. Taylor suggested  
621 revisions would provide specific procedures for the County to follow should a problem wolf be  
622 identified.

623  
624 Attorney Morel reminded that wolves were a protected species and explained there were specific  
625 Federally defined criteria to lawfully "take" or kill a wolf. Attorney Morel discussed the important  
626 need to inform the public that simply because they might feel threatened this did not meet the  
627 criteria to kill a wolf. Ms. Taylor expressed belief that by defining the process to lawfully "take" a  
628 wolf the County would be protected from potential action.

629  
630 Commissioner Doth questioned if the County might provide authority to the Sheriff's office to  
631 determine the need to "take" a wolf by proper procedure. Robert Sheppard, Sheriff informed that  
632 while Catron County had hired a specific employee to investigate wolf problems, he did not feel it  
633 appropriate to delegate decision making authority for this situation to his deputies. Sheriff  
634 Sheppard stated neither he nor his deputies could violate federal law and any proposed response  
635 would require very specific guidelines.

636  
637 Commissioner Draper expressed concern about the time between when a problem occurred and  
638 when the Commission might meet to determine a particular wolf was a problem. Commissioner  
639 Draper also questioned the role of the NM State Game and Fish Department in this issue.

640  
641 Chair Powell discussed the State's "three strike rule" and the reluctance of NM Game and Fish to  
642 become involved. Chair Powell suggested intervention by a Board of County Commissioners  
643 might prompt more action than an individual complaint.

644  
645 Sheriff Sheppard noted the recreational nature of Lincoln County and discussed problems  
646 associated with the movement of all types of wildlife to municipal areas due to residents feeding  
647 the wildlife.

648  
649 Commissioner Doth suggested Lincoln County create a minimal ordinance which addressed the  
650 timeliness of response to resident complaints.

651

652 Commissioner Minter questioned if the local Predator Control officers might be used as a  
653 resource. Attorney Morel opined on the potential need to hire a professional investigator to prove  
654 a wolf attack.  
655

656 Roy Gannaway, Chair of the Rancho Ruidoso Valley Estates Association committee reported  
657 seeing a grey wolf in the Alto area and suggested the County not wait to act until a resident was  
658 harmed. Mr. Gannaway also requested the County investigate how wolves might be discouraged  
659 from entering into populated areas. Mr. Gannaway further suggested the County educate people  
660 about the procedure to call and reporting sightings.  
661

662 Sheriff Sheppard suggested a call to the Sheriff's office to document sightings and initiate an  
663 investigation. Sheriff Sheppard discussed the presence of hybrid wolves in the area which had  
664 generated calls to his office.  
665

666 Receiving no further public comment, Chair Powell adjourned the Public Hearing and reconvened  
667 the Regular Meeting at 1:31:35 PM.  
668

669 Ms. Taylor stated adoption of the Ordinance would enable the County, as per the language in  
670 Section 3, to petition the Federal Wildlife Service for an incidental "take" statement or to be an  
671 authorized person or for a special management plan.  
672

673 **Motion:** Adopt Ordinance 2014-02 with correction of minor typographical errors, **Action:**  
674 Approve, **Moved by** Chair Powell, **Seconded by** Commissioner Doth.

675 **Vote:** Motion passed by roll call vote (**summary:** Yes = 3, No = 1, Abstain = 0).

676 **Yes:** Chair Powell, Commissioner Doth, Commissioner Draper.

677 **No:** Commissioner Minter.  
678

679 **SEE EXHIBIT E:** Copy of Ordinance 2014-02 is attached hereto in reference thereto made a part  
680 hereof.  
681

682 **24. Consideration of Appointments and Removals from Boards/ Commissioners/  
683 Committees:**  
684

685 a. Tabled-Planning Commission  
686

687 **Motion:** Remove the item from the table, **Action:** Approve, **Moved by** Chair Powell, **Seconded**  
688 **by** Commissioner Doth.

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

690 **Yes:** Chair Powell, Commissioner Doth, Commissioner Draper, Commissioner Minter.  
691

692 **Motion:** Appoint Dennis Dunham to the Planning Commission, **Action:** Approve, **Moved by**  
693 Chair Powell, **Seconded by** Commissioner Doth.

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

695 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.  
696

697 b. Tabled-Senior Citizens Olympic Committee  
698

699 **Motion:** Remove the item from the table, **Action:** Approve, **Moved by** Chair Powell, **Seconded**  
700 **by** Commissioner Doth.

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

702 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.

703  
704 **Motion:** Reappoint Bart Young to the Senior Citizens Olympic Committee, **Action:** Approve,  
705 **Moved by** Chair Powell, **Seconded by** Commissioner Doth.  
706 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
707 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.  
708

709 c. Southeastern New Mexico Economic Development District (SNMEDD)  
710

711 **Motion:** Appoint Chair Powell as Alternate to SNMEDD, **Action:** Approve, **Moved by** Chair  
712 Powell, **Seconded by** Commissioner Doth.  
713 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
714 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.  
715

716 **25. Consideration / Action on MOU with the Village of Ruidoso Permitting Process in**  
717 **the County**  
718

719 Attorney Morel reminded the County was working with the Village of Ruidoso to develop a  
720 Memorandum of Understanding (MOU) to provide for permitting of residential and commercial  
721 construction within certain specified areas of the County. Attorney Morel presented the MOU as  
722 approved by the Village of Ruidoso during their March 11, 2014 council meeting. Attorney Morel  
723 stated a map of the specific area addressed by the MOU was also adopted by the VOR as part  
724 of the MOU.  
725

726 Attorney Morel reminded the Village and the County were in agreement to not adopt language  
727 which specifically defined jurisdiction as part of this MOU. Attorney Morel stated the MOU  
728 contained language which provided for termination by either party with four months prior notice.  
729 Attorney Morel stated the Village agreed to gather data about permits issued under the MOU for  
730 the next few months after which time the parties could determine whether to continue with the  
731 MOU or propose additional changes.  
732

733 Roy Gannaway, Chair of the Rancho Ruidoso Valley Estates Association expressed approval of  
734 the inclusion of the complete subdivision within one jurisdiction as an aid to enforcement of bylaws  
735 and covenants.  
736

737 Commissioner Draper questioned if the New Mexico State Construction Industries Division were  
738 in agreement with the proposed MOU. Attorney Morel stated CID had previously expressed a  
739 strong desire for such an agreement between the County and the Village of Ruidoso.  
740

741 **Motion:** Approve the MOU Agreement between the County of Lincoln and the Village of Ruidoso  
742 for the agreed term of six months, **Action:** Approve, **Moved by** Commissioner Minter, **Seconded**  
743 **by** Commissioner Doth.  
744

745 **Vote:** Motion carried by unanimous vote (**summary:** Yes = 4).  
746 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.  
747

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

752 **Motion:** To close the meeting for the purposes of an Executive Session to discuss Threatened  
753 and/or Pending Litigation pursuant to the Open Meetings Act, Section 10-15-1, Sub Paragraph

754 H.(7) and the purchase, acquisition or disposal of real property or water rights by the public body,  
755 Section 10-15-1, Sub-Paragraph H.(8) and as follows:  
756

757 New or Updated Matters since last report \*:  
758

- 759 1. Lodger's Tax Issue B Casa del Cocinero B making regular payments.
- 760 2. *Cooper, Gale and DeBaca County News v. County of Lincoln, Sheriff of Lincoln County,*  
761 *et al.* D-1329-CV-200701364. Suit filed: October 15, 2007. Verified Complaint for  
762 Declaratory Judgment Ordering Production of Certain Records and Information. Hearing  
763 took place Dec. 13, 2013 with new filings of Suggestion of Death December 19, 2013.
- 764 3. *Michael Wheaton v Paul F. Baca, Lincoln County Assessor, et.al.* D-1226-CV-2011-  
765 00341. Suit filed October 18, 2011. Notice of Appeal of Final Order of the Lincoln County  
766 Valuation Protests Board. Attorney has agreed to stay the case pending the decision from  
767 the Court of Appeals.
- 768 \*4. *Coble Constructors, LLC, et al v Carl Kelley Construction Ltd. Co, et al.* D-1226-CV-2012-  
769 00003. Suit filed January 15, 2012. Complaint to Foreclose Mechanic's Lien. Order  
770 granting motion for resetting 4/17/13. Motion for Summary Judgment filed Jan. 29, 2014,  
771 Hearing scheduled for April 24, 2014.
- 772 5. *Alto Lakes Golf & Country Club, Inc. v. Barbara Fleming, and Jesus and Maria Guardiola,*  
773 *et al.* D-1226-CV-2011-00044. Suit filed February 18, 2011. Complaint to Foreclose Lien.  
774 Counterclaim and Crossclaim suit filed by Washington Federal Savings on September 21,  
775 2012 naming Board of Commissioners of Lincoln County and Lincoln County Solid Waste  
776 Authority. Stipulated and Default Judgment, Foreclosure, Order of Sale, and Appointment  
777 of Special Master, entered 8-12-13. County's lien was not extinguished and is still a valid  
778 lien against the property. Order approving sale and Special Master's Report filed Oct. 23,  
779 2013. Ownership has changed to Washington Federal and Lincoln County has not  
780 received any payments as of March 11, 2014.
- 781 6. *Greentree Solid Waste Authority v. Lincoln County, et.al.* D-0101-CV-2013-00104. Suit  
782 filed January 9, 2013. Petition for Declaratory Judgment; Preliminary and Permanent  
783 Injunction. Order Granting ALW&SD's Motion for Judgment on the Pleadings and for  
784 Summary Judgment entered by the court on 6-15-13. Plaintiff's Motion to Reconsider with  
785 Judge Singleton was denied in Hearing Jan. 24, 2013. Melendres, Melendres and  
786 Harrigan hired by the county to manage county's withdrawal from GSWA. Meeting with  
787 both parties without attorneys and managers produced an agreed desire to discontinue  
788 appeal however Appeal was filed by Mr. Beauvais Feb. 27, 2014. County's response is  
789 in progress with Melendres firm as of March 11, 2014.
- 790 \*7. *Rio Grande-Alameda, Ltd. v Paul Baca, Lincoln County Assessor* D-1226-CV-2013-  
791 00005. Suit filed January 9, 2013. Complaint for Refund of Taxes Paid. Defendant's first  
792 motion to dismiss or Summary Judgment filed August 29, 2013, with plaintiff's response  
793 filed Oct. 4, 2013. Defendant's Reply to Motion to Dismiss or for Summary Judgment filed  
794 Oct. 21, 2013. Hearing was Jan. 6, 2014, and produced an Order of Dismissal. Hearing  
795 scheduled March 10, 2014 was unproductive. New telephonic Hearing on the Merits will  
796 be scheduled.
- 797 8. *Steven Miller, et al. v. State Forestry Division, NM Energy, Minerals, and Natural*  
798 *Resources Department, County of Lincoln, et al.* D-1226-CV-2013-00160. Suit filed June  
799 15, 2013. Lincoln County Manager and Commissioners served July 9, 2013. Complaint  
800 for Negligence, Injury and Damages. On August 2, 2013, NMAC advised Attorney Bryan  
801 Evans has been assigned as counsel for Lincoln County. Judge Waylon Counts has been  
802 assigned the case. Plaintiff's Response to Lincoln County's and State's Motion to Dismiss  
803 filed Jan. 3, 2014. Hearing scheduled for March 24, 2014 at 1:30 p.m. at the Otero County  
804 Courthouse.

- 805 9. *Barbara Diane Latham, et al v. Neal Cox, Ben Hazen, Lincoln County Sheriff's Department*  
806 *and the County of Lincoln. D-1226-CV-2013-00191.* Suit filed July 19, 2013. Complaint  
807 for Violation of Civil Rights, Wrongful Death and Damages by Attorney Gary Mitchell.  
808 LCSD and LC Manager were served on August 5, 2013. Tort Claim Notice was filed on  
809 October 27, 2011. Advised NMAC has assigned the case to Brennan and Sullivan Law  
810 Firm 9/5/13. Case has been moved to Federal Court August 30, 2013. Order Settlement  
811 Conference scheduled for July 22, 2014.
- 812 10. *State of NM/Lincoln County v. Gonzales Gonzales M-30-MR-2014-00004* Filed Jan. 7,  
813 2014. Alleged bringing contraband into LCDC – Chris Nedbalek with Gary Mitchell's firm  
814 assigned as public defender. Pre-Trial Hearing scheduled for March 21, 2014.
- 815 11. *State of NM/Lincoln County v. Alberto Ruiz – M-30-MR-2014-00012* Filed Jan. 5, 2014.  
816 Alleged bringing contraband into LCDC – Chris Nedbalek with Gary Mitchell's firm  
817 assigned as public defender. Pre-Trial Hearing scheduled for March 21, 2014.
- 818 12. *State of NM/Lincoln County v. Avalon-Construction, Ruidoso, NM D-1226-CV 2014-*  
819 *00006* Filed Jan. 6, 2014 Open complaint for Refund of Taxes paid. Case assigned to  
820 Basham & Basham/Dwyer. Peter Dwyer is lead attorney.
- 821 13. *US Bank National Association v. John C. Allen, et.al. D-1226-CV 2013-00304* Filed Dec.  
822 24, 2013 Foreclosure. Entry of Appearance filed Jan. 17, 2014 and Disclaimer of Interest  
823 filed January 20, 2014.
- 824 14. *State of NM/Lincoln County v. Nathan Little – M-30-MR-2014-00015* Filed Jan. 21, 2014.  
825 Alleged bring contraband into LCDC – Chris Nedbalek with Gary Mitchell's firm assigned  
826 as public defender. Pre-Trial Hearing scheduled for March 21, 2014.
- 827 15. *State of NM / Lincoln County v. Shann M. Marler M-30-MR-2014-00026* Alleged bringing  
828 contraband into LCDC. Chris Nedbalek with Gary Mitchell's firm assigned as public  
829 defender. Pre-Trial Hearing scheduled for March 21, 2014.
- 830 16. *State of NM v. Johnny Cervantes – M-30-MR-2014-00030* Filed Feb. 18, 2014. Alleged  
831 dogs and cats running at large. Mr. Cervantes has not pled as of March 11, 2014.
- 832 17. *State of NM v. Gerald Williams – M-30-MR-2014-00037* Filed Feb. 21, 2014. Alleged  
833 vicious animals and dogs and cats running at large. Mr. Williams has not pled as of March  
834 11, 2014.
- 835 \*18. *State of NM v. Irene Howcroft – M-30-MR-201300190* Alleged animal nuisance. Ms.  
836 Howcroft pled not guilty August 22, 2013. Mr. Morel has just received the case from the  
837 court. Non-Jury Trial is scheduled for April 14, 2014.

838  
839 **Tort Claims Notices Received or Threatened**

840  
841 **2013**

842 **Allen, Katherine Elizabeth** - Notice of Tort Claim against Lincoln County Detention  
843 Center for alleged injuries sustained during transport.

844 **Borrego, Albert** - Tort Claim Notice received from attorney Gary Mitchell on June 14,  
845 2013, alleging continued harassment to Albert G. Borrego by police while responding to a noise  
846 complaint at Mr. Borrego's residence on February 28, 2013, and a separate incident resulting in  
847 Mr. Borrego's arrest on March 5, 2013, due to an outstanding warrant, during which Mr. Borrego  
848 allegedly sustained injuries while in custody due to an existing broken back injury. Claim has been  
849 denied by NMAC.

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

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

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

859 **Ramos, Aaron** - Tort Claim Notice received by attorney Robert J. Beauvais on April 18,  
860 2013, (correspondence dated September 13, 2011) alleging concerns about Mr. Ramos' safety  
861 and welfare and violation of his U.S. Constitutional rights.

862 **Silva, Elmo** - Tort Claim Notice received from attorney Richard Marquez November 6,  
863 2013. Alleges false imprisonment for Mr. Silva, who was sentenced in the 12<sup>th</sup> Judicial District  
864 Court to 38 years filed on July 3, 1990.

865

866 **2012**

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

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

873 **Sheridan, Michael** - Tort Claim Notice received from Attorney, Jennifer Burrill on February  
874 21, 2012, claiming the Lincoln County Sheriff's Department forced him to register as a sex  
875 offender when he did not meet the requirements.

876 **Biggs, M. Jolene** - Tort Claim Notice received from Attorney, Adam Rafkin on February  
877 6, 2012, claiming liability by the County of Lincoln by failing to maintain the surface of the parking  
878 lot across from the Lincoln County Courthouse in Carrizozo, NM.

879

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

881 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4).

882 **Yes:** Chair Powell, Commissioner Minter, Commissioner Doth, Commissioner Draper.

883 **Excused:** Commissioner Stone.

884

885 Chair Powell recessed the Regular Meeting and convened the Closed Session at 1:46:36 PM.

886

887 Chair Powell adjourned the Closed Session and reconvened the Regular Meeting at 2:47:06 PM.

888

889 Commissioner Draper attested that no action was taken during the closed session and items  
890 discussed were limited to those as stated in the motion for closure.

891

892 **27. Signing of Official Documents**

893

894 **28. Next meetings:**

895

896 a. April 17, 2014 - Regular Commission Meeting

897 b. May 2, 2014 - Special Commission Meeting - FY 14-15 Budget Considerations

898

899 **29. Adjourn**

900

901 There being no further business to come before the Board of County Commissioners, Chair  
902 Powell adjourned the meeting at 2:47:30 PM.

903

904 Respectfully submitted by,

905

906 Rhonda B. Burrows

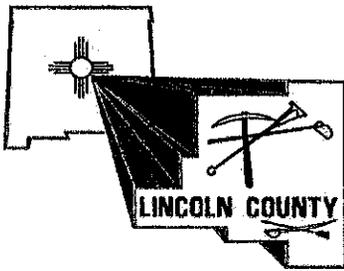
DRAFT

**Agenda Item No. 7**

**SUBJECT**

Approval of Consent Agenda:

- a. Payroll/Accounts Payable/Budget/ Expenditures
- b. Treasurer's Financial Report for the Month ending March 31, 2014
- c. 2014 Fire Fund Distribution Applications
- d. Road Name Change



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, 2014 in the amount of \$ 2,152,601.75.

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

**ADOPTED, PASSED AND SIGNED** the 25th day of April, 2014.

### BOARD OF COMMISSIONERS LINCOLN COUNTY, NEW MEXICO

\_\_\_\_\_  
Jackie M Powell, Chairwoman

\_\_\_\_\_  
Preston Stone , Vice-Chair

\_\_\_\_\_  
Kathryn Minter, Member

\_\_\_\_\_  
Dallas Draper, Member

\_\_\_\_\_  
Mark Doth, Member

ATTEST:

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

# 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



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

## CHIEF OF STAFF

S. Vincent Martinez

### 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 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 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. \$ \_\_\_\_\_

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

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. \_\_\_\_\_  
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 \_\_\_\_\_ 2014.

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

Printed Name

*Joe P. Kenmore*

Printed Name

Signature of Chairman, Board of County Commission

/S *Joe P. Kenmore*

Signature of County Fire Chief or Fire Marshal

# NEW MEXICO PUBLIC REGULATION COMMISSION

## COMMISSIONERS

DISTRICT 1 KAREN MONTOYA  
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DISTRICT 5 BEN L. HALL

## CHIEF OF STAFF

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Santa Fe, NM 87504-1269

## STATE FIRE MARSHAL DIVISION

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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. \$ \_\_\_\_\_

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

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. \_\_\_\_\_  
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 \_\_\_\_\_ 2014.

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

Printed Name

Signature of Chairman, Board of County Commission

Joe P. Kenmore

/S

Joe P. Kenmore

Printed Name

Signature of County Fire Chief or Fire Marshal

# NEW MEXICO PUBLIC REGULATION COMMISSION

## COMMISSIONERS

DISTRICT 1 KAREN MONTOYA  
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DISTRICT 4 THERESA BECENTI-AGUILAR, CHAIR  
DISTRICT 5 BEN L. HALL

## CHIEF OF STAFF

S. Vincent Martinez



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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 Hondo Valley COUNTY: Lincoln

FIRE DEPARTMENT ADDRESS: P. O. Box 244, Tinnie, NM 88351

ISO CLASSIFICATION: 8

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 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. \$ \_\_\_\_\_

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

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. \_\_\_\_\_  
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 \_\_\_\_\_ 2014.

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

Printed Name

Signature of Chairman, Board of County Commission

Andrew Coleman

/S



Printed Name

Signature of County Fire Chief or Fire Marshal

# 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



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1120 Paseo de Peralta  
Santa Fe, NM 87504-1269

## STATE FIRE MARSHAL DIVISION

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Fax : (505) 476-0100

### NEW MEXICO STATE FIRE MARSHAL'S OFFICE

### FISCAL YEAR 2015 COUNTY ADMINISTRATIVE 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.

NAME OF COUNTY: Lincoln

#### ADDRESS OF APPROVED FIRE ADMINISTRATION BUILDING:

105 Kansas City Rd., Ruidoso, NM 88345

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 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. \$ \_\_\_\_\_

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

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.

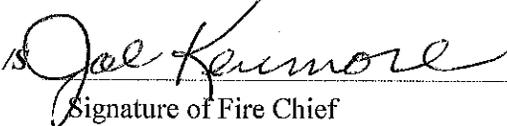
The Fire Service Support Bureau reviews activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that fire departments in your County are out of compliance, your Office and the Fire Chief will be notified of the department's status, if the fire departments 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** \_\_\_\_\_, **2014**

_____ Printed Name  Joe Kenmore	/S _____ Signature of Chairman, Board of County Commission
_____ Printed Name	/S  Signature of Fire 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

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(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 **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**

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

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 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. \$ \_\_\_\_\_

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

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. \_\_\_\_\_  
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 \_\_\_\_\_ 2014.

/S

Printed Name

CARL BARTLEY

Signature of Chairman, Board of County Commission

/S



Printed Name

Signature of County Fire Chief or Fire Marshal

# 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



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Fax : (505) 476-0100

## CHIEF OF STAFF

S. Vincent Martinez

### 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 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 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. \$ \_\_\_\_\_

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

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.

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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 \_\_\_\_\_ 2014.

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

Printed Name

JAMES RODELA

Signature of Chairman, Board of County Commission

/S *James Rodela*

Printed Name

Signature of County Fire Chief or Fire Marshal

# NEW MEXICO PUBLIC REGULATION COMMISSION

## COMMISSIONERS

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DISTRICT 5 BEN L. HALL

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## 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 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

Ft. 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 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. \$ \_\_\_\_\_

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

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.

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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 \_\_\_\_\_ 2014.

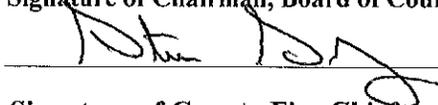
\_\_\_\_\_/S\_\_\_\_\_

Printed Name

Steven Sanchez

Signature of Chairman, Board of County Commission

/S



Printed Name

Signature of County Fire Chief or Fire Marshal

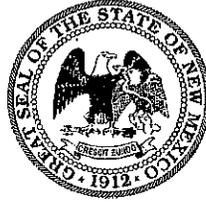
# NEW MEXICO PUBLIC REGULATION COMMISSION

## COMMISSIONERS

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### 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 White Oaks COUNTY: Lincoln

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

ISO CLASSIFICATION: 9 964 WHITE OAKS HIGHWAY

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 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. \$48,432 -- TO PURCHASE NEW PUMPER/TENDER TO REPLACE 1982 ENGINE

\*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ 75,802  
AS OF 03-31-2014

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)

<i>Name:</i>	<i>Email:</i>	<i>Phone:</i>
1. CURT Kenagy	CURTken@TULAROSA.NE.T	575 648 2195
2. ROBERT CRANSTON	margiecranston@TULAROSA.NE.T	575 648 9920

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.

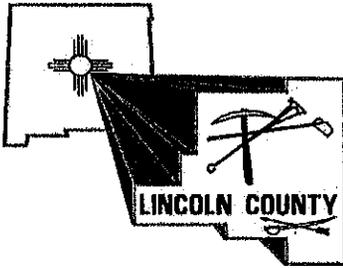
/S

Printed Name

Joe P. Kenmore  
ROBERT CRANSTON  
Printed Name

Signature of Chairman, Board of County Commission

AS Joe P. Kenmore  
Robert Cranston  
Signature of County Fire Chief or Fire Marshal



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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 County Road (A043) in White Oaks NM in the County of Lincoln. All interested parties have acknowledged and approved:

### GUMM BROTHERS 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 **Gumm Brothers Rd** is hereby approved.

**ADOPTED, PASSED AND SIGNED** the 25<sup>th</sup> day of April, 2014.

\_\_\_\_\_  
Jackie Powell  
Chairwoman

\_\_\_\_\_  
Preston Stone  
Vice-Chairman

\_\_\_\_\_  
Mark Doth

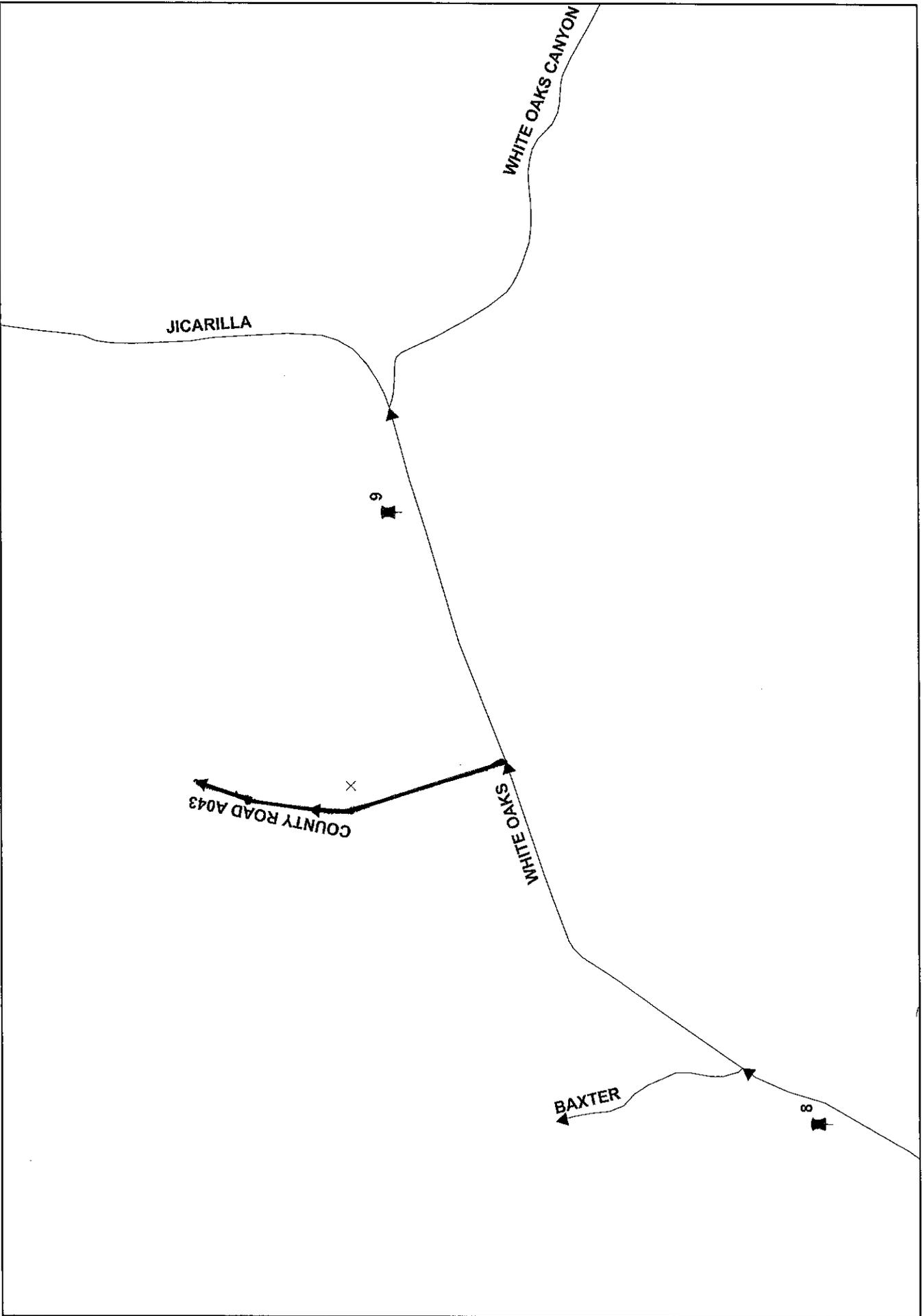
\_\_\_\_\_  
Dallas Draper

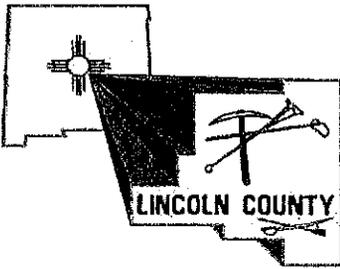
\_\_\_\_\_  
Kathryn Minter

ATTEST:

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

# New Road Name Request "Gumm Brothers Rd"





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# County of Lincoln

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## AGENDA ITEM NO. 8

April 21, 2014

### MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

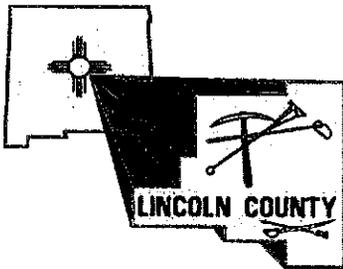
SUBJECT: Monthly Smokey Bear District Ranger Report

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

**Discussion:**

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

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



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# County of Lincoln

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## AGENDA Item No. 9

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** US Forest Service Response to County Request for Investigation Re: Cibola National Forest Action to Suspend or Reduce Grazing on Acting Grazing Allotments

Cibola National Forest and National Grasslands Invitation to participate in revising the 1985 Forest Plan for managing the Cibola National Forest in the future.

**Purpose:** Consideration / Potential Action on US Forest Service Response to County Request for Investigation; determine level of involvement in revising the 1985 Forest Plan

**Discussion:** During its November 19<sup>th</sup> meeting, the Commission discussed the status of the prior actions of the Cibola National Forest Mountainair District regarding its issuance of a removal order requiring permittees to remove livestock from assigned forest allotments. Commission directed Attorney Morel to request an investigation into the matter. See *Enclosure 1* for letter requesting investigation dated January 22, 2014.

On March 20, 2014, Calvin N. Joyner, Regional Forester for the Southwestern Region, responded to the request for investigation. See *Enclosure 2*. Mr. Joyner basically supported the actions of the District Ranger, while recognizing the need to improve efforts to involve and communicate with permittees in the upcoming season. He also acknowledged that, while in the past they had not utilized the NM Department of Agriculture and the Range Improvement Task Force at NMSU, it is now working with them to a greater degree. He provided assurance that a higher degree of coordination and communication would exist between all parties before a decision would be reached.

Finally, on April 17<sup>th</sup>, Cibola National Forest Supervisor Elaine Kohrman invited the Commission to join in developing a "shared vision and plan for managing the Cibola National Forest for the future." See *Enclosure 3* for specific ways in which the Commission can participate, and for the timeline.

**Recommendation:** Consider Mr. Joyner's response to the County's request for an investigation, determine whether a true investigation occurred and is sufficient, and direct Manager and Attorney accordingly. Assign participation in revising the 1985 Forest Plan to LANRAC.

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

January 22, 2014

Mr. Cal Joyner  
SW Regional Office USDA FS  
333 Broadway SE  
Albuquerque, New Mexico 87102

*Priority Mail/USPS Tracking*  
*#9114 9011 2308 6781 1431 31*

***RE: Request for Investigation into the Mountainair District Ranger's June 11, 2013 decision to ban or modify grazing privileges on the Cibola National Forest***

Dear Mr. Joyner:

Please be advised, my name is Alan Morel and I am the attorney for the Board of County Commissioners of Lincoln County. I am writing to you on behalf of the Board of County Commissioners requesting an investigation into the decision of the Mountainair District Ranger to ban or modify grazing privileges within the Cibola National Forest on or about June 11, 2013<sup>1</sup>. While the Board of County Commissioners understand that the District Ranger's decision was rescinded by the U.S. Forest Service on or about November 7, 2013, they are still incredibly concerned about restrictions that may be placed on future grazing permits within the Cibola National Forest and elsewhere. The June 11, 2013 decision of the Mountainair District Ranger to ban or modify grazing privileges appears to have been made without any specific scientific data to back the decision. This creates a great deal of concern and uncertainty for grazing permittees.

By way of background, Mountainair District Ranger, Karen L. Lessard, appeared before the Board of County Commissioners of Lincoln County at their regular meeting held on August 13, 2013, at which time a copy of Ms. Lessard's letter dated June 11, 2013 suspending all grazing on the Mountainair Ranger District no later than July 30, 2013 was discussed. District Ranger Lessard attempted to explain her decision to modify existing grazing permits, but did not provide any scientific data to support her conclusions. The Board of County Commissioners of Lincoln County passed and adopted Resolution 2013-13 requesting that the Mountainair District of the U.S. Forest Service reconsider and withdraw their removal order, and instead work with the allotment owners, the New Mexico Department of Agriculture and the Range Improvement Task Force at New Mexico State University to develop drought management plans specific to each allotment. A copy of Resolution 2013-13 Opposing the Blanket Removal of Livestock from the Mountainair District of the Cibola National Forest is attached hereto as Exhibit "B".

---

<sup>1</sup> See correspondence to Grazing Permittees from Mountainair District Ranger, Karen L. Lessard, attached hereto as Exhibit "A".

The Board of County Commissioners contacted and requested the assistance of the Range Improvement Task Force, a division of the New Mexico Department of Agriculture located at New Mexico State University in Las Cruces, New Mexico. The Range Improvement Task Force prepared an analysis of the condition of the grazing allotments within the Mountainair District and concluded that there were sufficient levels of forage to allow for grazing, which completely contradicted the assessment and decision of District Ranger Lessard. I have attached to this correspondence as Exhibits "C-1 through C-5" five separate analyses performed by the Range Improvement Task Force which set forth their scientific analysis of the condition of the range areas in question which are identified as follows:

- C-1 September 27, 2013 assessment for the grazing allotments of Mr. William Bryan
- C-2 October 30, 2013 assessment for the grazing allotments of Mr. Matthew Aragon
- C-3 October 31, 2013 assessment for the grazing allotments of Mr. Rand Perkins
- C-4 November 18, 2013 assessment for the grazing allotments of Mr. Bob Hudgens
- C-5 November 25, 2013 assessment of the grazing allotments of Mr. Albert "Mike" Sanchez

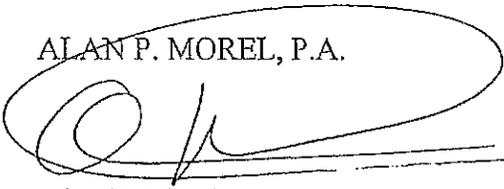
A quick review of the Range Improvement Task Force assessments of all grazing permit areas analyzed supports the return of livestock on each of the individual permittees grazing allotments. The Board of County Commissioners would like to know why the Range Improvement Task Force was not consulted by the Mountainair District Ranger Lassard prior to implementing her decision on June 11, 2013.

The Board of County Commissioners of Lincoln County commend the decision of the Forest Service to rescind the decision to suspend all grazing on the Mountainair Ranger District as of November 7, 2013. The Board of County Commissioners, once again, remains concerned about the potential restrictions on future grazing permits and permittee's rights based upon the apparent, arbitrary and capricious nature of the decision to suspend grazing rights without any scientific data to support the same. An investigation into this matter is respectfully requested to ensure that decisions in the future which effect grazing permits within not only Lincoln County but the State of New Mexico are based upon sound, scientific data, and not unsupported opinions.

I would like to thank you in advance for your assistance regarding this matter and look forward to working with your office to arrive at a satisfactory resolution of this issue.

Very truly yours,

ALAN P. MOREL, P.A.



---

Alan P. Morel  
APM/sko

c: Steve Pearce, U.S. Congressman. (Attn.: Jonathan Shuffield)  
Nita Taylor, Lincoln County Manager

Attachments as noted.



United States  
Department of  
Agriculture

Forest  
Service

Southwestern Region  
Regional Office

333 Broadway SE  
Albuquerque, NM 87102  
FAX (505) 842-3800  
V/TTY (505) 842-3292

File Code: 2230

Date: MAR 20 2014

Alan P. Morel, P.A.  
County Attorney  
Lincoln County  
700 Mechem Drive Suite 12  
Post Office Box 1030  
Ruidoso, NM 88355

Dear Mr. Morel:

Thank you for your letter of January 22, 2014 on behalf of the Lincoln County Board of Commissioners requesting an investigation into the Mountainair District Ranger's June 11, 2013 decision to ban or modify grazing privileges on the Cibola National Forest. My Acting Range Director, Tom Osen, and the Cibola National Forest (NF) Forest Supervisor, Elaine Kohrman, have spent a considerable amount of time reviewing the circumstances that led to this decision, as well as any changes that could be made at the Forest and District level to improve the communication and coordination with permittees in this upcoming season.

As you are aware, the Southwestern Region, last year and continuing into this year, is experiencing extreme drought conditions. The Standard Precipitation Index (SPI) is closely monitored during periods of drought as a unit of measure that compares recent precipitation values for a period of interest with long term historical values to assess moisture condition in a given area. Under regional procedures, anytime the SPI reaches a value of minus 1.00 or less for the preceding 12 month period, grazing allotments should be evaluated for existing drought conditions. Once drought conditions have been verified in the field for a specific area, range managers begin to evaluate vegetation resources on individual grazing allotments.

It is my understanding that over the last three years, the District Ranger and her staff have worked diligently with permittees to apply various measures to adapt annual management and mitigate the effects of drought on vegetation resources. Current years forage production is the primary factor for short term stocking and management decisions. Favorable long term trends are dependent on proper use of available forage resources in the short term. Prior to the decision last June, many permittees had already reduced their stocking or removed their livestock voluntarily due to a decline in these conditions. The majority of the current years data used by the District Ranger in her decision making process was observational and qualitative in nature. However, at the time of her decision to remove livestock, little or no current year's growth of forage producing plants had occurred. This coupled with the drought condition was a primary factor that led to the decision to remove livestock last June.

With the magnitude of drought conditions throughout the Southwestern Region, the collection of site-specific quantitative data on each allotment is impossible with limited resources; therefore, I expect that District Rangers must make decisions with the best information available to them. Her decision to remove livestock last summer was communicated to affected permittees;



however, based on the outcome of this decision, the Forest has recognized the need to improve these efforts to involve and communicate with permittees in the upcoming season.

As you point out, the Forest did not utilize the New Mexico Department of Agriculture and the Range Improvement Task Force at New Mexico State University prior to last season. This was due to lack of knowledge and experience about this opportunity. However, since last fall, the Forest Supervisor, District Ranger, and range personnel have been working closely with the Task Force to review the existing information and develop a mutual understanding of monitoring methods and process.

The Forest, in conjunction with the Task Force, has outlined forage monitoring guidelines that describe the main objectives, methods and considerations of forage monitoring. These will be used to guide the monitoring process and communicate with permittees and other interested parties. The Forest is working with the Task Force and members of my staff from the Regional Office to host a collaborative training on the Rapid Assessment Methodology (RAM) (Allison et al. 2003, 2007) with permittees and Forest Service personnel in Corona in early April. These trained individuals will work along with permittees to assist the District in data collection on allotments in mid-April. This information will be used along with other factors such as water availability to identify when livestock may have to be removed and/or when they can be returned in the future based on plant recovery and current forage availability.

Because the monitoring will occur as part of a team effort with the permittees in an open and transparent process, I anticipate a higher degree of coordination and communication between all parties before a decision is reached. I think this will be beneficial in reaching a more satisfactory understanding and moving toward a resolution of the issues involved.

Thank you again for your interest and concern for management of the allotments on the Mountainair Ranger District. I encourage the ongoing efforts with these matters continue in a respectful and progressive manner between all affected parties. The Regional Office, as well as the National Forests of the Southwestern Region, will always place the highest importance with strong permittee relations combined with the proper and necessary resource management of our public rangelands.

Sincerely,



*For* CALVIN N. JOYNER  
Regional Forester

cc: Thomas D Osen, Elaine B Kohrman



United States  
Department of  
Agriculture

Forest  
Service

Cibola National Forest and  
National Grasslands

2113 Osuna Road NE  
Albuquerque, NM 87113-1001  
(505) 346-3900 FAX: 346-3901

RECEIVED

File Code: 1920

Date: April 14, 2014 APR 17 2014

ADMINISTRATION  
LINCOLN COUNTY NM

Lincoln County Commissioners  
P.O. Box 711  
Carrizozo, NM 88301

Dear Lincoln County Commissioners,

I invite you to join in developing a shared vision and plan for managing the Cibola National Forest for the future. The National Grasslands are not included in this effort because the Grasslands plan was completed in the fall of 2012.

We need your help, knowledge, and participation to identify what's important about the values and uses of the mountain districts: Mt. Taylor, Magdalena, Mountainair and Sandia. We are continuing a collaborative process to convene all interested and affected people. Our intention is to collaboratively design a contemporary plan that restores, sustains and contributes to the ecological, social and economic conditions and benefits from the Cibola into the future. As an early adopter of the 2012 Planning Rule, we intend to complete this process over the next two years. The revised plan will guide the management of the Cibola's many resources, goods, and services for 15 years or longer.

The Cibola began revising the 1985 Forest Plan in the fall of 2012 with a series of public meetings to explain the process and gather input from the public. On April 14, 2014 we are releasing the draft assessment report of the current conditions, trends, and risks to sustainability of the resources, goods, and services provided by the districts. This report represents a year's work in gathering and interpreting information from a variety of internal and external sources, including public comments. The draft is located at: [http://www.fs.usda.gov/detail/cibola/landmanagement/planning/?cid=fsbdev3\\_065627](http://www.fs.usda.gov/detail/cibola/landmanagement/planning/?cid=fsbdev3_065627).

I hope you will take the time to review these important documents and provide us your feedback over the next 60 days. Pay particular attention to data or conclusions that you believe are incorrect; or omissions such as science or local knowledge that is not addressed in the draft report. We have compiled an executive summary to aid in your review and comment on these findings.

We will use your input along with dialogue from upcoming collaborative sessions in May and June to identify the needs-for-change in management direction from the 1985 Forest Plan. We anticipate completing this step by the end of July. The collaboration process will continue in August with development of the draft content of the revised forest plan. The collaborative development of the draft plan will continue over the next year.

We are committed to an open and transparent process. Now is an important time for you to engage with your local district rangers and the revision team. We are using a number of strategies to reach out and engage the diverse interests of people that care about the Forest.

ENCL 3



I invite you to participate in the following ways:

- Participate in the public meetings and collaborative work sessions that the Cibola is hosting in May and June. At these events, we'll provide updates, discuss the draft assessment report and collaborate with participants in developing the needs for change. *Please see below for a schedule of the May meetings. Additional dates are being planned for June. A schedule of those sessions along with more details will be sent as soon as locations are confirmed.*
- We encourage you to convene meetings with your counterparts and reach out to other groups to provide input on the needs for change in the current Forest Plan. Bringing these views into the upcoming collaborative sessions will strengthen our efforts to include all interests and diverse perspectives and provide the broadest review of the needs for change and future management.
- I along with the district rangers and members of the Forest Plan Revision Team am available to meet with you and make presentations at your regularly scheduled meetings. This is a good opportunity to discuss your comments and suggestions about the future management of the Forest with us.
- As part of the 2012 Planning Rule, we also need to identify areas that may be suitable for potential wilderness areas. You will be notified when this information is available on the Cibola website. A web-based collaborative mapping tool is one way that we will gather public input on the preliminary inventory. Consideration of whether or not these lands would be recommended for future wilderness areas in the draft revised forest plan will start in August.
- You may also contact us with your comments or requests by:
  - Web: <https://cara.ecosystem-management.org/Public/CommentInput?project=NP-382>;
  - Email: [cibolamtnsplanrevision@fs.fed.us](mailto:cibolamtnsplanrevision@fs.fed.us) or call 505-346-3889.
  - Mail: Forest Supervisor, Cibola National Forest, 2113 Osuna Rd. NE, Albuquerque, NM 87113.

As a county government, please consider whether or not you would like to seek cooperating agency status during the National Environmental Policy Act (NEPA) process. Counties will soon receive more detailed information on cooperating agency status. I anticipate the NEPA process will begin in August.

I encourage you to engage with us in as many of these important collaborative activities as you can. We need your knowledge, feedback, suggestions, and willingness to work with all interested people to ensure that the Cibola National Forest develops a shared vision and plan that will lead us toward sustainable management of this area for the next 15 years.

We will update the website regularly with information about planned events, documents, and schedules. Refer to <http://www.fs.usda.gov/detail/cibola/landmanagement/planning>. Thank you and I look forward to working together on this significant effort in the near future.

Sincerely,

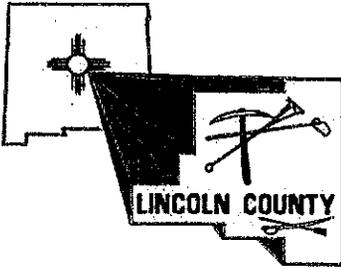


ELAINE B. KOHRMAN  
Forest Supervisor

### May 2014 Meetings for the Cibola National Forest Plan Revision

<b>Date and Time</b>	<b>Location</b>	<b>Type of Meeting</b>	<b>Community</b>
Monday, May 12, 2014 6:00-9:00 p.m.	Rooms B & C, UNM Conference Center, 1634 Univ. Blvd. NE, Albuquerque, NM	Public Meeting	Sandia and Mountainair RDs, All Forest Users, Stakeholders, Interested Parties, Public
Tuesday, May 13, 2014 2:00 – 5:00 p.m.	Santa Fe Public Library Southside Branch Community Meeting Rm., 6577 Jaguar Dr., Santa Fe, NM	Public Meeting	State Government, Non-governmental organizations, Public
Tuesday, May 13, 2014 6:00 – 9:00 p.m.	Torreon Community Center, 18 Torreon Heights Rd. E, Torreon, NM	Public Meeting	Mountainair RD, All Forest Users, Stakeholders, Interested Parties, Public
Wednesday, May 14, 2014 1:00 – 4:30 p.m.	Cibola Co. Administration Bldg., Convention Rm., 515 W. High St., Grants, NM	Public Meeting	Western NM Tribes
Wednesday, May 14, 2014 6:00 – 8:30 p.m.	Cibola Co. Administration Bldg., Convention Rm., 515 W. High St., Grants, NM	Public Meeting	Mt. Taylor RD, All Forest Users, Stakeholders, Interested Parties, Public
Thursday, May 15, 2014 1:00 – 4:00 p.m.	Indian Pueblo Cultural Ctr., Chaco III Rm., 2401 12th St NW, Albuquerque, NM	Public Meeting	Rio Grande Corridor Tribes
Thursday, May 15, 2014 6:00-9:00 p.m.	Mountainair Senior Center, 107 N. Summit Ave., Mountainair, NM	Public Meeting	Mountainair and Sandia RDs, All Forest Users, Stakeholders, Interested Parties, Public
Monday, May 19, 2014 6:00 – 9:00 p.m.	Socorro Co. Annex Bldg., 198 Neel Ave., Socorro, NM	Public Meeting	Magdalena RD, All Forest Users, Stakeholders, Interested Parties, Public
Tuesday, May 20, 2014 3:00 – 6:00 p.m.	Magdalena RD Conference Room, 203 First St., Magdalena, NM	Public Meeting	Magdalena RD, All Forest Users, Stakeholders, Interested Parties, Public
Wednesday, May 21, 2014 6:15 – 9:00 p.m.	Los Vecinos Community Center, 478 ½ Old Hwy. 66, Tijeras, NM 87059	Public Meeting	Sandia RD, All Forest Users, Stakeholders, Interested Parties, Public

\*Further details are forthcoming on meetings planned in June.



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# County of Lincoln

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## AGENDA ITEM NO. 10

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

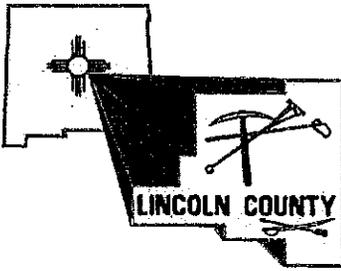
**SUBJECT:** Lincoln County Detention Center Update – Warden Anderson

**Purpose:** To provide an opportunity for the Lincoln County Detention Center, Warden Anderson, to provide an update.

### **Discussion:**

Warden Anderson will appear to provide an update to the commissioners and the public on the Lincoln County Detention Center.

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



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# County of Lincoln

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## AGENDA ITEM NO. 11

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Resolution No. 2013 - 37

**Purpose:** Consideration and Action on Resolution No. 2013 – 37, A Resolution Relating to the Adoption and Establishment of Rules for the Accrual of Deduction of Time for Good Behavior and Industry

**Discussion:** The purpose of these rules is to provide information and guidance to the Detention Center staff and inmates regarding the awarding of good time to those individuals sentenced to the detention facility.

Any inmate serving a sentence for which he or she has been committed to the custody of the County, other than for a violation of probation when probation was imposed pursuant to one or more felony convictions, who has been deemed eligible to earn deductions by the committing or presiding judge, and who has completed service of any applicable statutory minimum sentence or judicially imposed term of ineligible time, and all Lincoln County Detention Center Corrections Personnel, inmates and Court/Judicial personnel.

The Policy lays out very specific procedures for the granting, accruing and forfeiting “good behavior” credit.

**Recommendation:** Adopt Resolution No. 2013-37

**LINCOLN COUNTY  
BOARD OF COUNTY COMMISSIONERS  
RESOLUTION NO. 2013-37**

**A RESOLUTION RELATING TO THE ADOPTION AND ESTABLISHMENT OF  
RULES FOR THE ACCRUAL OF DEDUCTION OF TIME FOR GOOD BEHAVIOR  
AND INDUSTRY**

**PREAMBLE**

**WHEREAS**, the Board of County Commissioners met in a regularly scheduled meeting on Friday, April 25, 2014 in the Lincoln County Commission Chambers, 300 Central Avenue, Carrizozo, New Mexico; and,

**WHEREAS**, NMSA 1978, Section 33-3-9 (1995) provides that the Sheriff or jail administrator of any county, with the approval of a committing or presiding judge, may grant sentenced inmates deduction of time for good behavior and industry, and shall establish rules for accrual of deductions; and,

**WHEREAS**, Section 4-37-1 *et seq.* NMSA 1978 provides that counties may adopt those resolutions and ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

**WHEREAS**, the efficient, orderly administration of the county jail, the safety and rehabilitation of its inmates, and the safety of county inhabitants causes the Board to adopt said Resolution to provide parameters for the implementation of a deduction program as contemplated by NMSA 1978, Section 33-3-9,

**I. PURPOSE:**

To provide information and guidance to the Detention Center staff and inmates regarding the awarding of good time to those individuals sentenced to the detention facility.

**II. APPLICABILITY:**

Any inmate serving a sentence for which he/she has been committed to the custody of the County, *other than for a violation of probation when probation was imposed pursuant to one or more felony convictions*, who has been deemed eligible to earn deductions by the committing or presiding judge, and who has completed service of any applicable statutory minimum sentence or judicially imposed term of ineligible time, and all Lincoln County Detention Center Corrections Personnel, inmates and Court/Judicial personnel.

### **III. DEFINITIONS:**

A. Corrections Personnel

Individuals who are employed by Emerald Correctional Management, LLC or Lincoln County management to work at the Lincoln County Detention Center.

B. Good Behavior

Absence of both Major and Minor Violations.

C. Industry

Active participation in inmate programs, including, but not limited to: community service programs, community outreach programs, mental health programs, substance abuse programs, educational programs. Industry does not include participation in paid work programs or primarily religious programs.

D. Inmates

An individual who is sentenced to serve correction time at the Lincoln County Detention Center.

E. Judicial Personnel

An employee with the 12<sup>th</sup> Judicial District Court and/or Magistrate Courts in Lincoln County.

F. Major Violation

Conduct or conspiracy to commit conduct that would constitute a criminal offense, including, but not limited to: battery resulting in at least a temporary disfigurement to another inmate, battery on detention personnel, property damage, misuse or unauthorized possession of restricted controlled substances, escape or attempted escape, use or possession of weapons, larceny.

G. Minor Violation

Failure to abide by the rules of Lincoln County Detention Center where the inmate is being housed, including, but not limited to: disruptive or disrespectful conduct, refusal to follow a lawful order, and conduct with any party to which the inmate has been prohibited contact by the Courts.

### **IV. POLICY:**

A. In accordance with New Mexico State Statute 33-3-9 NMSA 1978 and the 4<sup>TH</sup> Edition: 4-4441; 4-ALDF-5A-08.

B. The Detention Center Director or Designee with the approval of the committing judge may grant any person imprisoned in Lincoln County Detention Center a deduction of time from the term of his/her sentence for good behavior and industry and shall establish rules for the accrual of "good time."

C. Authorization of inmate good time sentence reduction:

1. Deduction of time shall not exceed one-half (1/2) of the term of an inmates' original sentence. NOTE: If an inmate is serving two (2) or more cumulative sentences, the sentences shall be treated as one sentence for the purpose of deducting time for good behavior.
2. An inmate shall not accrue good time for the statutory mandate of a sentence.
3. An inmate shall not accrue good time for Contempt of Court, or paying of Court imposed fines and fees.

V. **PROCEDURES:**

A. Procedures and Guidelines for Good Time Credit:

1. Written request from the inmate. See attachment "A."
2. Inmate prepares an agreement to abide by the following:
  - a. Rules of conduct of the facility.
  - b. Security and disciplinary procedures of the facility.
  - c. Available programs participation.
  - d. The ability to work within the facility.

VI. **ACCRUAL OF CREDIT:**

- A. The Detention Center Director or Designee as allowed by the state statute and this policy will determine the amount of sentence reduction any sentenced inmate may receive utilizing the provided Good Time Calculation chart. See attachment "B."

Example:

Date Received:			Inmate	Name			
Days sentenced	50%	# days early	75%	# days early	80%	# days early	85%
180	90	90	135	45	144	36	153
No. of write ups			40 pts=>>>>>		50%		
No. of programs attended			35 pts=>>>>>		75%		
No. of volunteer time			30 pts=>>>>>		80%		
No. of warnings			20>less=>>>>		85%		
No. of prior arrests							

**APPROVALS**

Joint Corrections Director \_\_\_\_\_  
 Committing /Presiding Judge \_\_\_\_\_

- B. Any eligible inmate that works as an inmate worker, and successfully maintains that position, may be considered for credit for good behavior and industry of up to one-half (1/2) of their sentence or cumulative sentences.

**VII. FORFEITURE OF CREDIT:**

- A. The Detention Center Director or Designee shall have the authority and responsibility for removing an inmate's accrued sentence reduction credit for infraction(s) committed at Lincoln County Detention Center.
- B. Any major or minor violation may result in the loss of part or all accrued credit.
- C. No inmate may accrue sentence reduction credit while in segregation as a result of a disciplinary action.
- D. If the violation is assault or battery on another resident or staff member, this may result in the loss of all accrued credit and removal of the inmate from consideration for future credit toward sentence reduction.
- E. Sentence reduction credit will only be given for time actually served in Lincoln County Detention Center and the committing judgment and sentence. Time spent on furlough, or any other authorized extended absences, will not be credited in any good time calculations.

**VIII. PROCESS OF REVIEW**

**DETENTION FACILITY:**

- 1. Good Time Credit Request documents are forwarded to the Detention Center Director for review:

**-IF APPROVED BY THE DETENTION CENTER DIRECTOR:**

- a. Request documents will be forwarded by the Detention Center Director or Designee to the committing or presiding judge.
- b. Along with the request documents, the Detention Center Director will add his/her recommendations and comments to committing or presiding judge for review and approval.

**-IF DENIED BY THE DETENTION CENTER DIRECTOR:**

- a. Detention Center Director will meet with the inmate for discussion and review of denial;
- b. The inmate will be provided a copy of the reason for denial; and,
- c. The inmate will be provided further instructions if needed.

**COMMITTING OR PRESIDING JUDGE:**

The committing or presiding judge will review the application documents and the recommendation of the Detention Center Director.

**IF APPROVED:**

- a. The committing or presiding judge will forward the information back to the Detention Center Director who will finalize the request and the agreement with the inmate.

IF DENIED:

- b. The committing or presiding judge will forward a request denial notice back to the Detention Center Director.
- c. The Detention Center Director will meet with the inmate and provide a copy of the denial to the inmate with further instructions if needed.

APPROVED, ADOPTED AND PASSED on this 25th of April, 2014.

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Jackie Powell, Chair

\_\_\_\_\_  
Preston Stone, Vice Chair

\_\_\_\_\_  
Dallas Draper, Member

\_\_\_\_\_  
Mark Doth, Member

\_\_\_\_\_  
Kathryn Minter, Member

ATTEST:

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

**LINCOLN COUNTY DETENTION CENTER GOOD TIME CREDIT REQUEST FORM**

**Good Time Credit Request**

Inmate Name \_\_\_\_\_ Inmate # \_\_\_\_\_ Agency \_\_\_\_\_

Intake Date \_\_\_\_\_ Discharge Date \_\_\_\_\_ Court Order# \_\_\_\_\_

**Criminal History**

Current Charges	Judicial Jurisdiction	Disposition
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Previous**

Date	Charges	Location	Disposition
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Have you been on probation before?                      yes                       no  if yes, when and where:

\_\_\_\_\_

\_\_\_\_\_

Do you have any other court dates pending?                      yes                       no  if yes, when and where:

Date \_\_\_\_\_ for What \_\_\_\_\_

Reason for Request:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Programs attended

Completed on

_____	_____
_____	_____
_____	_____

Volunteer & hours

_____	_____	_____
_____	_____	_____

Date/time

Picked up by \_\_\_\_\_

Sergeant \_\_\_\_\_

Reviewed Lieutenant \_\_\_\_\_

Charges checked

Programming

Volunteer hours

court order(s) check

Date/time

Approved by Captain \_\_\_\_\_

LCDC Director's receipt date: \_\_\_\_\_

Good Time release Scale sheet

Date Received:

Inmate's Name

Days sentenced	50%	rel days early	75%	rel days early	80%	rel days early	85%	rel days early
30	15	15	23	8	24	6	26	5
60	30	30	45	15	48	12	51	9
80	40	40	60	20	64	16	68	12
100	50	50	75	25	80	20	85	15
120	60	60	90	30	96	24	102	18
130	65	65	98	33	104	26	111	20
150	75	75	113	38	120	30	128	23
160	80	80	120	40	128	32	136	24
180	90	90	135	45	144	36	153	27
200	100	100	150	50	160	40	170	30
220	110	110	165	55	176	44	187	33
230	115	115	173	58	184	46	196	35
240	120	120	180	60	192	48	204	36
250	125	125	188	63	200	50	213	38
260	130	130	195	65	208	52	221	39

Off dates

0      0      0      0      0      0      0      0

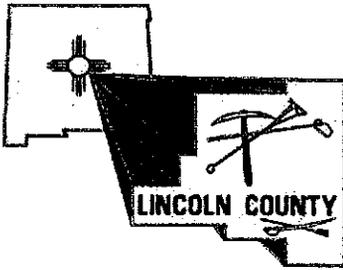
No. of write ups	<input style="width: 60px; height: 20px;" type="text"/>	(1 minor: -5pts, Major: -15pts)	total points	<input style="width: 80px; height: 30px;" type="text"/>
No. of Programs	<input style="width: 60px; height: 20px;" type="text"/>	(1: + 10pts)		<input style="width: 80px; height: 30px;" type="text"/>
No. of volunteer time	<input style="width: 60px; height: 20px;" type="text"/>	(10 hrs: + 5pts)		<input style="width: 80px; height: 30px;" type="text"/>
No. Of warnings	<input style="width: 60px; height: 20px;" type="text"/>	(1 warning: -3pts)		<input style="width: 80px; height: 30px;" type="text"/>
No. of Prior arrests	<input style="width: 60px; height: 20px;" type="text" value="0"/>	(ea. Arrest: -3pts)		<input style="width: 80px; height: 30px;" type="text"/>
				<input style="width: 80px; height: 30px;" type="text"/>

40 pts      50%  
 35 pts      75%  
 30pts      80%  
 20>less      85%

Committing or Presiding  
 Judge review :

Approved Recommend by:  
 Corrections Director \_\_\_\_\_

Approved / Denied



www.lincolncountynm.net

# County of Lincoln

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

## AGENDA ITEM NO. 12

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Lodger's Tax Applications

**Purpose:** Consideration and Action on Lodger's Tax Applications

- a. Funding Request: \$4,550.29; Art Loop July 4-6, 2014; Application 1715  
Presenter: Ronda Dougherty/Lincoln County Art Loop. *See pages 1 - 13*
- b. Funding Request: \$ 1,000.00; Christmas Jubilee November 7-9, 2014 Application 1716  
Presenter: Linda McKinley/Ruidoso Valley Greeters. *See pages 14 - 22*
- c. Funding Request: \$ 5,000.00; Fort Stanton Live July 11-13, 2014;  
Application 1717. Presenter: Larry Auld/Fort Stanton, Inc. *See pages 23 - 31*
- d. Funding Request: \$ 2,800.00; Ruidoso Grindstone Trail Runs July 26, 2014  
Application 1718. Presenter: Frederic Moras/Ski Run Road Challenge  
*See pages 32-36*
- e. Funding Request: \$ 10,000.00; True Enchantment Tourism Board  
March 1, 2014-February 28, 2015; Application 1719; Presenter: Jim Boswell/Carrizozo  
Works, Inc. *See pages 37 - 39*. Additional material provided by Jim Boswell *Pages 40 - 48*.

Lincoln County  
Lodgers Tax Committee  
Regular Meeting

James Hobbs, Tourist Related  
Sue Hutchison, General Public  
David Vigil, Lodging Industry

Alice Seely, Tourist Related  
Victor Garrison, Lodging Industry

---

## **AGENDA**

Village of Capitan (Council Chambers) Capitan, New Mexico  
Tuesday, March 25, 2014 @ 10 A.M.

1. Call to Order
2. Roll Call
3. Approval of Minutes: February 25, 2014 Regular Meeting
4. Funding Request: \$5,400.00  
Purpose: Art Loop  
Date(s) of Event: July 4-6, 2014  
Presenter: Ronda Dougherty/Lincoln County Art Loop
5. Funding Request: \$ 1,000.00  
Purpose: Christmas Jubilee  
Date(s) of Event: November 7-9, 2014  
Presenter: Linda Mckinley/Ruidoso Valley Greeters
6. Funding Request: \$ 5,000.00  
Purpose: Fort Stanton Live  
Date(s) of Event: July 11-13, 2014  
Presenter: Larry Auld/Fort Stanton, Inc.
7. Funding Request: \$ 2,800.00  
Purpose: Ruidoso Grindstone Trail Runs  
Date(s) of Event: July 26, 2014  
Presenter: Frederic Moras/Ski Run Road Challenge
8. Funding Request: \$ 10,000.00  
Purpose: True Enchantment Tourism Board  
Date(s) of Event: March 1, 2014-February 28, 2015  
Presenter: Jim Boswell/Carrizozo Works, Inc.
9. Acceptance -
  - A. Lodgers Tax Report – Lodger’s Tax Report February 2014
10. Acceptance –
  - A. Budget Report Ending February 28, 2014

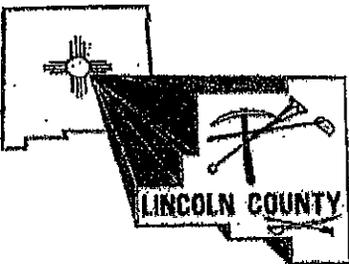
11. Other Items (for discussion only - no action will be taken)

- A. Outstanding Purchase Orders as of February 28, 2014
- B. Awarded Funds Summary – February 2014

12. Next meeting:

- A. April 19, 2014 Regular Meeting

10. Adjourn



RECEIVED

A

# County of Lincoln

MAR 19 2014

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

LINCOLN COUNTY NM

www.lincolncountynm.net

NAME OF EVENT: Art Loop DATE(S) OF EVENT: July 4, 5 & 6, 2014  
 NAME OF ORGANIZATIONS(S) APPLYING FOR FUNDING: Lincoln County Art Loop  
 AMOUNT REQUESTED: \$ 5,400.00  
 DESCRIBE EVENT BACKGROUND & RATIONALE: Attached - Description of Event.

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? Attached - ART LOOP proposed Advertising Plan 2014. Mail 2100 Brochures/Maps out of area.

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? Attached - Survey Sheet (Drawing) from past - results, 2014, Survey to be used this year.

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER?  YES  NO HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED?  
Page on Website, for hotels that give discount to visitors to Arthroop & Lincoln County. Survey pages will help report occupancy rates

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 90%  
 WILL YOU HAVE A WEBSITE FOR YOUR EVENT?  YES  NO  
Attached Advertising Plan with Locations on it.

FUNDS WILL BE USED FOR:

NEWSPAPER ADVERTISING: \$ \_\_\_\_\_  
 RADIO: \$ \_\_\_\_\_  
 MAGAZINE: \$ \_\_\_\_\_  
 INTERNET: \$ \_\_\_\_\_  
 PRINTING: \$ 4450.29  
 OTHER: Postage \$ 1470.00 Attached  
 TOTAL: \$ 5920.29

OTHER FUNDING SOURCE & AMOUNT Attached - proposed budget for 2014 Income & Expenses for 2014

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>Ronda Dougherty</u>	
SIGNATURE OF APPLICANT: <u>Ronda Dougherty</u>	
ADDRESS/CITY/ZIP: <u>PO Box 234, Lincoln NM 88338</u>	
PHONE: <u>575-653-4219</u>	EMAIL ADDRESS: <u>randaocn@pvtn.net</u>
DATE SUBMITTED: <u>3/17/14</u>	PRESENTED AT MEETING ON: <u>3/25/14</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.

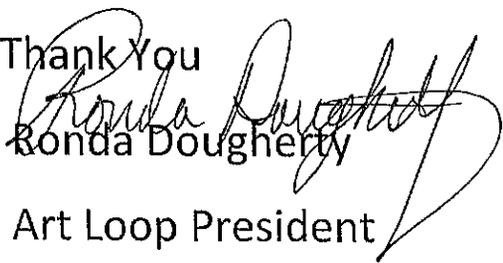
# ART LOOP

## Description of Event

2014

Art Loop began as a creative venture amongst Lincoln County Artists 19 years ago and continues to be one of the most successful studio tours in New Mexico. Throughout Lincoln County artist will open their studios, demonstrate their and discuss their creative process, making this much more than a vibrant art market. Art loop is a self-guided studio tour. Ten thousand brochures/maps will be printed, handed out and mailed far and wide to art enthusiasts, across the United States. We estimate that only 3% of the attendees actually fill out the surveys from the past loops. Our estimated attendance for the last year was 9000+. Thank You for your time and consideration.

Thank You

  
Ronda Dougherty

Art Loop President

575-653-4219

# ART LOOP

## Proposed Advertising Plan

2014

Lubbock Newspaper	576.00
El Paso- Scene	643.00
Midland/Odessa- Newspaper	450.00
Roswell- Newspaper	465.00
Roswell-Vision Magazine -2 Times	355.00
Las Cruces-Newspaper	480.00
Ruidoso Newspaper/Vamonos	775.00
New Mexico Magazine-June	1230.00
Southwest Art Magazine-June	2300.00
Tucson AZ-Newspaper	750.00
Santa Fean Magazine	975.00
<b><u>Proposed Advertising Total</u></b>	<b><u>8999.00</u></b>



2014 LINCOLN COUNTY  
STUDIO TOUR  
Drawing



2014 LINCOLN COUNTY  
STUDIO TOUR  
Drawing

FIRST & LAST NAME

MAILING ADDRESS LINE 1

MAILING ADDRESS LINE 2

TOWN/CITY

STATE

ZIP

PHONE AREA CODE & NUMBER

EMAIL ADDRESS

**Circle one answer**

- YES NO Did you travel from out of town (Lincoln county)?
- YES NO Did you come to town to see the studio tour?
- YES NO Are you staying in a hotel or renting during your stay?
- YES NO Have you attended this tour before?
- YES NO Do you hope to see this tour again?
- YES NO Are you on our mailing list?
- YES NO If not would you like to be?

**Circle any answers that apply**

What other attractions do you plan to do?  
See a show, gamble, dine out, hike, play golf, fish, other.  
How did you hear about this tour? Magazine, Radio, Newspaper,  
Email, Picked up Art Loop Brochure, Mailed Art Loop Brochure, Town  
Banner, Other \_\_\_\_\_  
How long are you staying in the area? \_\_\_\_\_

Thank you for completing this form. It allows the ART LOOP® to collect data for the Lincoln county Lodger's Tax. In return your survey is placed into a drawing for a gift certificate depending on how many studios you/family visit.

- 1 – 8 visits goes into the \$75 certificate drawing
- 9 – 19 visits goes into the \$150 certificate drawing
- 20 or more goes into the \$300 certificate drawing

The certificate can be used towards the purchase of art from any 2014 Art Loop Artist. To be valid, each visited studio must place or punch their registered mark into their studio numbered section on this form. The certificate cannot be exchanged for cash. No cash is returned to the holder if exchanging it for artwork at a lesser value. All surveys must be completely filled out in order to be placed into the appropriate drawing. Incomplete forms are voided. Please print your information clearly so that it is readable. Only one survey per family.

Turn this form into the last artist visited!

1	2	3	4	5	6	7	8	9	10	11
12	13	14	15	16	17	18	19	20	21	22
23	24	25	26	27	28	29				

FIRST & LAST NAME

MAILING ADDRESS LINE 1

MAILING ADDRESS LINE 2

TOWN/CITY

STATE

ZIP

PHONE AREA CODE & NUMBER

EMAIL ADDRESS

**Circle one answer**

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- YES NO Did you come to town to see the studio tour?
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What other attractions do you plan to do?  
See a show, gamble, dine out, hike, play golf, fish, other.  
How did you hear about this tour? Magazine, Radio, Newspaper, Email,  
Picked up Art Loop Brochure, Mailed Art Loop Brochure, Town Banner,  
Other \_\_\_\_\_  
How long are you staying in the area? \_\_\_\_\_

Thank you for completing this form. It allows the ART LOOP® to collect data for the Lincoln county Lodger's Tax. In return your survey is placed into a drawing for a gift certificate depending on how many studios you/family visit.

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Turn this form into the last artist visited!

1	2	3	4	5	6	7	8	9	10	11
12	13	14	15	16	17	18	19	20	21	22
23	24	25	26	27	28	29				

## 2011 ART LOOP QUESTIONNAIRE STATISTICS

Total Attendance: *that turned in* 283  
*Survey sheet*

How did you hear about Art Loop? (Check all that apply)

<b>Art Loop Brochure</b>	<b>166 (59%)</b>
<b>Newspaper</b>	<b>63 (22%)</b>
Ruidoso	56 (20%)
El Paso	2 (-1%)
Roswell	5 (2%)
Other__	
Art Loop Website	17 (6%)
Street Banner	37 (13%)
Mail List	26 (9%)
Postcard	10 (3%)
New Mexico Magazine	16 (6%)
Texas Monthly	2 (-1%)
Southwest Art Magazine	1 (-1%)
Free Press	15 (5%)
Visitors' Guide	15 (5%)
Southwest Living & Real Estate Press	0
Motor Home Magazine	0
<b>Other: Friend or Artist</b>	<b>70 (25%)</b>

Did you attend the Thursday night Preview Party at the Sanctuary?

Yes	33
No	195

Where are you staying while attending Art Loop:

<b>Permanent Residence in Lincoln County</b>	<b>77 (27%)</b>
<b>My vacation home in Lincoln County</b>	<b>92 (33%)</b>
Staying with friends	35 (12%)
Staying in local lodging (check one):	42 (15%)
Hotel/Cabin	22 (8%)
Rental home	12 (4%)
RV Park	8 (3%)

Did you travel to Lincoln County to attend Art Loop?

Yes	92 (33%)
No	155 (55%)

Is this your first time to attend Art Loop?

Yes	108 (38%)
No	151 (53%)

Which age group are you in?

20-35	22 (8%)
36-50	26 (9%)
51-64	133 (47%)
65 and older	88 (31%)

Permanent Residence

NEW MEXICO: 150 (53%)

Ruidoso: 61  
Alto: 32  
Roswell: 11  
Alamogordo: 9  
Las Cruces: 7  
Albuquerque: 5  
Capitan: 5  
Carlsbad: 3  
Cloudcroft: 2  
Deming: 1  
Farmington: 1  
High Rolls: 2  
Lovington: 2  
Nogal: 3  
Santa Fe: 1  
Ruidoso Dns: 2  
Tularosa: 2

TEXAS: 124 (44%)

Austin: 10  
El Paso: 7  
Pampa: 6  
Granbury: 5  
Houston: 5  
San Antonio: 5  
Others: 85

ILLINOIS: 1

OKLAHOMA: 4

TENNESSE: 2

MINESTOA: 1

FLORDIA: 1

ARTIST SALES:

38,305.00  
\$8,305.00

(Does not include Studios 1, 3, 14, 15, 18, & 21) – Did not attend wrap up.

## ART LOOP 2010 QUESTIONNAIRE STATISTICS

**Total Attendance: 307**

*(Not turned in survey)*

How did you hear about Art Loop:

<b>Brochure:</b>	<b>166</b>	<b>(54%)</b>
<b>Newspaper:</b>	<b>98</b>	<b>(32%)</b>
Ruidoso:	72	(23%)
Roswell:	11	(4%)
Otero:	1	
Other:	14	
Free Press:	1	
Loop Artist:	10	
Friend:	43	(14%)
<b>Street Banner:</b>	<b>47</b>	<b>(15%)</b>
Mail List:	28	(9%)
NM Magazine:	23	(8%)
Artist Directory:	27	(8%)
Posters/Signs:	4	
Visitors' Guide:	2	
Chamber:	2	

Where are you staying:

<b>Local:</b>	<b>131</b>	<b>(43%)</b>
Have Vac Home:	87	(28%)
With Friends:	34	(11%)
Local Lodging:	37	(12%)
RV Park:	5	

Did you travel here for Art Loop:

<b>Yes:</b>	<b>82</b>	<b>(27%)</b>
<b>No:</b>	<b>183</b>	<b>(60%)</b>

Is this your first time to attend Art Loop:

<b>Yes:</b>	<b>122</b>	<b>(40%)</b>
<b>No:</b>	<b>145</b>	<b>(47%)</b>

Age Group:

20-35	10	(3%)
36-50	42	(14%)
<b>51-64</b>	<b>132</b>	<b>(43%)</b>
65 +	110	(36%)

**ART LOOP 2010****Permanent Residences:****NEW MEXICO: 155 (50%)**

**Ruidoso:** 48  
**Alto:** 32  
**Roswell:** 20  
 Capitan: 10  
 Alamogordo: 6  
 Albuquerque: 6  
 Ruidoso Dwns: 5  
 Nogal: 5  
 Artesia: 4  
 Las Cruces: 4  
 Carlsbad: 3  
 Carrizozo: 2  
 Lincoln: 2  
 La Luz: 1  
 Mayhill: 1  
 Rio Rancho: 1  
 Sandia Peak: 1  
 Tinnie: 1  
 Tularosa: 1  
 Aztec: 1  
 Corrales: 1

**TEXAS: 131 (43%)**

Amarillo: 2  
 Aransas Pass: 1  
 Arlington: 3  
 Aubrey: 1  
**Austin:** 18  
 Baytown: 2  
 Belaire: 1  
 Bonham: 1  
 Brenham: 1  
 Brownsboro: 2  
 Conroe: 2  
 Cypress: 3  
 Dallas: 4  
 Decatur: 1  
 Denison: 1  
**El Paso:** 9  
 Fair Oaks Rch: 1  
 Fredricksburg: 2  
 Friona: 1  
 Frisco: 2  
 Ft. Worth: 3  
 Georgetown: 3  
 Gonzales: 1  
 Granbury: 6  
 Helotez: 2  
 Hondo: 5

**Houston:** 11  
 Hurst: 1  
 Irving: 2  
 La Grange: 1  
 Lakeway: 1  
 Lano: 1  
 Leander: 2  
 Lubbock: 1  
 Midland: 5  
 Montgomery: 1  
 N. Rich Hills: 1  
 Pampa: 4  
 Plainview: 1  
 Plano: 2  
 Potsboro: 1  
 Ranger: 1  
 Round Rock: 4  
 San Angelo: 2  
 San Antonio: 5  
 Seguin: 1  
 Slaton: 1  
 Sonora: 2  
 Springtown: 1  
 Tyler: 1

**ARIZONA: 7 (2%)**

Buckeye: 2  
 Casa Grande: 1  
 Chandler: 1  
 Tucson: 3

**CALIFORNIA: 3 (1%)**

Danville: 1  
 Luguna Hills: 1  
 Modesto: 1

**COLORADO: 1 (>1%)**

Golden: 1

**ILLINOIS: 3 (1%)**

St. Charles: 1  
 Park Ridge: 2

**INDIANA: 1 (>1%)**

Brownsburg: 1

**KANSAS: 1 (>1%)**

Winfield: 1

**MISSOURI: 1 (>1%)**

Springfield: 1

**OKLAHOMA: 2 (1%)**

Tulsa: 2

**WASHINGTON: 2 (1%)**

Kenmore: 2

Art Loop  
Printing Brochure  
2014

Estimated Costs

10,000 Brochures printing and shipping	2990.29
Postage 2100 Brochure out of area	1470.00
Printing of labels	100.00
Map up date	360.00
Graphic Artist	1000.00
Estimated Costs of Brochure	5920.29

**ART LOOP 2014**  
**PROPOSED BUDGET**

**Income**

Artists Application fees	875.00
Artist Participation fees	6125.00
Advertisers	5150.00
Website Advertisers	450.00
Lodgers Tax-estimate	5400.00
<u>Total Estimated Income</u>	<u>18,000.00</u>

**Expenses**

Brochure Design/Cranston Design	1000.00
Map Design/Douglas Miller	360.00
Website Host	400.00
Brochure printing	2990.29
Postage/Mailing	1659.00
Posters 100	200.00
Insurance	463.00
Chamber Memberships	225.00
PO Box fees	50.00

Advertising	9000.00
800 Number 1 year	146.00
Parade Expenses	150.00
Signage	240.00
Office Supplies	125.00
<b><u>Total Estimated Expenses</u></b>	<b><u>17,008.29</u></b>

# Art Loop 2013

*Actual Budget*

Date	Check#	Detail	Category	Income	Expense	2013	2012
4/8/13		Janet Alexander	ad sales	454.21			
4/8/13		Forest Home Cabins	ad sales	229.78			
4/8/13		Michele Caskey	ad sales	42.75			
4/8/13		Sacred Grounds	ad sales	181.69			
4/8/13		Sanctuary on the River	ad sales	203.06			
4/8/13		Earlayne Chance	ad sales	347.34			
4/8/13		Ellis Store	ad sales	208.40			
4/8/13		Rosemary's Herb Shop	ad sales	80.16			
4/8/13		Emese Fisher	ad sales	203.00			
4/8/13		Wortley Hotel	ad sales	240.47			
4/8/13		Two Deer Giftshop	ad sales	80.16			
4/8/13		Tinnie's	ad sales	208.40			
4/8/13		Swan Studios	ad sales	203.06			
4/8/13		Fandangos	ad sales	80.16			
4/8/13		White Mountain Art Connection	ad sales	181.69			
4/8/13		Sole of the West	ad sales	64.12			
4/8/13		Dunbar Studios	ad sales	96.18			
4/24/13		Century 21	ad sales	229.79			
4/24/13		White Mountain Glass	ad sales	114.06			
4/24/13		Josie's Framery	ad sales	203.06			
4/24/13		Laughing Sheep	ad sales	80.16			
4/24/13		Pinnacle	ad sales	160.00			
4/24/13		Dolan House	ad sales	80.16			
4/24/13		Lincoln Works	ad sales	80.16			
4/24/13		Ruidoso Valley Chamber of Com	ad sales	160.31			
4/24/13		Mortgage Pro	ad sales	150.00			
4/29/13		Ford	ad sales	75.00			
4/29/13		Ford	ad sales	245.63			
6/13/13		Treehouse Café	ad sales	75.00			
6/13/13		Michelle's	ad sales	480.94			
<b>TOTAL AD SALES</b>						<b>5238.90</b>	<b>13217.99</b>
1/23/13		entry fees	artists fees	925.00			
2/25/13		participation fees	artists fees	3150.00			
2/28/13		participation fees	artists fees	875.00			
7/10/13	1016	Roberts - reimbursement	artists fees		175.00		
8/1/13	1020	Wild Herb Market -Thank You	artists fees		35.88		
<b>TOTAL ARTISTS FEES</b>						<b>4739.12</b>	<b>6292.06</b>
<b>TOTAL INCOME</b>						<b>9978.02</b>	<b>19510.05</b>

12/19/12	transfer	Treehouse Café - Kick off party	advertising		150.83		
4/24/13	1004	Ruidoso News Summer Guide	advertising		488.81		
6/23/13	1012	The Ink 1/4 page color	advertising		252.11		
		New Mexico Magazine	advertising		1730.00		
		Vamanos full page	advertising		441.00		
8/1/13	1019	vamanos half page 6/28	advertising		239.52		
		Ruidoso News 1/4	advertising		88.00		
		Free Press	advertising		200.00		
		Roswell Daily Record	advertising		384.58		
		Raffle Giveaway	advertising		100.00		
		Raffle Giveaway	advertising		100.00		
		Raffle Giveaway	advertising		100.00		
<b>TOTAL ADVERTISING EXPENSE</b>						<b>4274.85</b>	<b>6372.82</b>

# Art Loop 2013

Date	Check#	Detail	Category	Income	Expense	2013	2012
5/12/13	1007	Caggiano Consulting	graphics		428.71		
5/16/13	1008	Cranston Designs	graphics		1000.00		
4/24/13	transfer	Starbucks - Thank Yous - mkc	graphics		38.20		
<b>TOTAL GRAPHICS EXPENSE</b>					1466.91	1466.91	4242.62
6/24/13	1013	Farmers Insurance	insurance		483.51		
<b>TOTAL INSURANCE EXPENSE</b>						463.51	463.51
3/7/13	1002	Zozo chamber dues	membership		35.00		
3/7/13	1003	Ruloso chamber dues	membership		125.00		
<b>TOTAL MEMBERSHIP FEE EXPENSE</b>						160.00	160.00
7/10/13		CRS	sales tax		714.70		
<b>TOTAL SALES TAX EXPENSE</b>						714.70	685.91
4/24/13	transfer	Staples - mkc	office supplies		267.57		
<b>TOTAL OFFICE SUPPLIES EXPENSE</b>						267.57	100.00
4/24/13	1005	Banner update	signage		110.39		
7/10/13	1015	step signs - Adams	signage		365.52		
<b>TOTAL SIGNAGE EXPENSE</b>						475.91	269.52
5/12/13	transfer	Modern Postcard - mkc	advertising		2529.80		
<b>TOTAL PRINTING EXPENSE</b>						2529.80	5945.29
1/4/13	1001	Susan Angolani for toll free#	toll-free #		25.00		
5/12/13	transfer	Grasshopper - mkc	toll-free #		26.71		
4/24/13	transfer	Grasshopper - mkc	toll-free #		50.69		
6/23/13	transfer	Grasshopper - mkc	toll-free #		12.15		
<b>TOTAL TOLL-FREE NUMBER EXPENSE</b>					114.55	114.55	75.00
7/10/13	1017	Walmart - mkc	parade		66.62		
6/23/13	transfer	YaYa - mkc	parade		50.22		
6/23/13	transfer	Gemplers - mkc	parade		131.36		
<b>TOTAL PARADE EXPENSE</b>					248.20	248.00	0.00
12/19/12	transfer	USPS - Application Mailing	postage		152.85		
5/12/13	1006	USPS - Susan Wier-Ancker	postage		1000.00		
5/21/13	1010	USPS - Vicki Conley	postage		92.08		
5/21/13	1011	USPS - Susy Goza	postage		151.00		
6/3/13	transfer	USPS - Michele Caskey	postage		234.13		
7/1/13	1014	USPS - for raffle sheets	postage		65.20		
<b>TOTAL POSTAGE EXPENSE</b>						1695.26	62.00
5/15/13	1009	Susan Angolani-Domain renewal	website		40.00		
4/24/13	transfer	WIX annual dues - mkc	website		149.00		
<b>TOTAL WEBSITE EXPENSE</b>						189.00	1100.00
<b>TOTAL EXPENSE</b>						<b>12600.06</b>	
11/13/12		2012 balance carryover		3676.97			
8/8/13		2013 balance carryover				1054.93	

B

RECEIVED

February 18, 2014

FEB 25 2014

ADMINISTRATION  
LINCOLN COUNTY NM

County of Lincoln  
P. O. Box 711  
Carrizozo, NM. 88301-0711

Re: Application for Lodgers Funds

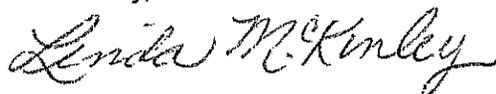
Dear Sir or Madam:

Enclosed is an application for Lodgers Tax funds for 2014 Ruidoso Christmas Jubilee. Attached to the application are (1) results, of the random survey taken at the 2013 Jubilee; (2) the actual amounts spent for advertising for 2013; (3) the budgeted amount for the 2014 advertising and (4) a sample of the artwork used in all advertising.

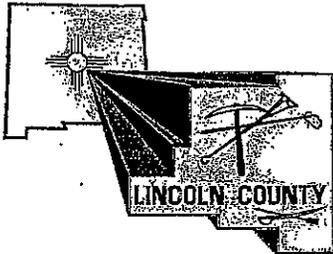
We are changing printing companies for the 2014 advertising year and we expect that printing costs will increase. We are requesting the amount of \$1,000.00 to help defray our expenses. We appreciate the assistance you have provided us in the past and respectfully request your help in 2014.

If you have any questions or concerns about our request please contact Linda McKinley at 336-7632 or [lmckinley@windstream.net](mailto:lmckinley@windstream.net)

Sincerely,



Linda McKinley, advertising Chairman  
Ruidoso Valley Greeters Christmas Jubilee  
575-336-7632 or 575-937-1492  
[lmckinley@windstream.net](mailto:lmckinley@windstream.net)



# County of Lincoln

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

www.lincolncountynm.net

NAME OF EVENT: Christmas Jubilee DATE(S) OF EVENT: Nov. 7, 8, + 9

NAME OF ORGANIZATIONS(S) APPLYING FOR FUNDING: Ruidoso Valley Greeters

AMOUNT REQUESTED: \$ 1,000.00

DESCRIBE EVENT BACKGROUND & RATIONALE: Christmas Jubilee is held to entice visitors to our area during a slow time for lodgers & vendors. Ruidoso Greeters is a non profit organization composed of volunteers and this is our only fund raising event.

HOW WILL YOU ADVERTISE AND MARKET THE EVENT? Posters, rack cards, book marks, print media, radio, internet, banners & any free ads we can find.

HOW WILL ATTENDANCE AND ORIGIN BE MEASURED? Adult admission is counted by admission fees and a random survey is conducted. Active military and children are free and not counted.

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER? YES NO HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED? We have a link to all lodging in Lincoln County.

WHAT PERCENTAGE OF YOUR MEDIA BUDGET WILL BE USED OUTSIDE OF LINCOLN COUNTY? 80% WILL YOU HAVE A WEBSITE FOR YOUR EVENT?  YES  NO

FUNDS WILL BE USED FOR:	
NEWSPAPER ADVERTISING:	\$ <u>3,000.</u>
RADIO:	\$ <u>200</u>
MAGAZINE:	\$ <u>800</u>
INTERNET:	\$ <u>500</u>
PRINTING:	\$ <u>2,000</u>
OTHER:	\$ <u>2,000</u>
TOTAL:	\$ <u>8,500</u>

*\* all of the newspapers ads has extensive advertising on the internet.*

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>Linda McKinley</u>	
SIGNATURE OF APPLICANT: <u>Linda McKinley</u>	
ADDRESS/CITY/ZIP: <u>126 Adira Monte Rd. Acto, NM 88312</u>	
PHONE: <u>575-336-7632</u>	EMAIL ADDRESS: <u>lmcKinley@windstream.com</u>
DATE SUBMITTED: <u>2-24-14</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.

	A	B	C	D	E	G
1	Advertising Budget and Costs for 2013 Christmas Jubilee					
2	PAY TO:	for:	Budget	Actual	Tax	Paid
3	Copy Rite		\$ 8,500.00			11/2/2013
4		Rack Cards		\$ 344.52		
5		Book marks		\$ 168.00		
6		Posters		\$ 150.00		
7		Misc. graphics		\$ 50.00	\$ 61.45	
8	EJ Enterprise	New banner		\$ 175.00		10/10/2013
9	Ruidoso Web Corp	Special promo		\$ 400.00		10/29/2013
10	Website changes			\$ 45.00	\$ 3.88	10/29/2013
11						
12	Ruidoso News					11/22/2013
13	Ruidosonews.com	pencil ad		\$ 150.00	\$ 12.94	
14	elPasotimes.com	40,000 impressions		\$ 280.00		
15	lascrucessunnews.com	20,000 impressions		\$ 200.00	\$ 17.25	
16	LC My Las Cruces	3colX6" color ad	11/9/2013	\$ 216.00	\$ 16.34	
17	Al Hollogram	3colX5"B&W	11/7/2013	\$ 187.50	\$ 14.30	
18	El Paso times	2colx4" B&W	11/6/2013	\$ 800.00		
19			11/7/2013			
20			11/8/2013			
21	EL Paso HotTicket	2colx4" B&W	11/6/2013	0		
22	RuidosonewsDisplay	3colx10.5"color	11/6/2013	\$ 280.90	\$ 24.22	
23			11/8/2013			
24	Ruidoso Vamonos	3colcx10.5"color	11/6/2013	\$ 220.50	\$ 19.02	
25			11/8/2013			
26	Go Daddy	Hosting Renewal		\$ 71.88		7/23/2013
27	(2 years)	.com renewal		\$ 26.02		
28	(2 years)	.net renewal		\$ 34.34		
29	(2 years)	.org renewal		\$ 34.66		
30	Roswell Daily Record	Oct. Vision II	10/17/2013	\$ 133.79	\$ 9.53	11/22/2013
31	MTD Publishing					11/22/2013
32	Radio ads	5 Radio Spots	11/5-11/9/13	\$ 300.00	\$ 25.87	
33	Zine Magazine	4.92x10.4" (V) FC	11/6/2013	\$ 220.00		
34		1/4 page (V) FC	10/30/2013	\$ 145.00	\$ 12.50	
35	Spot "G" Ros	160 x 600	10/25/2013	\$ 75.00	\$ 6.46	
36	Half Page Zine Mag		10/30/2013	\$ 220.00	\$ 18.97	
37						
38	Southwestern Advert	deliver rack cards		\$ 158.53		11/25/13
39						
40	Lincoln Pageant	brochure for		\$ 90.00		3/21/13
41	Lincoln County Days					
42						
43	TOTAL ALL ADVERTISING			\$ 5,176.64	\$ 242.73	\$ 5,419.37

Greeters 1  
2013 Christmas Jubilee  
November 8, 9, & 10

Attendance and Survey Results

Attendance:	Total Paid Attendance:	4,554
	Active Military & Families Free:	153
	Children Under 12 free:	
	Santa Room Addencance:	493

\*How they heard about the event: Local, El Paso, Roswell, & Las Cruces Newspapers , Internet, Banners, Flyers, Posters, AAA Magazine, Book Marks and word of mouth. Besides paid advertising, we made use of many free ads in publications statewide and

in Texas. It was advertised on the Marquee of the Chamber and First National Bank. We used paid radio ads to reach eastern New Mexico and west Texas and Free radio announcements and interviews on local stations. Besides the rack cards and book marks, we increased the the poster amount. We placed the posters around town and in the surrounding communittees

\*Where they Stayed: The Lodge, Best Western Motel, Cozy Cabins, Holiday Inn, Champion Run, Time-shares, Cloudcroft, Super 8 Motel, Rainbow Lake RV Resort, Riverside RV Park, second home, with friends and family.

\*Where they lived: Local, Capitan, Las Cruces, El Paso, Roswell, Dexter, Deming, Lovington, Tularosa, Cloudcroft, Mescalero, Lincoln, Albuquerque, Belen, T or C, Socorro, Santa Fe, Estancia, Hobbs, and Artesia.

\*Texas: Dallas, Austin, Houston, San Antonio, Kerrville, Midland, Odessa, Lubbock, Plainview, Hereferd, and Seminole

\*Other States: Nevada, Arizona, Alabama, Virginia, New York, Kansas, North Dakota, Colordo, Oklahoma, California, Florida,

\*Countries: Mexico, Canada

Greeters

2014 Advertising

Online Advertising	\$1,000.00
Printing Advertising	5,000.00
Radio Advertising	200.00
Website	150.00
Other Advertising	1,000.00
	<hr/>
	\$7,350.00



# 2013 Ruidoso Christmas Jubilee

Presented by  
Ruidoso Valley Greeters

A Shopping  
Extravaganza  
80 Local  
Merchants  
& Food Court

Ruidoso Convention Center  
November 08, 09, & 10



Friday Noon - 6 PM  
Saturday 10 AM to 6 PM  
Sunday 11 AM to 4 PM

**ACTIVITIES FOR THE CHILDREN**  
Story Telling & Visit with Santa  
Saturday 10 AM to 4 PM, Sunday 12:30 PM to 3 PM

For information, call (575) 336-4877  
[www.ruidosochristmasjubilee.net](http://www.ruidosochristmasjubilee.net)



ADVERTISING

FOR RUIDOSO VALLEY GREETERS

2013

	A	B	C	D	E	G
1	Advertising Budget and Costs for 2013 Christmas Jubilee					
2	<b>PAY TO:</b>	<b>for</b>	<b>Budget</b>	<b>Actual</b>	<b>Tax</b>	<b>Paid</b>
3	<b>Copy Rite</b>		\$ 8,500.00			11/2/2013
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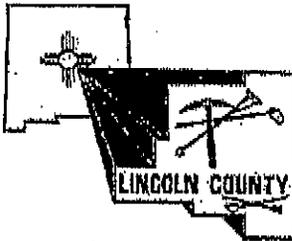
\*Where they lived: Local, Capitan, Las Cruces, El Paso, Roswell, Dexter, Deming, Lovington, Tularosa, Cloudcroft, Mescalero, Lincoln, Albuquerque, Belen, T or C, Socorro, Santa Fe, Estancia, Hobbs, and Artesia.

\*Texas: Dallas, Austin, Houston, San Antonio, Kerrville, Midland, Odessa, Lubbock, Plainview, Hereferd, and Seminole

\*Other States: Nevada, Arizona, Alabama, Virginia, New York, Kansas, North Dakota, Colorado, Oklahoma, California, Florida,

\*Countries: Mexico, Canada

C



# County of Lincoln

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 11-13, 2014

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

AMOUNT REQUESTED: \$ 5,000.00

DESCRIBE EVENT BACKGROUND & RATIONALE: The three day event include a living history, military reenactment, live music, historical presentations and food. The event appeals to families, tourists, 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 came from, where they stay and whether they attended the 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 discussion 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**

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>Larry Auld</u>
SIGNATURE OF APPLICANT:	<u>Larry Auld</u>
ADDRESS/CITY/ZIP:	<u>P.O. Box 1 Fort Stanton, N.M.</u>
PHONE:	<u>817-454-6368</u>
EMAIL ADDRESS:	<u>larry.auld@motion-ind.com</u>
DATE SUBMITTED:	<u>03/14/14</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



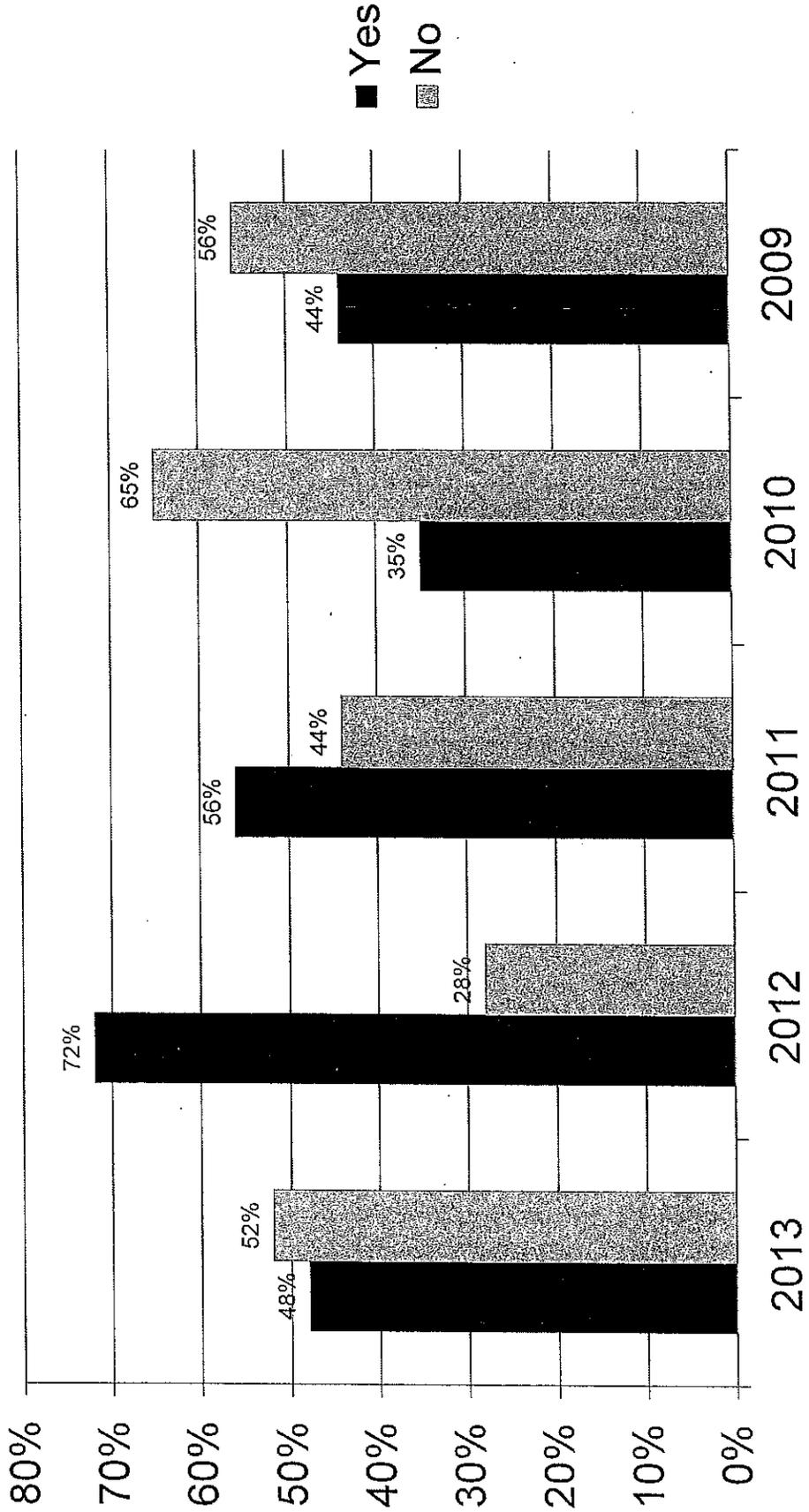
# Fort Stanton Live! 2013



July 13-14, 2013

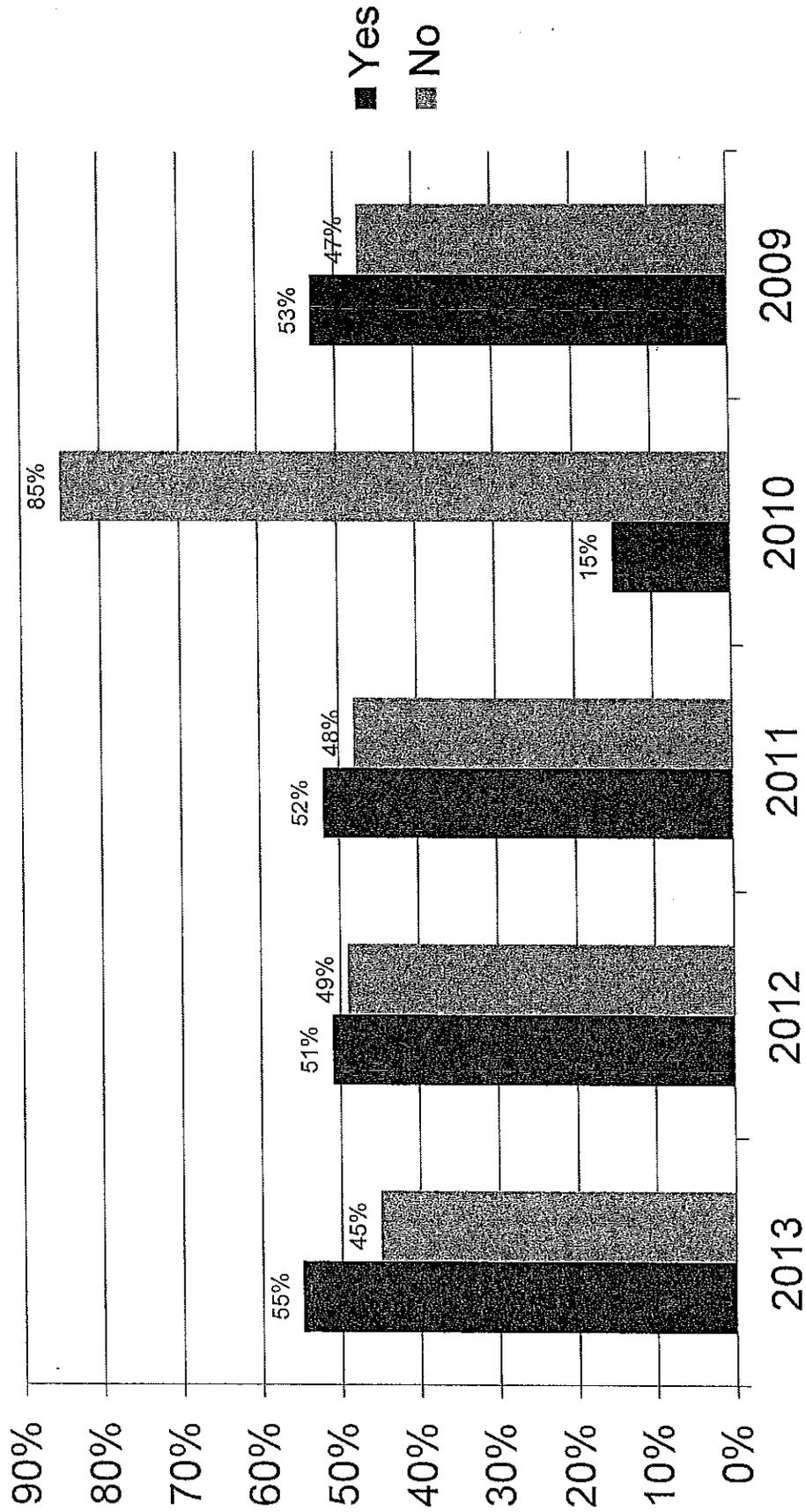


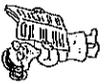
# First Time at Fort Stanton Live





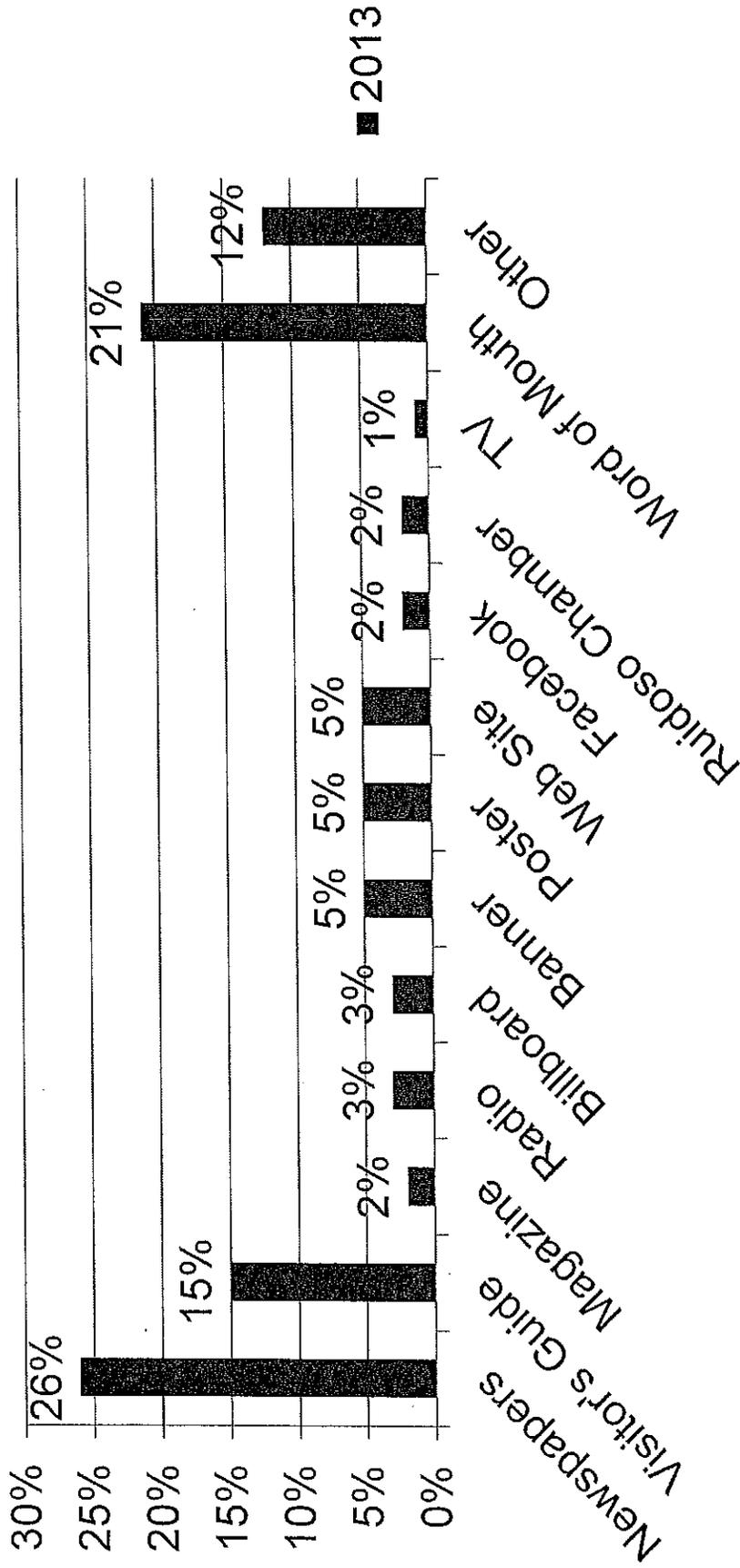
# Travel to Lincoln County Principally for FSL





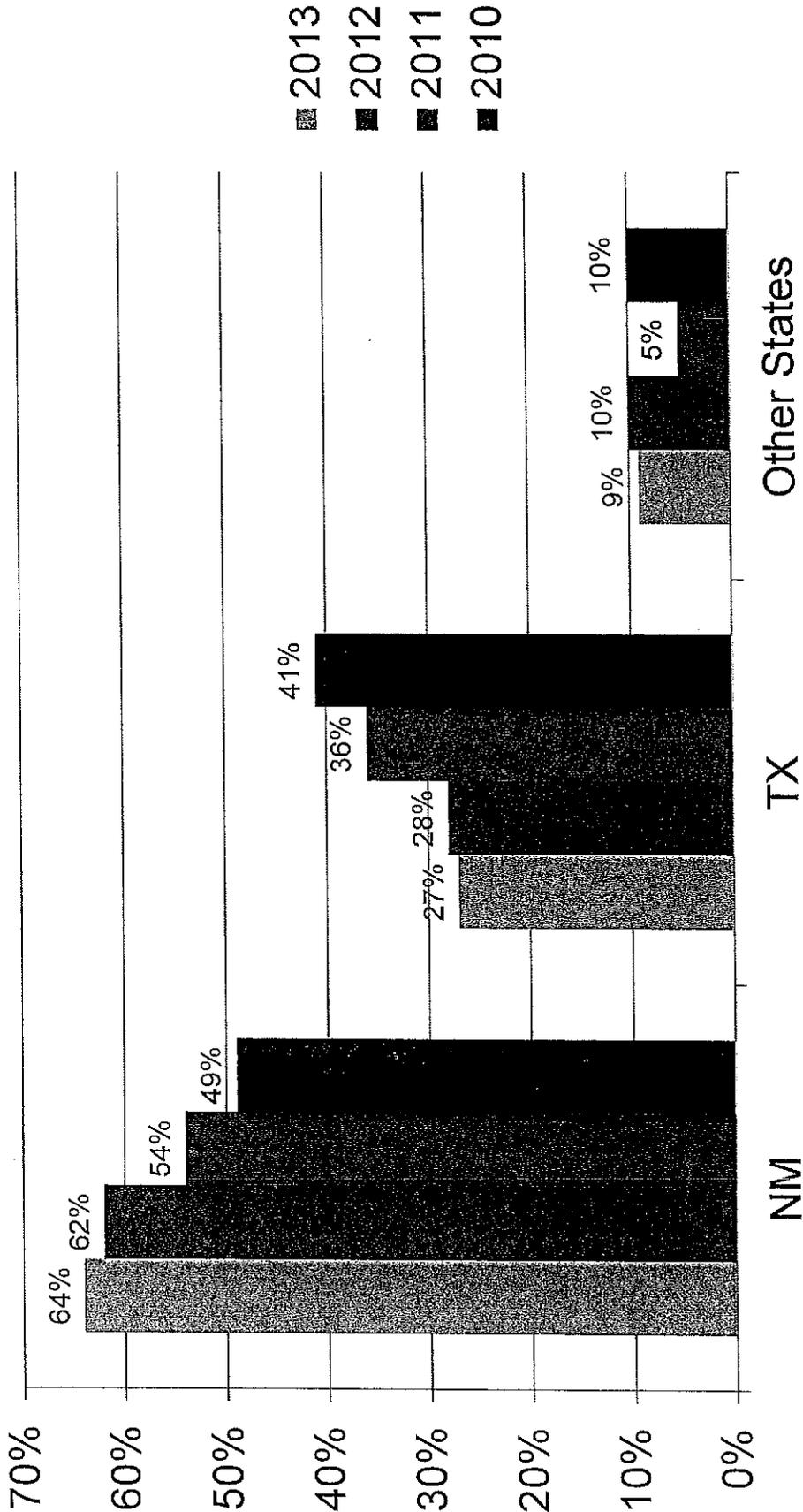
# How Did You Hear About FSL

2013



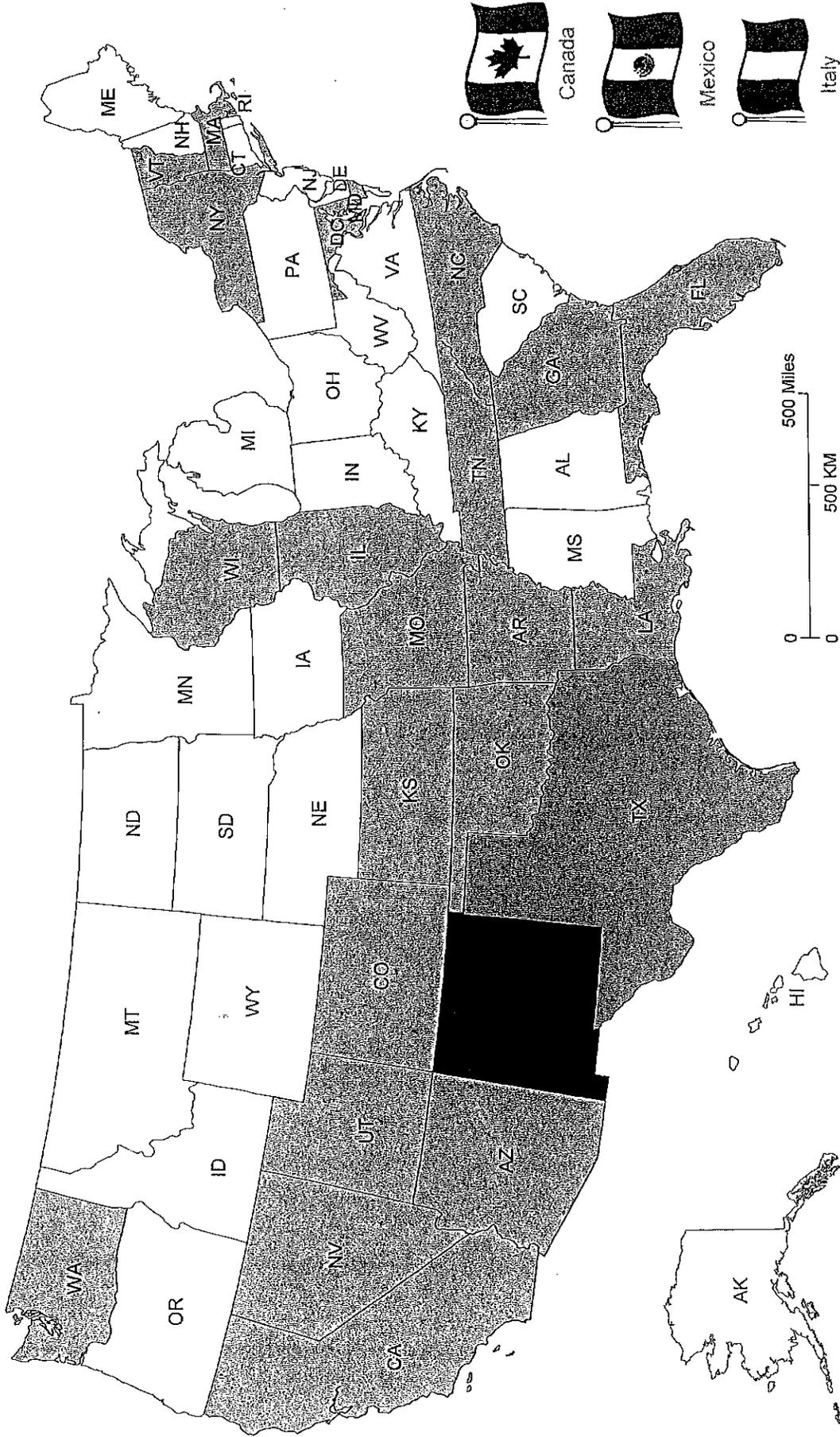


# Where We Are From





# Places We Came From



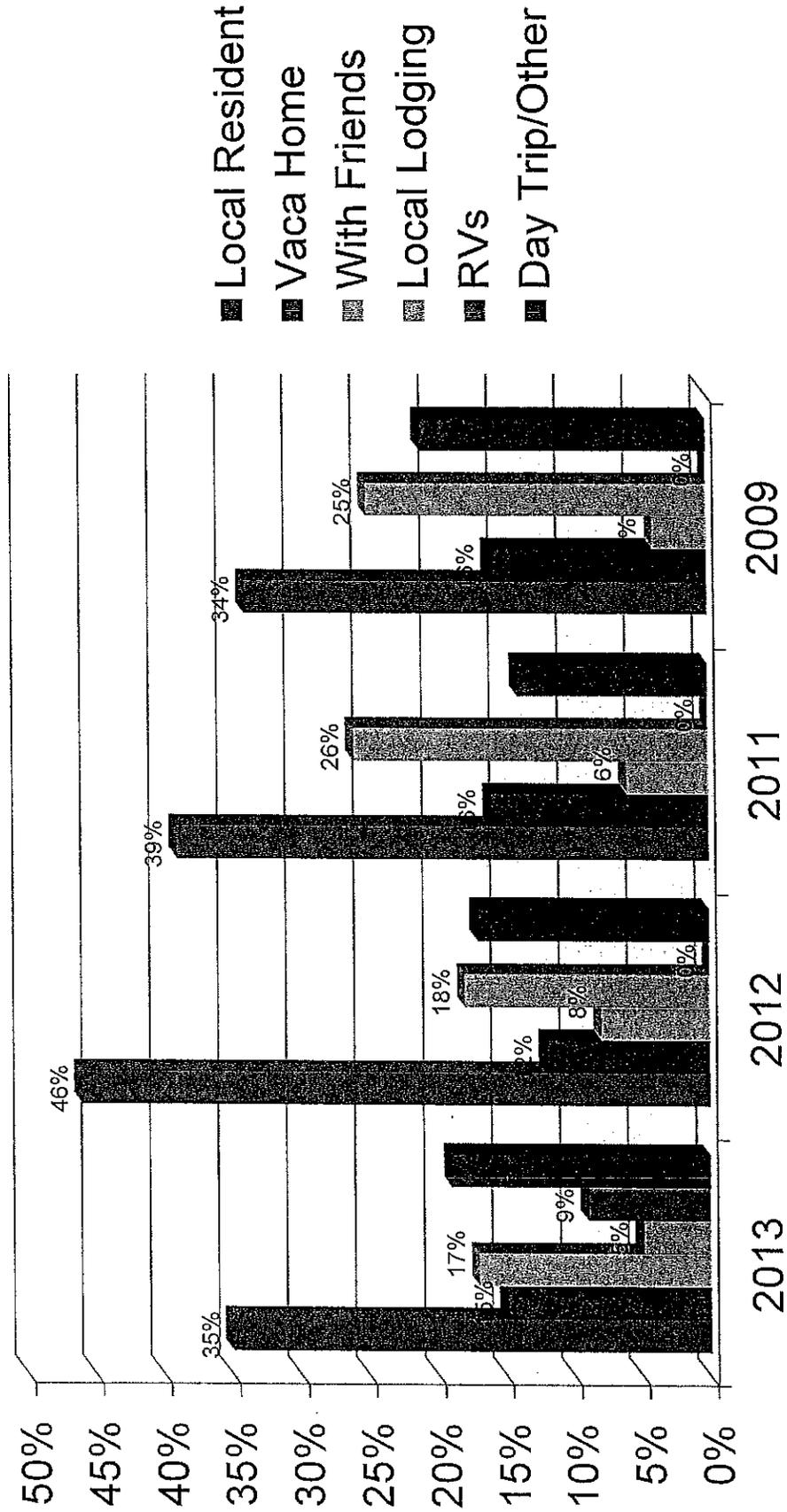
Less than 10

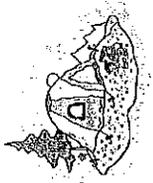
171

410

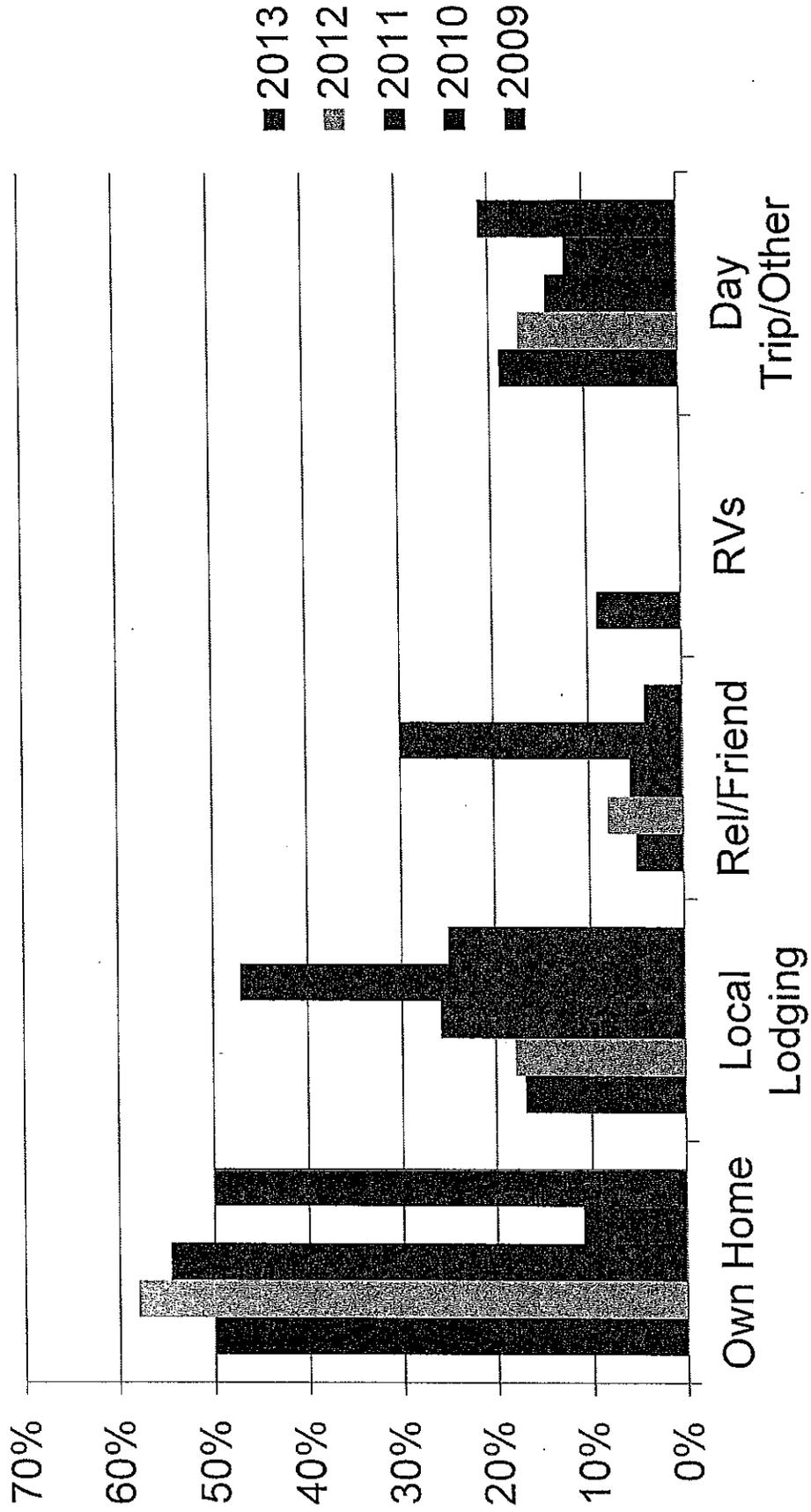


# Where We Stayed





# Where We Stayed (5 year)



# LINCOLN COUNTY LODGERS TAX FUND APPLICATION

P

**Name of event:** RUIDOSO GRINDSTONE TRAIL RUNS

**Date(s) of event:** 07/26/14

**#Attendees:** 45-75

**Name of organization applying for funding:** Frederic Moras

**Amount requested:** \$2800

**Event rationale:** Promote the multiple use trails at Grindstone Lake with an event. A nice "cool" alternative for runners in the middle of the Summer (especially from El Paso) who want to keep training for other races. (no other event on the running calendar in El Paso, Las Cruces & Albuquerque is competing).

**How will you advertise & market the event?** Email list of runners for the SRRC since 2007. Use of social media like Facebook page (SRRC has a page). Rack cards & posters will be send to El Paso & Albuquerque to running stores. Newspaper add in El Paso Scene. (June & July). The event will be posted on calendar of events in El Paso (raceadventuresunlimited.com); Albuquerque (abqroadrunners.com) and nationally on ultrasignup.com.

**How will attendance & origin be measured?** Email & snail mail registration data.

**Have you discussed special room packages with a Lincoln County lodger?**  
In process with Hotel Ruidoso or Confort Inn.

**What percentage of your media budget will be used outside Lincoln County?** 95%

**Will you have a website for your event?** Ultrasignup.com

## Marketing Expenses

NEWSPAPER 500

TEE SHIRT 1500

INTERNET 300

PRINTING 500

TOTAL: \$2800

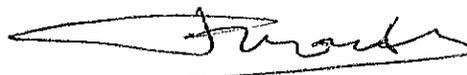
RECEIVED

MAR 14 2014

ADMINISTRATION  
LINCOLN COUNTY NM

**Name of applicant:** Frederic Moras, P.O. Box 561, Ruidoso, NM 88355

2/25/14



# Outdoor Participation

## Special Report on Trail Running 2010

This download is available to everyone for free.

As Americans strive to incorporate daily exercise into their schedule, trail running provides a uniquely rewarding outdoor experience that gives participants an opportunity to escape the urban and suburban environments as well as stay fit. This information is found in the 2010 Special Report on Trail Running released by The Outdoor Foundation, in partnership with Montrail. This the first time a special report on trail running has been produced by The Outdoor Foundation.

The 2010 Special Report on Trail Running presents detailed information on participation by gender, age, ethnicity, income, education and geographic region. It also provides data on "crossover" sports and common barriers to entry which is critical information needed by outdoor businesses, communities and non-profits working to connect Americans with the outdoors.

### Key Findings:

#### *Trail Running Participation*

4.8 million Americans ages 6 and older participated in trail running in 2009.

In 2009, trail running participants made 153.7 million outings, averaging 31.8 days per participant.

More than 82% of trail running participants also participate in road running.

13.1% of trail runners tried the sport for the first time in 2009.

#### *Demographics*

63.5% of all trail runners are male and 36.5% female.

The 25 to 44 age group makes nearly half (48.9%). The 18 to 24 and over 45 age groups come in next (20% and 20.8% respectively). This is a fairly young demographic with 80% of trail runners being under 45 years of age.

Over 86% of trail runners have a household income over \$50,000, with 31.5% in an income bracket over \$100,000.

Over half (51.9%) of trail runners are college graduates.

#### *Participation in Other Outdoor Activities*

98.4% of trail runners participate in another outdoor activity with the most popular choices being running or jogging on pavement (82.6%), day hiking (52.3%), bicycling (50.8%) and camping (43.5%).

#### *Motivations and Barriers*

Friends and parents are the most influential in introducing trail runners to outdoor activities.

Relaxation and a way to get exercise are the top two reasons cited by trail runners for participation in outdoor activities.

A lack of time is the number one reason trail runners don't get out more often. A lack of interest and a lack of money for equipment are also reasons.

**BUDGET 2014**  
**RUIDOSO GRINDSTONE TRAIL RUNS**  
**SATURDAY, JULY 26, 2014**

Internet	
- Ultrasignup.com	300
Newspaper: El paso scene	500
Rackcards & posters	500
Portable toilets	220
Trophies: Bears	275
Other	280
Tee shirts	1500
Postage	100
Food	600
Village permit	150
Equipment rental	150
USA Track Field	150
Total: \$4725	

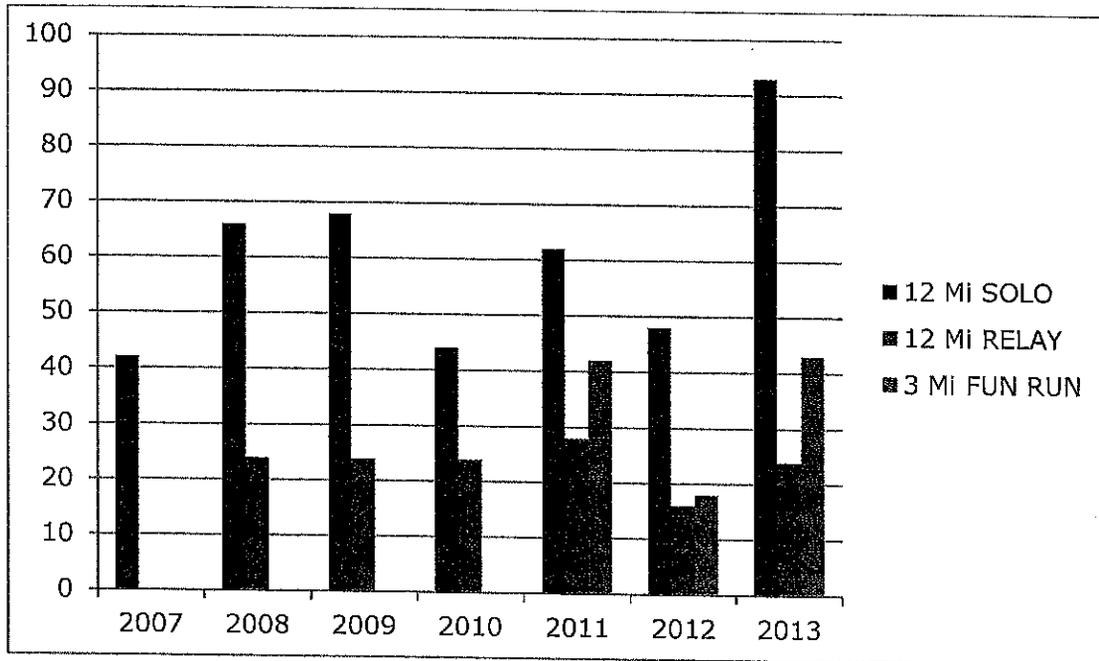
**BUDGET 2013**  
**Ski Run Road Challenge**  
**Saturday, July 27, 2013**  
**12M Solo, 12M Relay, 3M Fun Runs**

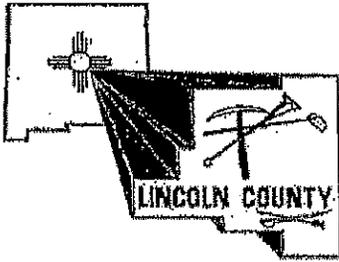
<b>Advertising</b>		<b>Was</b>
- Internet:		
- Active.com	2077.50	1910.88
- Website	400	434.50
- Newspaper: El Paso Scene :	700	468
- Rackcards & Posters	500	418.18
- Radio	900	0
- Portable toilets	400	211.38
- Trophies	300	256
Bears		265.08
Pint glasses		1274
- Tee shirts	1300	
- Postage	100	26.87
- Office supplies & supplies	150	0
- Transportation	200	100
- USATF sanctioning	80	100
- Food	700	*na
- Village permit	50	50
- Equipment rental & driver		137

TOTAL: 7857.5

\*estimate

not available yet.





# County of Lincoln

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

E

www.lincolncountynm.net

NAME OF EVENT: **TRUE ENCHANTMENT TOURISM BOARD** DATE(S) OF EVENT: **3/1/14 to 2/28/15**

NAME OF ORGANIZATION(S) APPLYING FOR FUNDING: Carrizozo Chamber of Commerce, 501 (c) 6 \_\_\_\_\_

AMOUNT REQUESTED: \$ 10,000.00

**DESCRIBE EVENT BACKGROUND & RATIONALE:**

While total tourism revenues are growing in New Mexico, tourism in Lincoln County has been declining since 2007 and businesses, communities, and vitality have suffered. **True Enchantment Tourism Bureau (TETB)** focuses on promoting tourism in communities from Tularosa to Corona and Carrizozo to Hondo, using website, e-marketing, consolidated events calendar, flyers, print advertisement, and radio outside a 60 mile radius to attract new tourism. To date, numerous nonprofits (7) and businesses (13) have already subscribed in this worthwhile effort to promote business, taxes, and jobs. The NM Cooperative Marketing Grant to TETB also provides matching funds for approved marketing in the amount of \$1 for every \$2 spent; approved cooperative marketing occurs under the **New Mexico True** brands and formats. (see attached)

The fact of the matter is that tourism has been down in Lincoln County since 2007 with no end in sight. Surrounding states of CO, AZ, UT, and TX spend 1.5X to 6X more in tourism marketing than NM, they capture 2X more transient tourism than NM, and they convert 3X more first time tourists to repeat tourists than NM. NM is 36<sup>th</sup> priority as a US tourist destination. Businesses and towns are ineffective marketing on their own, even with a wealth of tourism opportunity. Something has to be done now, and it cannot be done alone.

We think it only appropriate that **Lincoln County participate in this worthwhile effort to promote business, taxes, and jobs.**

**HOW WILL YOU ADVERTISE AND MARKET THE EVENT?**

Website, e-marketing, consolidated events calendar, flyers, print advertisement, and radio outside a 60 mile radius to attract new tourism in categories like history, outdoor adventure, music, art, and events unique. Our target markets are New Mexico outside 60 miles radius, Texas, and possibly Tucson in year one, and expanding from there in subsequent years. We will be using standardized and branded marketing pre-approved by NM Tourism Department and following grant procedures. (see attached)

**HOW WILL ATTENDANCE AND ORIGIN BE MEASURED?**

Lodgers Tax, Website metrics, # Info Requests, # Transactions, \$s/transaction, customers/month, #attendees, and other individualized metrics appropriate to restaurants, motels, services, events in accordance with NM Tourism Department, grant, and reporting procedures.

HAVE YOU DISCUSSED SPECIAL ROOM PACKAGES DURING YOUR EVENT WITH A LINCOLN COUNTY LODGER?  YES  NO  
NOT YET HOW WILL OCCUPANCY RATES BE REPORTED/TRACKED?

TETB Partner businesses in hospitality will report occupancy to TETB in accordance with NM Tourism Department, grant, and reporting procedures.

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

FUNDS WILL BE USED FOR: approximates

NEWSPAPER ADVERTISING:	\$ 500	_____
RADIO:	\$ 4000	_____
MAGAZINE:	\$ 8000	_____
INTERNET:	\$ 9500	_____
PRINTING:	\$ 7000	_____
OTHER:	\$ 1000	_____
TOTAL:	<b>\$30,000</b>	_____

OTHER FUNDING SOURCE & AMOUNT ~\$5-10K @NM Coop Mktg Grant @7/1/14, ~\$10K f/TETB participants .

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

**RULES AND REGULATIONS**

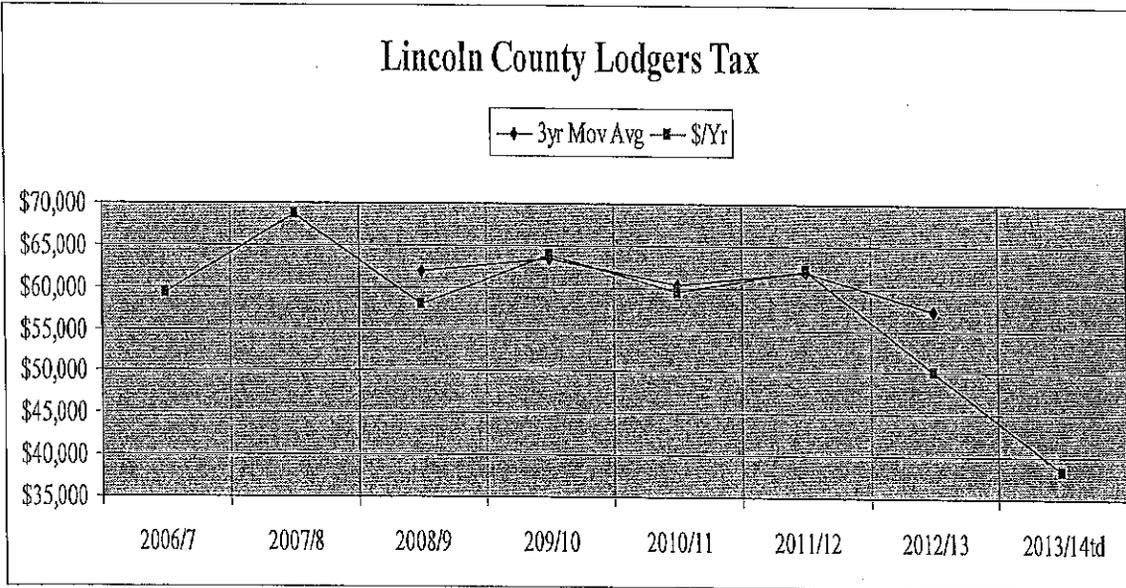
I understand that these are public funds and they are to be administered according to State Law and County Ordinances, and I agree to submit a follow up report with a financial statement within (90) days following the event or I could forfeit the funds. Funding recommended for approval by the Lincoln 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: Jim Boswell, Director, Carrizozo Works, Inc.	
SIGNATURE OF APPLICANT:	
ADDRESS/CITY/ZIP: POB 381, Carrizozo, NM 88301	
PHONE: 970-692-1057	EMAIL ADDRESS: jimboswellzozo@gmail.com
DATE SUBMITTED: 3/19/14	PRESENTED AT MEETING ON: 3/25/14

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.

**Attachments**

DESCRIBE EVENT BACKGROUND & RATIONALE:



**NM Tourism Department Strategy @2012**

- **Tourism is a critical economic driver** for the state
  - \$5.5B of the economy, \$770mm Tax Receipts, 55,000 jobs
- There is **significant potential upside**
  - Currently 36-38th in terms of states people are visiting
  - 1% of US Domestic Travel Market
  - ~32% of visitors just passing through (vs16% for AZ, UT, CO)
- NM - **low awareness and damaging misperceptions**
- If we don't proactively make changes, **things will get worse**
  - In 12 years, nearly ¼ of our visitors will have expired or stopped traveling
  - Average trip spend in NM continues to decline and is below the national average

## New Mexico Tourism Cooperative Marketing

- Become the fastest growing leisure travel destination in the U.S.
- Accelerate NM tourism, driving unprecedented revenue growth and occupancy rates
- *Make New Mexico a primary travel destination* by giving Venturesome travelers compelling reasons to choose NM
- NM Coop Marketing over 6 years old, funded by NM Legislature
- Today @2013/14,
  - 57 Entities Participating
  - \$600,000 Matching Funds Awarded
  - \$1.2M in Coop Marketing Done!

**TETB may become the ONLY NM Coop Marketing Entity in Lincoln County!**

## True Enchantment Tourism Board

- 7+ Members, 13+ Partners @3/18/14
- Established Coverage from Tularosa to Carrizozo to Hondo
- A Rich Tourist Environment
- \$30,000 Marketing Budget
- Commitment and Enthusiasm

HOW WILL YOU ADVERTISE AND MARKET THE EVENT?

## True Enchantment Tourism Board Program Components

- Tourism Marketing Website w Consolidated Events Calendar
  - eMarketing!
- Flyers Marketing
- Print Ad Placements
- Radio Ad Placements for Events
- Membership in Tourism Association of NM (TANM)
- Associated, Credentialed, Branded
  - NM True, NM Tourism Dept, Frontier Comm @Carrizozo
- Ongoing Year to Year Marketing
  - Flexible New Features and Program Evolutions
  - Measured Results – lodgers tax, your business revs

## True Enchantment Tourism Marketing

- NM and Texas in Year One, expand in subsequent years
  - NM True/NMTD because of established resources, branding, strategy, expand it later
  - Initially Albuquerque, El Paso, San Antonio, Dallas, West Texas, (Tucson), and Military Bases
  - 22-75 in age with disposable income, venturesome interests, etc.
- Possible focused marketing at AARP, Ride Texas (motorcycle), Wild West (historical), NM Magazine (around culinary), Outside

April 10, 2014

To: Lincoln County Commissioners

Fm: Jim Boswell, Fran Altieri, True Enchantment Tourism Board

Subject: **Lodger's Tax Grant Request**

**ORGANIZATION: TRUE ENCHANTMENT TOURISM BOARD**, a project of Carrizozo Chamber of Commerce, 501 (c) 6, who serves as the TETB fiscal agent. TETB is composed of subscribing Members and Partners (20) in communities from Tularosa to Corona and Carrizozo to Hondo.

**MANAGEMENT:** True Enchantment Tourism Board

- Jim Boswell, Executive Director, [jimboswellzozo@gmail.com](mailto:jimboswellzozo@gmail.com), 970-692-1057
- Fran Altieri, President, Carrizozo Chamber, [franf55@yahoo.com](mailto:franf55@yahoo.com), 575-973-0571
- Volunteers, including the work of Brad Cooper of White Oaks posthumously

**REQUEST PERIOD: 5/1/14 to 4/30/15**

**AMOUNT REQUESTED: \$10,000.00**

## **BACKGROUND**

While total tourism revenues are growing in New Mexico, tourism in Lincoln County has been declining since 2007 and businesses, communities, and vitality have suffered. **True Enchantment Tourism Board (TETB)** focuses on promoting tourism in communities from Tularosa to Corona and Carrizozo to Hondo, using website, e-marketing, consolidated events calendar, flyers, print advertisement, and radio outside a 60 mile radius to attract new tourism. In line with best practices, TETB has already attended NM Cooperative Marketing Grant and NM True training, secured tourism marketing advisory services, and contacted potential service providers. To date, numerous nonprofits (8) and businesses (12) in 12 communities, representing 7000 persons, have subscribed to this worthwhile effort to promote business and jobs.

<b>Name</b>	<b>Location</b>
Dark Horse	Carrizozo
Hondo Iris Farm	Hondo
Pat Cooper	White Oaks
Rainbow Inn & Gift Shop	Carrizozo
Roys Gift Gallery & Ice Cream Parlor	Carrizozo
Three Rivers Trading Post	Tularosa
No Scum Allowed Saloon	White Oaks
Soul of the West	Carrizozo
The Dolan House	Lincoln
The Stor LLC	Carrizozo
Tularosa Basin Telephone Company	Tularosa
Gallery 401	Carrizozo
Town of Capitan	Capitan
Town of Carrizozo	Carrizozo
Lincoln County Historical Society	Lincoln
Carrizozo Chamber of Commerce	Carrizozo
Tularosa Village Historical Society	Tularosa
Carrizozo Woman's Club	Carrizozo
Carrizozo Works, Inc.	Carrizozo
Capitan Public Library	Capitan

The NM Cooperative Marketing Grant (NM Tourism Department program over 8 years old) to TETB provides matching funds for approved marketing in the amount of \$1 for every \$2 spent; approved cooperative marketing occurs under the **New Mexico True** brands and formats. TETB will probably be the only NM Cooperative Marketing Grant entity in the coming 2014/2015 fiscal year in Lincoln County, NM.

In conclusion, the fact of the matter is that tourism has been down in Lincoln County since 2007 with no end in sight. Surrounding states of CO, AZ, UT, and TX spend 1.5X to 6X more in tourism marketing than NM, they capture 2X more transient tourism than NM, and they convert 3X more first time tourists to repeat tourists than NM. NM is 36<sup>th</sup> priority as a US tourist destination. Businesses and towns are ineffective marketing on their own, even with a wealth of tourism opportunity. Something has to be done now, and it cannot be done alone.

When Lincoln County Lodger's Tax funds participate in TETB, every dollar is effectively spent, every dollar generates \$1.50 in tourism marketing impact, and every dollar is mobilized to grow future Lodger's Tax.

**Participation promotes business, taxes, and jobs.**

## ADVERTISING AND MARKETING

The TETB target markets are:

1. **History Engagement & Exploration** – for example, Buffalo Soldiers, Apache Wars, Lincoln County War, Mining, Railroading, and such.
2. **Personal Active Adventure** – for example, motocross, auto racing, youth camps, camping, hiking, geo caching, hunting, motorcycling, 4 wheeling, wildlife observation, photography, horse back riding
3. **Cultural Engagement** – for example, art, music, wineries, events, classes, galleries, tours, entertainment, nuts, fruit, restaurants, antiques, and shopping

These are individuals 35 to 75, with/without children, with incomes of \$75,000 or more, some of whom look for cultural engagement and others for active adventure. At one end of the spectrum it targets families and persons of modest resources and limited time, while at the other end, it targets a leisurely group of more considerable income and free time. Military on vacation and R&R is a sub-segment of interest. Our immediate target geographies are NM outside 60 miles of Hondo, Tularosa, and Carrizozo and all of Texas.

Website, e-marketing, consolidated events calendar, flyers, print advertisement, and radio to attract new tourism is our focus. About 40% of the media budget will be spent inside Lincoln County; about 95% of marketing will be delivered outside Lincoln County. We will be using standardized and branded marketing pre-approved by NM Tourism Department and following grant procedures. Approximate budgets are:

<u>Category</u>	<u>%/\$ Budget*</u>
Website	28%
eMarketing	10%
Print	54%
Radio	6%
Other	2%
Total Mktg Spend	\$40,000*
In Kind Donations	\$50,000

\*4/9/14 forecast

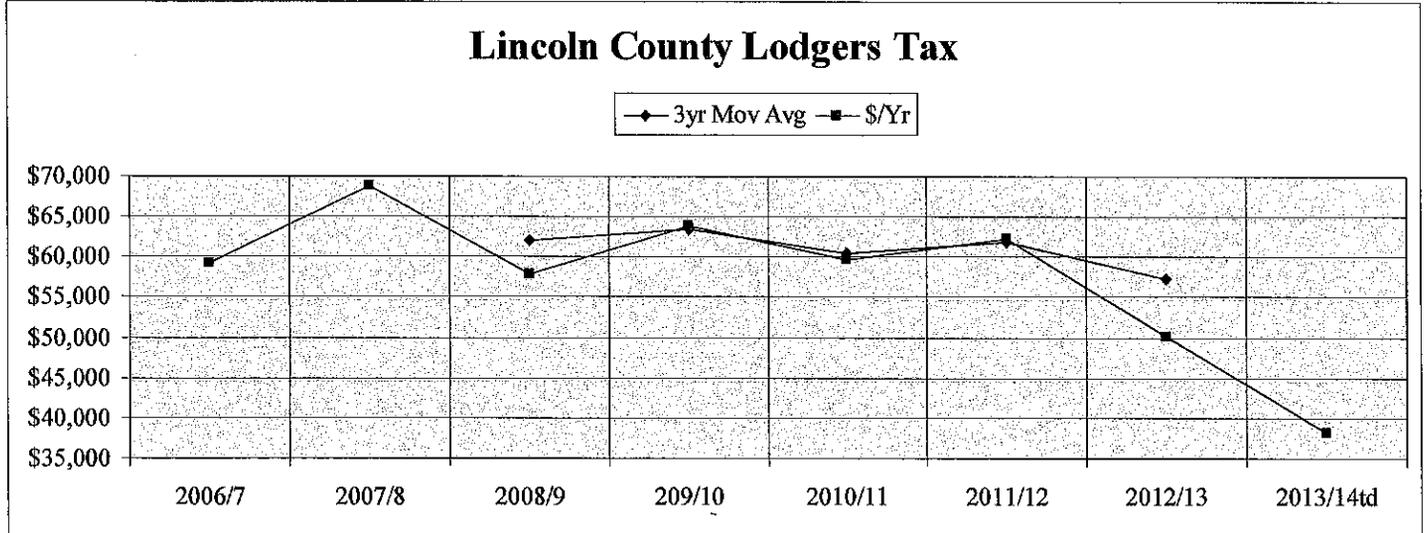
Funding sources are \$10,000 to \$15,000 from NM Cooperative Marketing Grant; \$17,000 and growing f/TETB subscribers; \$10,000 proposed to Lincoln County Lodger's Tax, and \$50,000 In Kind Volunteer Services

Our goals for the period are:

- Establish a healthy marketing presence in NM and TX target market segments
- Increase attendance among TETB participants in 2014/15
- Grow the TETB participants for the next 2015/16 fiscal year

Results will be measured by Lodgers Tax, Website metrics, # Info Requests, # Transactions, \$\$/transaction, customers/month, #attendees, and other individualized metrics appropriate to restaurants, motels, services, events in accordance with NM Tourism Department, grant, and reporting procedures.

## Attachments



### NM Tourism Department Strategy @2012

- **Tourism is a critical economic driver** for the state
  - \$5.5B of the economy, \$770mm Tax Receipts, 55,000 jobs
- There is **significant potential upside**
  - Currently 36-38th in terms of states people are visiting
  - 1% of US Domestic Travel Market
  - ~32% of visitors just passing through (vs 16% for AZ, UT, CO)
- NM - **low awareness and damaging misperceptions**
- If we don't proactively make changes, **things will get worse**
  - In 12 years, nearly 1/4 of our visitors will have expired or stopped traveling
  - Average trip spend in NM continues to decline and is below the national average

### New Mexico Tourism Cooperative Marketing

- Become the **fastest growing leisure travel destination in the U.S.**
- **Accelerate NM tourism**, driving unprecedented revenue **growth** and occupancy rates
- **Make New Mexico a primary travel destination** by giving Venturesome travelers compelling reasons to choose NM
- NM Coop Marketing over 8 years old, funded by NM Legislature
- Today @2013/14, 57 Entities Participate, \$600,000 Matching Funds Awarded, and \$1.2M in Coop Marketing is Done!

### Developing True Enchantment Tourism Marketing Channels

- TETB is targeting NEW customers primarily, the most expensive marketing of all
- TETB MUST reach target customers 7 to 8 times to become top of mind as a tourist destination
- eMarketing Channels: FunNGames, Madden, Certified Folder Display, Lubbockonline.com, gosanangelo.com, mywesttexas.com, FBMonitor.com, fort Bliss MWR, amarillo.com, Holloman AFB FSS, Clear Channel El Paso Airport, Abilene Reporter news.com, a TETB e-newsletter, etc.
- Magazine Channels: AAA, AARP, Ride Texas, American Road, Wild West (historical), True West, The Griffin (military), NM Magazine, Outside, American Cowboy, Western Horseman, ABQ the Magazine, NM Vacation Guide, El Paso Magazine, etc.

## True Enchantment Tourism Board Cooperative Marketing

3/3/14, Jim Boswell, CWI

## How Are You Doing?

So,

- Are You Getting the Business You Want? Are you Up? Down? Static?
- Are You Marketing Effectively?
- Are You Getting New Customers?
- Do Your New Customers Return?

## NM Tourism Strategy in 2011/2012

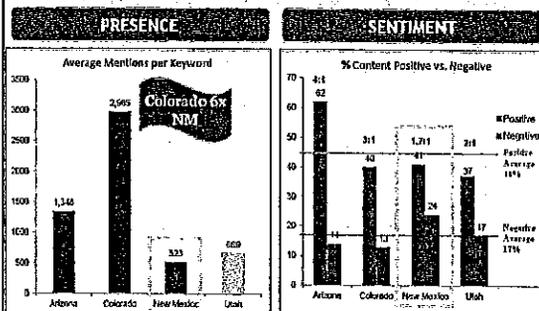
- **Tourism is a critical economic driver for the state**
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  - In 12 years, nearly 1/4 of our visitors will have expired or stopped travelling
  - Average trip spend in NM continues to decline and is below the national average

## Top 10 Destinations @www

### Lonely Planet/Huffington Post

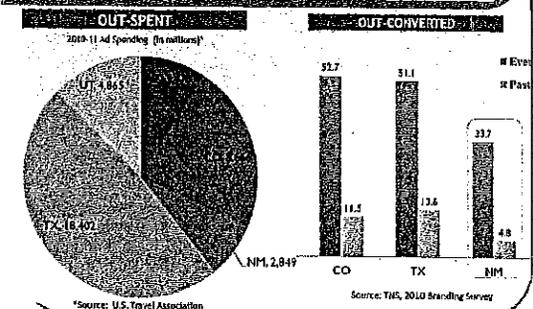
- Grand Rapids & Lake Michigan's Gold Coast
  - Yosemite National Park, CA
  - Boston, MA
  - Central Coast, CA
  - Jersey Shore, NJ
  - Kansas City, MO
  - Cumberland Island, GA
  - Las Vegas, NV
  - Sun Valley, ID
  - Lana'i, Hawaii
- Where is New Mexico?!**

Additionally, a social media audit showed New Mexico has lower visibility & more negative consumer perceptions



Source: ActualMind Social Media Audit, May 2011

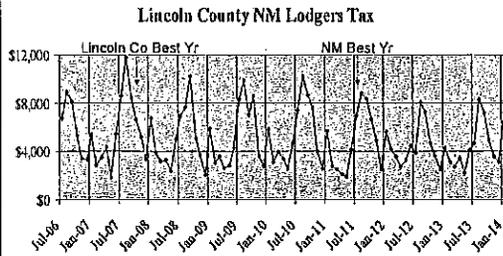
## Tourism Marketing Metrics



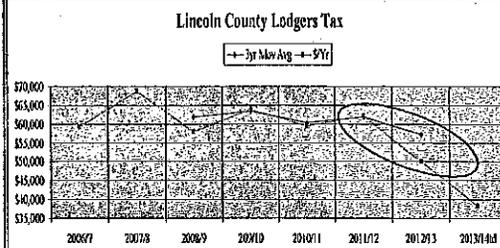
\*Source: U.S. Travel Association

Source: TMS, 2010 Branding Survey

## Lincoln County Lodgers Tax



## Lincoln County Lodgers Tax



## Marketing & Sales Principles

- Hope is Not A Strategy!
- There is no Status Quo in Business, only Decline, or Progress
- Only 3% of the Population are Natural Born Salespersons
- Marketing expenses should be 2.6 to 8% of gross sales
  - \$12,500 to \$40,000 sales -> \$1000
- It takes 7 to 8 touches to become front of a prospect's mind
- Repeat Customers are 7 times more profitable than new customers. New Customers are 7x more expensive to secure.
- Rewarded Customers spend twice as much; what are you doing?
  - Loyalty programs bring customers back and make them your advocate
- If you have Ineffective/unmotivated employees, they can cost your business (\$17,000/year). Don't waste your marketing!

## Agenda

- Opportunity Overview
- New Mexico Coop Marketing Grant
- True Enchantment Marketing Initiative
- What's In It for Me?
- What Do I Need To Do?
- Milestones
- Appendices

## New Mexico Cooperative Marketing Grant

## NM Tourism Strategy in 2011/2012

- Vision: Become the fastest growing leisure travel destination in the U.S.
- Business Objective: Accelerate NM tourism, driving unprecedented revenue growth and occupancy rates
- Marketing Objective: *Make New Mexico a primary travel destination* by giving Venturesome travelers compelling reasons to choose NM as their next great travel experience

**Our Passionate, NM Brand Lovers Appear to be a Strong Fit for the Plog "Venturer" Psychographic Traveler Profile\***

<p><b>Characteristics:</b></p> <ul style="list-style-type: none"> <li>• Self-confident</li> <li>• A leader</li> <li>• Intellectually curious</li> <li>• Quick decision-making</li> <li>• Desire to explore ideas and places</li> <li>• Active and energetic</li> <li>• Spend discretionary income more readily</li> <li>• Rely on their own judgment</li> <li>• Prefer varying activities &amp; challenges</li> </ul>	<p><b>Travel Behaviors:</b></p> <ul style="list-style-type: none"> <li>• Travel more frequently</li> <li>• Spend more per day</li> <li>• More likely to travel via air</li> <li>• Prefer unusual, underdeveloped destinations that have retained their native charm</li> <li>• Accept unconventional accommodations as an integral part of a unique vacation experience</li> <li>• Prefer to participate in local customs and habits and tend to avoid those that are staged for tourists.</li> <li>• Tend to seek new destinations each year to add to their treasure of rich experiences</li> </ul>
---	---

**The Result Was a Clearer Picture of the "Venturer" in Terms of Key Demographic Dimensions...**

Demographic Profile

*More likely to be:*

---

*Aged 18-44*

*Never married or currently married*

*From a major metropolitan city (especially Las Angeles, San Francisco, Miami, Chicago or New York)*

*\$75K+ HH income*

**Our Cumulative Consumer Learning, Along With Recent Qualitative Research, Led to These Hypothesized Triggers & Barriers to Choosing NM as a Travel Destination**

<p><b>TRIGGERS</b></p> <ul style="list-style-type: none"> <li>• Un-processed, authentic natural and cultural vacation experiences</li> <li>• Outdoor sports/recreation ("stuff to do")</li> <li>• Beautiful landscapes</li> <li>• Interesting historical sites and architecture</li> <li>• Unique local cuisine</li> <li>• Not "touristy"</li> </ul>	<p><b>BARRIERS</b></p> <ul style="list-style-type: none"> <li>• Not top of mind (low visibility/awareness)</li> <li>• Don't know what to do/ nothing to do</li> <li>• Hard to get to</li> <li>• Hot &amp; dry weather</li> <li>• Lack of quality &amp; variety in food and accommodations</li> <li>• Fewer recreational activities (vs. Colorado)</li> </ul>
--	--

**New Mexico True @\$3.2B over 2012-2016**

**New Mexico Coop Mktg Grant**

- NM Cooperative Marketing Grant (NMCG) program is about tourism at **60 miles radius**
- Effective use of their matching grant money is for website, flyers, adds, radio, etc.
- NMCMG requires **approved use of NM True** branded materials in campaigns they support.
- Grant money awards are **limited by the number of 501Cx Members** in the Grant.

**NM Coop Mktg Grant 2013/2014**

Entities	Range	Grants
<u>5+ Member Collaborative Efforts</u>		
20	\$10-40K	\$455,225
<u>2-4 Member Collaborative Efforts</u>		
18	\$2.5-10K	\$107,375
<u>Solo Member Collaborative Efforts</u>		
19	\$.75-3K	\$38,400

• Ruidoso doesn't do NMCMG so they can maintain existing branding

**NMCMB Participants 2013/14**

Entity	Grant Amount
<u>5+ Member Collaborative Efforts</u>	
1 City of Alamogordo	40,000.00
2 City of Elephant Butte	40,000.00
3 City of Las Vegas	10,000.00
4 City of Roswell	20,000.00
5 City of Santa Fe - Culinary Adventures	30,000.00
6 City of Santa Fe - Sounds of Santa Fe	20,000.00
<u>2-4 Member Collaborative Efforts</u>	
7 City of Truth or Consequences	40,000.00
8 City of Truth or Consequences	20,000.00
9 Clavis Curry County Chamber of Commerce	10,000.00
10 County of Luna	30,000.00
11 Enchanted Circle Cooperative	10,000.00
12 Las Alamos Meeting and Visitors Bureau	40,000.00
13 MainStreet Las Vegas	30,000.00
<u>Solo Member Collaborative Efforts</u>	
14 Old Town Merchants Association	15,000.00
15 Old Town Merchants Association	20,000.00
16 Parallel Studios	15,000.00
17 Roosevelt County Chamber of Commerce	10,225.00
18 Silver City MainStreet	20,000.00
19 Toos Center for the Arts	15,000.00
20 Town of Toos	40,000.00
<b>Category Total:</b>	<b>455,225.00</b>

## New Mexico Coop Mktg Grant

### • Eligible Marketing Expenses

- Trade Show Booth Rental, Displays, Registration Fees
- Media Placement: TV, Print, Radio, Outdoor, Electronic
- Membership Dues Only to: Tourism Association of NM (TANM) or Travel Industry Association of America (TIA)
- Electronic: Kiosk, Website Development, Hosting, Maintenance, Must link to our Department
- Public Relations, Mailing Lists, Fulfillment Costs Shipping by Request
- Production Costs, Promotional Items (20% of award)
- Video / CD / DVD Cannot be sold

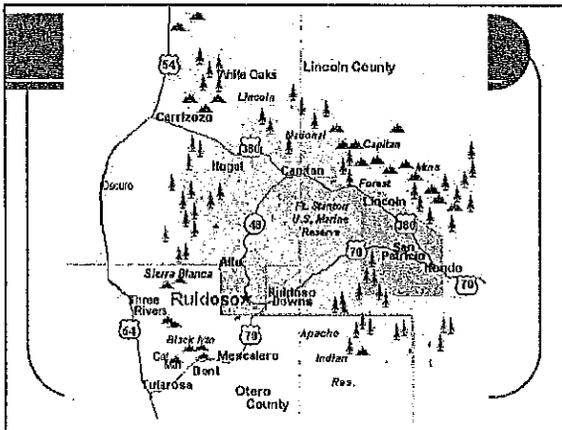
## New Mexico Coop Mktg Grant

- Frustrated living in the shadow of Ruidoso & Alamogordo?
- Unknown to prospective customers?
- Carrizozo Chamber is spearheading a True Enchantment Tourism Marketing Initiative from July 2014 to June 2015 with NMCM including tourism website, flyers, print advertisement, and radio spots.
- You are invited to participate - Partner or Member
- NMCMG will match every approved marketing dollar we spend with a 50% reimbursement!
- Alamogordo gets up to \$40,000/year in NMCMG matching funds per year, over 6 years participating

## True Enchantment Tourism Bureau

## True Enchantment Tourism Board

- Initiative: True Enchantment Tourism Board
  - Board of 5+ 501C3 Members
  - 30+ constituent Partners
  - Website: ie, [www.tetb.org](http://www.tetb.org) or similar
- True Enchantment Tourism focus is: Corona to Tularosa, Carrizozo to Hondo
- Brand Ideas & Themes: Frontier Trail, BK Scenic Byway, True Enchantment, NM True, ..
- Priorities: History, Activities (horse riding), Art



## TETB Program Components

- Tourism Marketing Website w Consolidated Events Calendar
  - eMarketing!
- Flyers Marketing - tbd
- Print Ad Placements - tbd
- Radio Ad Placements for Events - tbd
- Membership in Tourism Association of NM (TANM)
- Associated, Credentialed
  - NM True, NM Tourism Dept, Frontier Comm @ Carrizozo
- Ongoing Year to Year Marketing
  - Flexible New Features and Program Evolutions
- Measured Results - lodgers tax, your business revs

## True Enchantment Tourism Board

### Tourism Categories – details tbd

- **History** (Lincoln County, mining, ranching, railroad, nuclear, museums....)
- **Recreation** (bike, motorcycle, horse, hike, ski, 4 wheeling, camp, flying, sports, archery, target shooting, hunting, ....)
- **Events** (music, holiday events, fairs, Billy the Kid/Smoky Bear Days, art, rallies, rodeos,....)
- **Science & Technology** (geology, astronomy, military, spelunking ...)
- **Dining**
- **Lodging**
- **Shopping** (art, gear, ....)

## Milestones

- 2/18/14, 2/25/14 Introduction and Subscription Meeting
- 3/10/14 NMCMG 2014/2015 Program Live Online
- 3/20-3/21/14 Tools and Procedures Training  
TETB Website, Flyer Design & Architect  
Consolidated Event Calendar Development
- 3/10 to 3/21 NMCMG Town Visits
- 4/1 or later NMCMG Grant Workshop
- 4/30/13 NMCMG Grant Application Due
- 6/30/14 NMCMG Grant Awards
- 7/1/14 – 6/30/15 TETB Program; Flyers, Print Ads, Radio
- 8/1/14 Website Live

## TETB Organization Needs

- **501cx's – 5+ Members** representing town governments, associations, chambers, nonprofits, ...
- **Partners – 30 to 40 businesses, 501cx,** associations in all geographies and disciplines
- **Volunteers – to work with Carrizozo Chamber True Enchantment Tourism Board**

## Are You a Volunteer?

- Marketing Advertising
- Websites Photographs
- Acctg/Cash Mgmt Scripts/Rsh
- Program Mgmt Events Calendar
- Business/Marketing Plans & Budgets
- Other?

## What's In It for Me?

- **Experienced Team Working for You**
- **Increases In Tourism Revenues, Customers, Growth**
  - Ex: Alamogordo up 15% in lodgers tax
  - Ex: Alamogordo returned marketing focus during recession
- **New Customers who may come back**
  - The most expensive and difficult prospect to engage
- **Resources: 1.5x for every \$1 in Tourism Marketing**
  - With NM State, Member, Partner Leveraged Resources
- **Statewide, Nationwide, and Worldwide (?) Exposure**
- **Measureable project & individual results**
- **Free Marketing Tools and Branding for your Individual programs – training planned 3/20 -3/21/14**

## How Does It Work for Me?

- **Promotes a Active, True Enchantment Tourism Value Proposition to Prospects**
- **Interlinked, Affiliated, Credentialed, Branded Marketing Drives Momentum**
- **Linked to your website, to NM True, Chambers of Commerce, Towns, Facebook**
- **Leveragable into all your other marketing**
- **You get multiple prospect contacts that are remembered and drives business**

### What Do I Need To Do?

- Sign Up
- Satisfy Prerequisites for Member or Partner
- Take Training
- Furnish Your NM True Compliant Marketing Materials to Carrizozo Chamber
- Market Your Business/Organization Independently in Parallel (optional)
- Volunteer at TETB (optional)
- Measure Your Increased Business & Report
- Re-Subscribe in 2015-2016

### What Do I Need To Do?

- Prerequisites for Participation
  - Carrizozo Chamber Member in Good Standing @3/1/14
  - Member Subscription \$1000+ (501c3/6 or govt)
  - Partner Subscription \$500+ (business, 501cX, etc.)
  - Terms under Contract: \$Half @3/1/14, \$Half 5/15/14 (Checks payable to CCC)
- Furnish NMCM Compliant Marketing Materials
  - Get NM True & Frontier Communities Training @3/20
  - Format & Content Rqmts //TETB
  - Materials w/wo Outside Help
  - Updates to TETB
  - Collaboration – Voluntary or as requested

### What Do I Need To Do?

- Market Your Business/Organization Independently
  - Use NM True in Your Own Marketing
  - Do Facebook, Event Calendar, Your Webpage
  - Drive Optimization with eMarketing
  - Get Word to Friends, Family, Existing Customers...
  - Ask for Customer Endorsements, Ratings, Feedback
- Volunteer at TETB
  - Website, media mktg, event calendar, admin, acctg,
- Measure Your Increased Business (Customers, Revenues, etc.) From One Year Ago
- Re-Subscribe in 2015-2016

### Signup Now!

- With Fran Altieri, Carrizozo Chamber of Commerce
- Contract
- Pay Subscription
- Confirm Workshop Attendance 3/20-3/21/14 in Carrizozo

### Questions?

**Fran Altieri, President**  
Carrizozo Chamber of Commerce  
[franf55@yahoo.com](mailto:franf55@yahoo.com)  
575-973-0571

Date: 3/25/14

Nº 1715

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

\*\*\*\*\*

Section 1 Art Loop

Name of Organization \_\_\_\_\_

Organization is:  Profit  Non Profit  Government Related

Address 1661 PO Box CAPITAN NM 88316

City State Zip

Contact Person (s) Ronda Dougherty Telephone # (s) 575-653-4219

Amount Requested: \$ 5400.00 Money is to be used for: Production of Brochure

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 3/25/14

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

Section 2

LODGER'S TAX COMMITTEE

Meeting Date: 3-25-14

Amount Approved: \$ 4550.29 Request Denied: \_\_\_\_\_

Comments: \_\_\_\_\_

David L. Torre  
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: 3/25/14

N<sup>o</sup> 1718

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

Section 1

SKI RUN ROAD CHALLENGE

Name of Organization

Organization is:  Profit  Non Profit  Government Related

P.O. BOX 561 RUIDOSO NM 88355

Address City State Zip

FREDERIC MORAS 575-937-7106

Contact Person (s) Telephone # (s)

Amount Requested: \$ 2800 Money is to be used for: POSTERS - BACKCARDS  
WEBSITE - EL PASO SCENE (NEWSPAPER)

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

[Signature]  
Signature

3/25/14  
Date

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

Section 2

Meeting Date: 3-25-14 LODGER'S TAX COMMITTEE

Amount Approved: \$ 2800.00 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: 3/25/14

Nº 1719

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

\*\*\*\*\*  
Section 1

Name of Organization Carrizozo Chamber of Commerce

Organization is:  Profit  Non Profit  Government Related

Address PO Box 567 City Carrizozo NM State NM Zip 88301

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

Amount Requested: \$ 10,000 Money is to be used for: True Enhancement Tourism Board

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 3/25/14

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

Section 2

Meeting Date: 03-25-14

LODGER'S TAX COMMITTEE

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

Comments: \_\_\_\_\_

*[Handwritten 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: 3.25.14

No. 1716

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

\*\*\*\*\*  
Section 1 Ruidoso Valley Greeters  
Name of Organization

Organization is:  Profit  Non Profit  Government Related

Chamber of Commerce Ruidoso, NM 88312  
Address City State Zip

Linda McKinley 575-336-7632  
Contact Person (s) Telephone # (s)

Amount Requested: \$ 1,000.00 Money is to be used for: Advertising - Posters,  
Rack Cards, Book marks, Internet

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.

Linda McKinley  
Signature

3.25.14  
Date

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

Section 2  
Meeting Date: 03-25-14 LODGER'S TAX COMMITTEE

Amount Approved: \$ 1,000.00 Request Denied: \_\_\_\_\_

Comments: \_\_\_\_\_  
David A. Tijie  
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: \_\_\_\_\_

Nº 1717

LINCOLN COUNTY LODGER'S TAX APPLICATION FOR FUNDING

\*\*\*\*\*

Section 1 Fort Stanton Inc.

Name of Organization \_\_\_\_\_

Organization is: \_\_\_ Profit  Non Profit \_\_\_ Government Related

PO Box 1 Ft Stanton NM 88323  
Address City State Zip

Larry Auld 575-653-4679  
Contact Person (s) Telephone # (s)

Amount Requested: \$ 5000 Money is to be used for: Advertising,  
Newspaper, Radio, Printing  
for Fort Stanton Live 12-13 July

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  
Signature

24 April 2014  
Date

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

Section 2

LODGER'S TAX COMMITTEE

Meeting Date: 09-25-14

Amount Approved: \$ 5000<sup>00</sup> Request Denied: \_\_\_\_\_

Comments: \_\_\_\_\_

David A Tijia  
Authorized Signature

\*\*\*\*\*  
Section 3  
LINCOLN COUNTY COMMISSION

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

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

Comments: \_\_\_\_\_

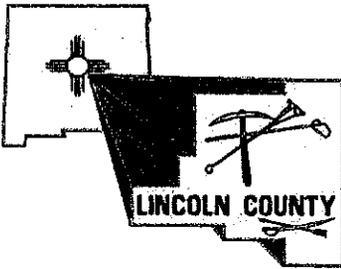
\_\_\_\_\_  
County Manager Signature

\*\*\*\*\*

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.



[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. 13

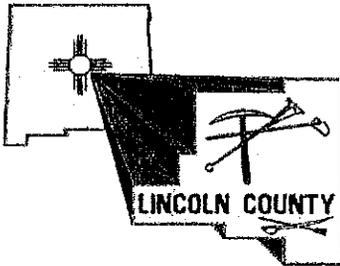
April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Public Comment and Other Business from County Officials



www.lincolncountynm.net

# County of Lincoln

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

## Agenda Item <sup>14</sup>/<sub>17</sub>

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

**FROM:** Nita Taylor, Lincoln County Manager <sup>NT</sup>

**SUBJECT:** Manager's Report

1. **LCMC** – has been busy implementing key initiatives for the Medical Center, their clients and the County. Al Santos is in attendance to familiarize the commission with some of the changes being made. *See enclosure 1.*
2. **Finance/Treasurer/Assessor Overview to Commissioner Candidates.** On April 8<sup>th</sup> a general overview was provided by the Finance, Assessors and Treasurers offices to candidates running for the three County Commission seats. Paul Baca walked them through the property assessment process that results in the county receiving property taxes; Glenna Robbins and her team takes over at that point by collecting and properly booking taxes paid; and Punkin Schlarb wrapped in up by illustrating the County's budget process during which the Commission determines the proper use of these public funds. Great job by this team in providing that education to elected officials to be.
3. **Legislative Update.** Tasia Young, New Mexico Association of Counties provided her final Legislative Report for the 51<sup>st</sup> legislative session. *See enclosure 2.*
4. **Ft. Stanton** - On April 15, 2014 Governor Martinez announced that Fort Stanton Cemetery will be one of four locations in New Mexico to be submitted to Veterans Affairs, Washington, DC. This initiative will expand the current cemetery and separate it from the historic section. The new section will meet the same standards as a national cemetery and will include a columbaria for cremated remains. It will be open for burial using the same eligibility requirements as a national cemetery. We look forward to the addition to be open by the first quarter of 2016. *See enclosure 3 for press release.*

1 | Manager's Report April 25, 2014

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816

**5. Upcoming Events.**

- a. April 29<sup>th</sup>. Lodgers Tax Committee meets;
- b. May 2<sup>nd</sup>. Special Commission Meeting – FY14-15 Budget Meeting. External program funding requests; Hospital & clinics; Detailed internal departmental review; unfunded optional requirements; ICIP input;
- c. May 7<sup>th</sup>. Planning Commission Meeting;
- d. May 15<sup>th</sup>. Lincoln Historic Preservation Meeting;
- e. May 20<sup>th</sup>. Regular Commission Meeting; Preliminary budget presentation for approval;
- f. May 22<sup>nd</sup>. State Transportation Committee Meeting in Ruidoso. Hubert Quintana will moderate. He has requested the Chair to make a five minute presentation on transportation needs. Other local government will also make presentations;
- g. May 26<sup>th</sup>. Holiday – Memorial Day Observed

**6. Building Updates.**

- a. The Court / Sheriff's Complex expansion is proceeding on time and on budget. The Commissioners and Commission candidates are invited to participate in a walk-through of the building during the lunch break
- b. The energy-audit work prescribed by Vertterre, Inc. to replace windows, lighting and HVAC units in the existing building is being coordinated between Vertterre and Basic IDIQ. This work will be done after the finalization of the actual construction project.
- c. Ft. Stanton Fire Department is well on its way to completion. Photos to be provided at meeting; we need to plan a grand opening.
- d. All funding in-hand to move forward with SNMEDD and Wilson & Co. to start working of Carrizozo Sr. Center.

**7. Departmental Updates:**

- a. Finance – Punkin Schlarb
- b. Roads – Carl Palmer
- c. Planning – Curt Temple
- d. EOC – Spencer Baldwin



Lincoln County Medical Center  
Commissioner Presentation  
April 25, 2014

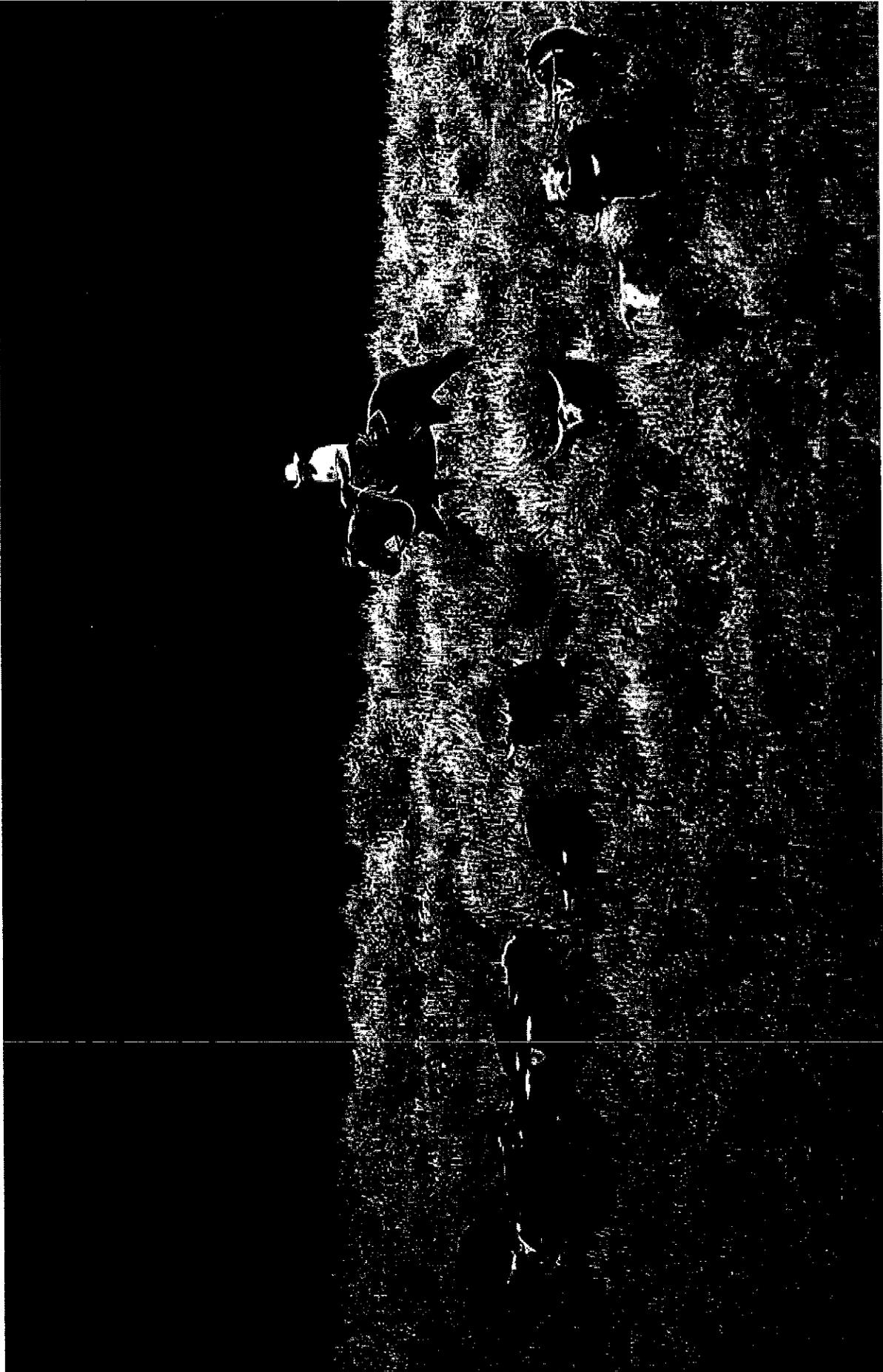
ENCL 1

# LCMC/PHS Initiative Updates

- New Electronic Medical Record – EPIC
- POB (LCMOC) & Provider Recruitment
- Medical Specialist Programs
- Hospitalist Program



 **PRESBYTERIAN**



# Introducing our Electronic Health Record - EPIC

---

Project Overview  
2014

# Our commitment to the community



- Presbyterian is committed to embracing new technologies that enable us to provide the best possible care to patients.

As part of that commitment, we are implementing an electronic health record, EPIC, on May 3, 2014.

# What is an electronic health record?

- Fully integrated, electronic patient financial and clinical information system
- Stores patient medical information such as doctors' notes and test results
- Endorsed by the federal government and public health agencies to improve patient care
- Protected Health Information

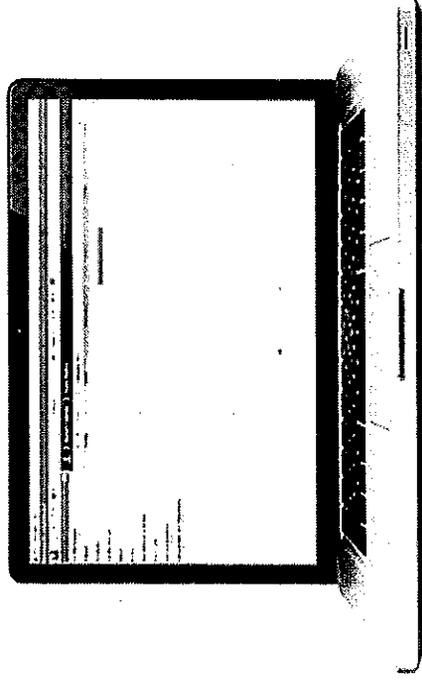


## What is the timeline?

- 150 LCMC Staff and 50 consultants spent months working to build, test and train for the electronic health record.
- Four of Presbyterian's eight hospitals have already installed the system
- By May 2014, all Presbyterian hospitals and clinics will use the same system.

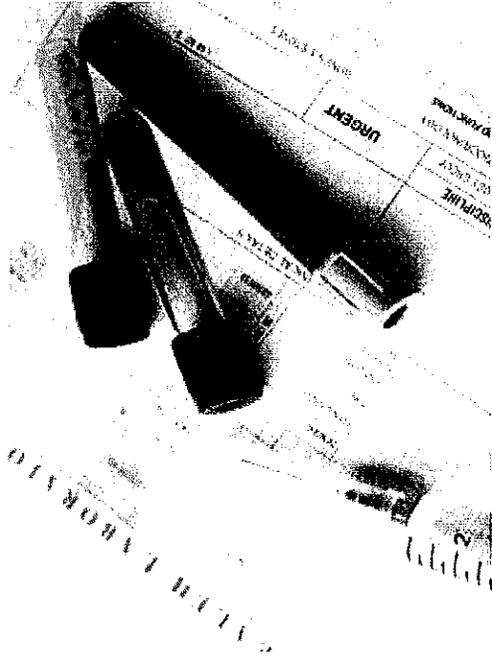
# What are the benefits?

- Gives providers timely access to evidence-based medical information
- Offers PMG patients direct contact with care teams through MyChart
- Produces immediate safety checks on medications, other issues
- Patients can make appointments on-line.



# What are the benefits?

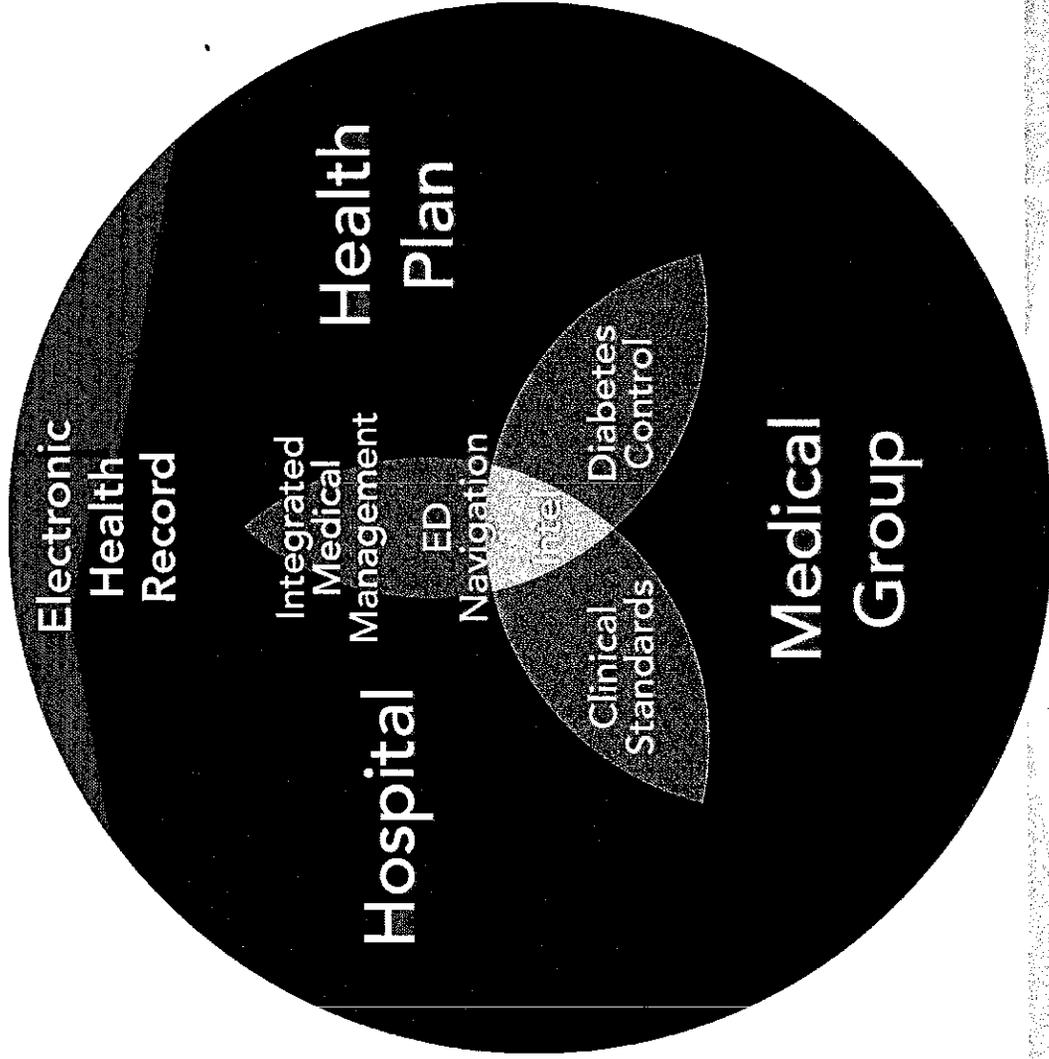
- Connects PMG clinics, urgent care centers and hospital settings.
- Protects patient privacy:
  - Staff can only access the records they need for their role



## Quick Facts

- Largest capital expenditure ever made by Presbyterian (Over \$200 million)
- Based on software used by 300 healthcare organizations
- The 2009 federal stimulus act made electronic health records a national priority with significant financial impacts for non-compliance
- More than 700 people trained at all four regional sites

# The Presbyterian Advantage



## POB/LCMOC Provider Recruitment

### New Providers added in the past 14 mo

- Homer Renteria, MD, Emergency Medicine
- John Michael Benavidez, MD, Internal Medicine
- Amber Watts, NP, Family Medicine
- Rebecca Meunier, NP, Family Medicine Carrizozo
- Toni Hays, PA, General Surgery
- Abhinav Singh, MD, Internal Medicine, Hospitalist
- Christina Bardsley, NP, Family Medicine/ER

# POB/LCMOC Provider Recruitment Areas

- General Surgery
- Family Medicine/Pediatrics
- Nurse Practitioner (NP) - Capitan

# Pursuing Medical Specialist Programs

- University Medical Center – Lubbock
  - Cardiology
  - Neurology
  - Urology
  - Dermatology
  - Pain Management
  - Diabetic Counseling

# Pursuing Medical Specialist Programs

- Sierra/Providence Medical Center – El Paso
  - Cardiology
  - Neurology
  - Pain Management

# Medical Specialist Program Impacts

- Less patient travel
- Improved patient access to specialty care
- Reduced patient and family stress

# LCMC Hospitalist Program - Providers

- Alfred Varela, MD, Internal Medicine,  
Hospitalist
- Abhinav Singh, MD, Internal Medicine,  
Hospitalist

# LCMC Hospitalist Program - Impacts

- 40% increased ability to treat patients at LCMC
- 20% increase in primary care appointments
- 10% decrease in patient transfers
- Improved service and quality of care
- Reduced patient travel stress

Thank You  
Questions ?

# **FINAL LEGISLATIVE REPORT**

**FIFTY-FIRST LEGISLATURE  
SECOND SESSION  
2014**

**Prepared by  
Tasia Young  
NMAC Lobbyist**

## **Session Summary**

There were 776 bills introduced in the 2014 30-day legislative session. Only 91 of those bills passed both chambers and all but 2 passed in the final week of the session.

The Governor signed 81 bills, 6 of them with partial vetoes. An additional 8 measures were vetoed and 2 were not acted upon (pocket vetoed).

## **Methodology of the Report**

This report contains brief descriptions of NMAC's legislative priorities, and of the major legislation affecting counties that passed both houses and was acted upon by the Governor. Note that memorials, joint memorials, and joint resolutions (constitutional amendments) do not require gubernatorial action. Information in the report was taken from the Legislative Finance Committee and Taxation and Revenue Department's Fiscal Impact Reports, the New Mexico Legislative Report's bill analyses, the Legislative Finance Committee 2014 Post-Session Review, final versions of bills, and veto messages from the Governor.

## **Additional Information Sources**

**NMLR 2014 Extended Bill Analysis of Capital Outlay bills – see [www.nmlr.com](http://www.nmlr.com) - Welcome page**

**Secretary of State: [www.sos.state.nm.us](http://www.sos.state.nm.us) – see Legislation & Resources**

**New Mexico Legislature: [www.nmlegis.gov](http://www.nmlegis.gov) – see Legislation/Bill Finder**

**For comments and or questions concerning this report, contact**

**Tasia Young**

**505-469-6409**

**[tyoung@nmcounties.org](mailto:tyoung@nmcounties.org)**

## NMAC LEGISLATIVE PRIORITIES

**CS/SB 268**

### **Sole Community Provider Hospital Federal Compliance**

**Rodriguez**

Requires counties to contribute to the new state Safety Net Care Pool Fund, with the equivalent of a 1/12<sup>th</sup> county gross receipts tax (grt) increment. Counties may use public funds from any existing authorized revenue source to fund the new pool. Boards of County Commissioners are given new authority to enact a general purpose 1/16<sup>th</sup> or 1/12<sup>th</sup> increment, without referendum. Hospitals and the Human Services Department have specific mandates to report regularly to their counties. The bill, as passed by the Legislature, had a three-year sunset provision, with the intent that the state, hospitals, and counties continue to work on the issue.

***Signed by the Governor on March 12, with emergency clause; effective immediately.***

*The Governor line item vetoed a number of items in the bill, including: 1) the three-year sunset; 2) authorization for counties to pay all or part of the monthly premiums of health insurance policies for indigent patients and out-of-pocket costs, including co-payments and deductibles incurred by indigent patient insured persons; 3) a prohibition on collection of claims against indigent patients with a household income under 200% of the federal poverty level; and, 4) direction to HSD to use their budget adjustment authority to fully fund the Safety Net Care Pool Fund.*

*NMAC believes that the Governor's line item veto of the three-year sunset clause raises serious legal concerns regarding separation of the legislative and executive branches of government.*

### **HB 26 Real Property Sale Assessor Affidavits**

**Wooley**

Expands the requirements for filing of affidavits with the County Assessor, to include the sale of nonresidential property. The sale of land used primarily for agricultural purposes is excluded from the requirement.

***Died on adjournment in the House Rules Committee.***

### **HB 89 Delinquent Property Taxes to County Treasurers**

**R Martinez**

Clarifies lines of authority between the Taxation and Revenue Department Property Tax Division, and County Treasurers, over the collection and deposit of monies derived from the payment of delinquent property taxes.

***Died on adjournment in the House Taxation and Revenue Committee.***

**SB 260 Residential Property Valuation Limits**

**Neville**

Attempts to fix the “tax lightning” problem with the current valuation and taxation of residential property. Transitions valuation to a percentage of the “current and correct” standard set in the Property Tax Code.

*Died on adjournment in the Senate Corporations & Transportation Committee.*

**OTHER LEGISLATION OF INTEREST TO COUNTIES**

**APPROPRIATIONS**

**CS/SB 313**

**General Appropriations Act (GAA) of 2014**

**Smith**

Because the House tied on a floor vote on House Bill 2, the GAA of 2014 came from the Senate, with only slight modifications. It includes, once again, a \$500,000 appropriation from the Local DWI fund to fund state drug courts, a \$3.3 million appropriation to the Department of Finance & Administration to reimburse counties for holding certain felony offenders, and a 3.25% administrative fee to the Taxation & Revenue Department. All of these appropriations are unchanged from the current fiscal year. The amount of distribution for holding felons will be based upon the numbers reported by each county to the New Mexico Sentencing Commission on June 30.

The County Detention Facility Reimbursement funding and part of the DWI Grant Fund appropriation were removed from House Bill 2, the original General Appropriations Act, in the House Appropriations Committee, evidently in reaction to NMAC’S original proposal to fund the state safety care net (see SB 268) at the equivalent of 1/16<sup>th</sup> grt. Both appropriations were restored in the Senate version of the budget, SB 313, which was finally approved by the House and signed by the Governor on her final day for action on legislation.

The Human Services Department budget includes an appropriation of \$9 million for safety net care pool payments for hospitals, “contingent on enactment of legislation . . . establishing a matching contribution from the counties.”

***Signed by the Governor on March 12, 2014, with a number of line item vetoes. Emergency clause, effective immediately on signature.***

## CAPITAL OUTLAY

**CS/HB 55      2014 Work NM Act – Severance Tax Bond Projects                      Jim Trujillo**

The 161-page final version of the bill authorizes approximately \$238.7 million from severance tax bond capacity and other state funds, for 876 capital projects statewide.

***Signed by the Governor on March 11, with an emergency clause; therefore, effective immediately.*** *The Governor line item vetoed several items; see the final version of the bill or one of the extended bill analyses (NMLR or Legislative website) for those changes. Language targeting specific areas of the state for capital outlay projects was the subject of many vetoes, described by the Governor as “earmarking . . . for a specific geographic area.”*

**CS/SB 163                      Capital Outlay Reauthorizations                                      Cisneros**

The 27-page bill reauthorizes 55 projects funded in previous years, including 23 House, and 18 Senate local projects, totaling an estimated \$43.5 million. The reauthorizations include changes to the administering agency or the original purpose of the project, extending the reversion dates, and expanding the purpose of the original project.

***Signed by the Governor on March 11, with line item vetoes. The bill has an emergency clause; effective immediately.***

## COUNTY GOVERNMENT – GENERAL

**SJR 22                      Urban Counties & County Charters                                      Ortiz y Pino**

If approved by the voters in November 2014, would amend the constitution to allow any county with 300,000 or more in population and less than 1,500,000 square miles in area (currently Bernalillo County only) to qualify for application as an urban county, subject to approval by a majority of those voting in an election on the new county charter. The constitution currently requires approval by a majority of all the voters in the county. The substantive language changes in the amendment relate to population, allowing growing counties to become eligible for urban county charters, as well as reducing the number of voters required for adoption of the charter.

## CRIMINAL JUSTICE: DETENTION & LAW ENFORCEMENT

**HB 63                      County Detention Behavioral Health Project                                      Madalena**

Creates a single three-year demonstration project in the counties of Luna, Grant, and Hidalgo, to provide behavioral health services to inmates of county detention facilities,

and to individuals who have been released from county detention center custody. The original \$563,200 appropriation was removed from the bill.

***Vetoed by the Governor on March 12.*** *The veto message states that while the intent of the legislation is honorable, it places an unfunded burden on state agencies, duplicates existing services and available programs, and inappropriately assigns responsibility for funding to the Department of Finance and Administration, which lacks expertise in behavioral health services. It further suggests that the three counties could initiate programs and demonstration projects using their available resources and funds.*

**HJM 15      Study Pre-Booking Diversion Program      Stapleton**

Directs the appropriate legislative interim committee to study the feasibility of implementing a statewide law enforcement-assisted diversion program for non-violent drug or alcohol dependent offenders, and report findings and recommendations by November 1, 2014. The memorial suggests that such a program will increase safety and order in a number of ways, including reducing the burden on law enforcement, county jails, prosecution, and the court system

**DWI & ALCOHOL**

**CS/HB 16      Increase Liquor Excise Tax Distribution      Carl Trujillo**

Changes the distribution of proceeds of the Liquor Excise Tax into the Local DWI Grant Fund (LDWI) to 46% for Fiscal Years (FY) 16, 17, and 18. After that, the distribution to the LDWI reverts to the current 41.5%. The State General Fund revenue will decline correspondingly in FY 16 through 18. The estimated increase to the LDWI Fund is approximately \$2.2 million for those 3 fiscal years.

***Signed by the Governor on March 10; effective on July 1, 2014.***

*Note: Although SB 347, Senator Michael Sanchez's Lottery Scholarship Fund Solvency bill, also diverted proceeds of the Liquor Excise Tax from the State General Fund, it did not affect the Local DWI Fund distribution, according to Legislative Finance Committee staff.*

**ECONOMIC DEVELOPMENT**

**HB 273      Economic Development Grant & Program      K Martinez & Papen**

Proposes the Economic Development Grant Act, with a stated purpose to provide matching \$3 million state grants to local and regional economic development agencies,

to expand their economic development and job creation capacities, through employment of economic development professionals

**Signed by the Governor on March 10, with emergency clause; effective immediately.**

**CS/SB 140 Tax Increment Development District (TIDD) Base Years Ivey-Soto**  
Allows existing TIDDs to request the Board of Finance to provide a different base year's activity than was approved when the TIDD was established. This may occur only once in the lifetime of the TIDD, before bonds have been sold, if there are no unresolved objections by the developer or the local governments which have agreed to dedicate an increment of gross receipts tax to the TIDD.

***Signed by the Governor on March, with emergency clause; effective immediately.***

#### **EMS & FIRE**

**HB 287 Firefighter Supplemental Benefits Kane**

Increases the survivorship benefits for firefighters killed in the line of duty from \$50,000 to \$250,000. The benefit is provided to the surviving spouse or children, or to the surviving parents if there is no surviving spouse or children. The Legislative Finance Committee's Fiscal Impact Report notes that there is ample funding in the Fire Protection Fund, which makes distributions to the Firefighters Survivors Fund when needed.

According to State Fire Marshall John Standefer, the new law does cover volunteer firefighters, as the survivors' benefit is available to members of all municipal and county departments certified by his office.

***Signed by the Governor on March 5; effective July 1, 2014.***

#### **LAND USE**

**HB 51 Right To Farm Nuisance Changes Herrell**

Strikes the word "improperly" as a legal basis to challenge certain agricultural activities under the Right to Farm Act and makes a technical correction to the effective date of the act. The original Act exempts agricultural operations and facilities from nuisance actions unless such operation or facility is operated negligently, improperly or illegally, such that it becomes a nuisance.

***Signed by the Governor on March 6; effective May 21, 2014.***

<b>HM 80</b>	<b>Long-Term Forest &amp; Watershed Plan</b>	<b>Cook</b>
<b>SM 95</b>	<b>Long-Term Forest &amp; Watershed Plan</b>	<b>Griego</b>

Two identical memorials that request the Legislative Council to direct the appropriate interim committee of the legislature to develop a long-term funding plan for federal, state, local and tribal agencies and diverse stakeholders to cooperate on forest and watershed restoration work in New Mexico, and report recommendations to the full legislature before the 2015 session.

**LAW ENFORCEMENT**

<b>HM 40</b>	<b>First Responder PTSD Study</b>	<b>Kane</b>
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Requests that the state Workers Compensation (WC) Administration study the disability impact of posttraumatic stress disorder (PTSD) on certain professions and review the WC Administration's current presumptions for first responders.

**NEW MEXICO FINANCE AUTHORITY (NMFA)**

<b>HB 12</b>	<b>NMFA Public Project Revolving Fund Projects</b>	<b>Lundstrom</b>
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Authorizes the New Mexico Finance Authority to make 125 specified public project loans. See extended analysis on the NMLR Welcome page. There is no specified legislative committee to which the WCA should report findings.

***Signed by the Governor on March 5 with emergency clause; effective immediately.***

<b>SB 31</b>	<b>Local Government Planning Fund</b>	<b>Papen</b>
--------------	---------------------------------------	--------------

Appropriates \$2 million of non-reverting funds from the Public Project Revolving Fund to the Local Government Planning Fund administered by the Finance Authority for use in FY2015 and subsequent years, to make grants to qualified entities.

***Signed by the Governor on March 10; effective July 1, 2014.***

<b>SB 112</b>	<b>Water Project Fund Projects</b>	<b>Cervantes/Lundstrom</b>
---------------	------------------------------------	----------------------------

Authorizes the Finance Authority to make loans or grants from the Water Project Fund for 120 various water projects throughout the state. Also authorizes the award of grants to be made by NMFA from the Acequia Project Fund for five acequia projects.

***Vetoed by the Governor on March 12, 2014.***

## NATURAL RESOURCES & WATER

**CS/HM 33**

**Water Well Capping Model Ordinance**

**Brown**

Requests the New Mexico Municipal League, the New Mexico Association of Counties, the Office of the State Engineer and the Energy, Minerals and Natural Resources Department to study the feasibility of establishing and strengthening requirements for capping abandoned water, oil, and gas wells on both public and private property, and to make a presentation to the appropriate interim committee by November 1, 2014.

**HM 51**

**Municipal Waste Recycling**

**Steinborn**

Requests the New Mexico Environment Department (NMED) to convene a task force to analyze the existing recycling capacity in New Mexico and the potential to increase that capacity, and develop recommendations for legislative and state agency actions designed to enable New Mexico to attain the fifty percent recycling rate goal established in the Solid Waste Act, including budget recommendations and a projected timeline.

The task force would include representatives from varied levels of government, non-profit organizations, and businesses with technical expertise in solid waste and recycling management, and would report its findings and recommendations to the appropriate legislative interim committee by November 1, 2014.

## TAXES, GROSS RECEIPTS & COMPENSATING

**HB 14**

**Aircraft Parts & Maintenance Gross Receipts**

**White/Cisneros**

Provides a gross receipts tax deduction from selling aircraft parts or maintenance services for aircraft or aircraft parts. The Fiscal Impact Report estimates the negative impact to local government to be \$200,000 in FY 15, increasing to \$230,000 in FY 18.

***Signed by the Governor on March 6; effective July 1, 2014.***

**HB 32**

**Dialysis Facility Service Gross Receipts**

**Gonzales**

Provides a gross receipts tax deduction from payments by the U.S. government or any agency thereof for medical or other health services provided by a dialysis facility to Medicare beneficiaries, phased in over a three year period. The Fiscal Impact Report estimates the negative impact to local government to be \$235,000 in FY15, increasing to \$803,000 in FY 18 when the deduction is fully implemented.

Requires the Taxation & Revenue Department to compile an annual report and report to the interim Revenue Stabilization and Tax Policy Committee and the Legislative Finance Committee every five years, beginning in 2020, in order to allow the Legislature to evaluate the effectiveness of the deduction.

***Signed by the Governor on March 10; effective July 1, 2014.***



## VETERAN'S MEMORIAL SERVICE AT FORT STANTON

Memorial Day is a special holiday. It is the only holiday that isn't celebrated for a person or an event, it recognizes the veterans of this Great Nation that served and sacrificed to gain and maintain the freedoms that we all enjoy. At Fort Stanton Cemetery we set aside the Saturday prior to Memorial Day to recognize veterans from all branches of the armed forces. The cemetery is part of Fort Stanton State Monument and is located on State Road 220, a short distance from historic Fort Stanton, between State Highway 48 and US highway 380.

Fort Stanton originally opened in 1855 and operated continually under the United States Army and for a brief period by the Confederate Army until 1896. In 1899 the United States Public Health Service opened a marine tuberculosis hospital at the site of the old fort and operated it at this location until 1953. The current cemetery was opened in 1899 and in 1912 was officially named the U.S. Public Health Service Hospital Cemetery. This honorable resting place was for those mariners and others including U.S. service members who passed away while at the facility and has remained in continuous operation for 115 years. In 1953 the property was transferred to the State of New Mexico and has operated as a State tuberculosis hospital, a State metal health facility, a women's correctional center and a substance abuse rehabilitation center under contract from the Department of Corrections. Parts of Fort Stanton, including the cemetery, are now the Fort Stanton State Monument. Between 2000 and 2008 and starting again 2012 the cemetery has been administered by the Department of Veterans' Services. Between 2008 and 2012 the Department of Cultural Affairs , State Monuments, controlled the cemetery.

Over 25years ago, a World War II merchant marine skipper, E. Victor Schaerer(Ret.) and his wife Jean, now both deceased, made the cemetery a project to clean up and maintain with the permission of the State of New Mexico. With the help of local volunteers, weeds were removed, grass was cut and wood crosses replaced. With the passing of Skipper Vic in 2000, Nick Skogland and Larry Holt were asked to oversee the volunteer work. We have maintained close contact with the State on all cemetery business. The American Legion Posts in Capitan and Ruidoso furnish funeral honors for veteran's funerals at Fort Stanton and other cemeteries in Lincoln County.

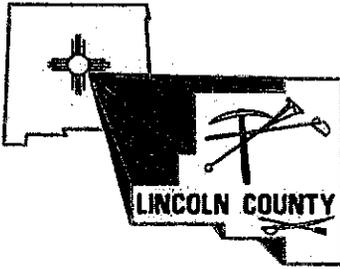
The first burial was in 1899, between that time and the present 1756 veterans of the armed forces, merchant marine, their dependants and staff have made this cemetery their final resting place. Today the cemetery remains open for veterans and their dependants.

On April 15, 2014 Governor Martinez announced that Fort Stanton Cemetery will be one of four locations in New Mexico to be submitted to Veterans Affairs, Washington, DC. This initiative will expand the current cemetery and separate it from the historic section. The new section will meet the same standards as a national cemetery and will include a columbaria for cremated remains. It will be open for burial using the same eligibility requirements as a national cemetery. We look forward to the addition to be open by the first quarter of 2016.

This year's 25th annual memorial service is open to the public and will be held on Saturday, May 24<sup>th</sup> at 11:00 AM. We encourage anyone that is interested in paying tribute to our Nation's heroes to attend this service. The service will be opened by Larry Holt. We will have the invocation, presentation of colors by The Aerospace Data Facility Southwest Honor Guard, USAF , pledge of Alliance to the Flag, singing of the National Anthem by Blake Martin. Col Brant Dayley, Garrison Commander, Fort Bliss, TX will share Memorial Day messages with us.. The DAR will place a wreath at the monument and the American Legion will present a 21 gun salute and TAPS.

Sincerely;

Larry Holt  
Volunteer Coordinator



www.lincolncountynm.net

# County of Lincoln

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

## AGENDA Item No. 15

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Water Issues/Forest Health/Wildlife Programs

**PURPOSE:** To provide information on water issues and forest health

- 1. Water Rights Notice.** There are three new water right notices on the State Engineer's website (**See Enclosure 1**).

**On December 23, 2013,** Jerry and Patricia Deal, 2929 W. Wildwind Road, Las Cruces, NM, filed application numbered T-1320-Enlarge with the State Engineer for Permit to Appropriate Underground Water within the Tularosa Underground Water Basin in Lincoln County in the amount of 145.75 acre-feet per annum for irrigation purposes on 34.953 acres of land owned by the applicant, from existing wells. The subject application may enlarge the existing place of use to 78 acres and increase the total diversion of shallow groundwater for irrigation purposes to 325.26 acre-feet per annum. Subject acreage and wells T-1320 et. al. are located approximately 0.6 miles east of the intersection of County Road A002 and U.S. Highway 54 near Oscura, N.M.

**On February 12, 2014,** the Town of Carrizozo filed application with the State Engineer for Permit for Supplemental Well within the Tularosa Underground Water Basin in Lincoln County to use previously drilled temporary construction well T-5113-POD on land owned by the applicant for the continued diversion of up to 706 acre-feet per annum of shallow underground water in partial, continued exercise of existing water rights owned by the applicant and supplemental to existing Town of Carrizozo; to be used for municipal, commercial and recreational purposes within the Town of Carrizozo service which may include the Valle del Sol Subdivision.

**On March 24, 2014,** FNF Construction, Inc. filed application T-6019 for permit to temporarily appropriate underground water within the Tularosa Underground Water Basin in Lincoln County. Applicant proposes using existing well located on land known as the Carrizozo Golf Course owned by the Town of Carrizozo for a temporary appropriation of groundwater in an amount tot to exceed 90 acre-feet to be diverted for road construction purposes for NMDOT Project No. 2100250 on Highway 54 between mileposts 130 and 146 north of Carrizozo, NM for a period of time not to exceed two years.
- 2. Newspaper publication of prior water rights notices posted on the State Engineer's Website**

Attached are the long-awaited water rights required Legal Notices published in April 10, 2014 Lincoln County News. All were filed under the NM Water Use Leasing Act. These temporary leases would be in

effect until October 31, 2021, and may be reverted to the move- from points of diversion and place and purpose of use *by written request of the applicants anytime during the lease period*. These notices will also be published on April 17 And April 24, with a deadline for objections or protests due 10 days after final publication. As May 4<sup>th</sup> is a Sunday, objections would be due on Friday, May 2<sup>nd</sup>.

1. Divert 246 acre-feet per annum for municipal purposes located within the village of Ruidoso. Move to points of diversion and place of use are located within the Village of Ruidoso; move from points of diversion and places of use are located at the race track in Ruidoso Downs. **See enclosure 2.**
2. Discontinue the diversion of 343.04 acre-feet per annum of water from the Rio Ruidoso in Hondo, NM, and temporarily commence the diversion of 308.736 acre-fee per annum of the surface waters of the Rio Ruidoso from various wells and ditches in Hondo to the Village of Ruidoso. *Jackie and I met with both the Roswell office of the State Engineer, and the State Engineer office in Santa Fe. Their position at the time was that it made no sense to change points of diversion from the Hondo Valley to the Ruidoso.* **See enclosure 3.**
3. Temporarily divert 24.192 acre-feet per annum at the move to points of diversion for municipal use with 50% return flow credit. The move-from points of diversion are located in Hondo, NM and the move-to points of diversion and place are located within the Village of Ruidoso. **See enclosure 4.**
4. Also in the news is the reborn discussion initiated by Mescalero President with NM's Senators and Congressional representatives regarding the tribe's desire to acquire about 400 acres of U.S. Forest Service land where Ski Apache is located. **See enclosure 5.** Commissioner Doth did follow-up with Congressman Pearce's office, Johnathan Shuffield, who was unaware that conversations have commenced. He knows the extent to which the Commission opposes this land transfer, and provided assurance that they have no intention of sponsoring a bill on the matter in light of commission opposition. This topic was discussed last year during the May Commission meeting. **See enclosure 6** for copy of the letter sent to our Congressional delegation.

3. **Wildfire Task Force** convened by the NM Public Regulation Commission met for the third time on April 17<sup>th</sup>. Included in its scope of work is the addressing issues around utility lines across private and public lands, raising public awareness about wildfire prevention, coordinating efforts across utilities, coops and other agencies to reduce problem trees and to share vegetation management information and best practices. **See enclosure 7 for Agenda and related news releases.** Commission Doth prepared and presented information regarding five separate fire starts in Lincoln County and the village of Ruidoso due to trees and limbs falling on power lines. **See enclosure 8.** The County information was well received, with suggestions and ideas on how to move forward, including working with the power companies to identify and remove trees; to consider adopting a hazard tree ordinance; to work with this task force on potential legislation. The Cochiti and Jemez Pueblos also reported devastating fires started in the same manner.

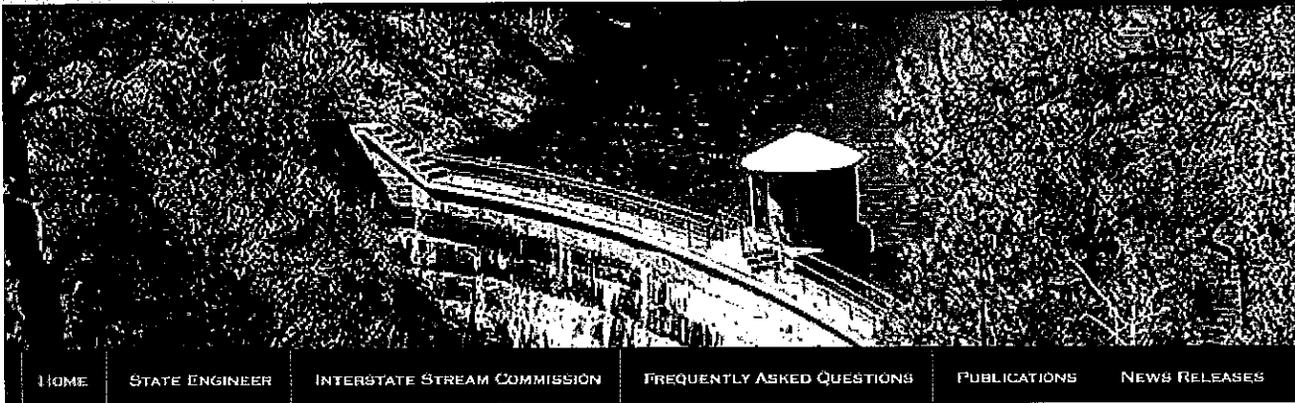
4. **Town Hall on Water Planning, Development & Use** held in Albuquerque on April 15 – 16, 2014. "New Mexico First" convened a two-day town hall that brought together people from around the state to develop practical recommendations on water use and policy. Attending from the County was Commissioners Powell, Stone and Minter, and Manager Taylor. Eight Town-Hall topics were identified, which included 1) Regional & State Water Planning; 2) Conservation & Reuse; 3) Watersheds & Environment; 4) Water Shortage; 5) Brackish & Produced Water; 6) Water Financing; 7) Water Rights and 8) Water Compacts. At the end of Day 1, each group developed a single "Action" and Strategies to obtain that action. **See Enclosure 9** for copy of Participant Packet that describes topics, strategies, goals and targeted outcome of the Town Hall.

**Recommendation:** Provide direction to Manager, as required.



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[Water Information](#) > [Water Rights](#) > [Notice for Publication](#) > [Lincoln County](#)

### LINCOLN COUNTY

#### Notice For Publication

File No:	Name	Date Posted
<a href="#">T-6019</a>	FNF Construction, Inc.	17-Apr-14
<a href="#">T-1320</a>	Jerry and Patricia Deal	28-Mar-14
<a href="#">T-247</a>	Town of Carrizozo	28-Mar-14
<a href="#">T-6008</a>	FNF Construction, Inc.	10-Mar-14

#### WATER INFORMATION

- [Active Water Resource Management](#)
- [Water Rights](#)
- [Glossary of Water Terms](#)
- [Subdivision Review](#)
- [Acequias](#)
- [Dam Safety](#)
- [Hydrology](#)
- [Maps and Geospatial Data](#)

#### WATER RIGHTS LOOKUP

#### WATER USE & CONSERVATION

#### LEGAL

#### PROGRAM SUPPORT

#### SPECIAL PROJECTS

#### RELATED LINKS

#### ON-LINE SERVICES

ENCL 1

**County:** Lincoln  
**Name:** Jerry and Patricia Deal  
**File No(s):** T-1320

NOTICE is hereby given that on December 23, 2013, Jerry and Patricia Deal, 2929 W. Wildwind Road, Las Cruces, NM 88007, filed application numbered T-1320-Enlarge with the STATE ENGINEER for Permit to Appropriate Underground Water within the Tularosa Underground Water Basin in Lincoln County under file T-1320 in the amount of 145.75 acre-feet per annum for irrigation purposes on 34.952 acres of land owned by the applicant in the NE ¼ of Section 31, Township 9 South, Range 9 East, NMPM, from existing wells T-1320, T-1320-POD 6 and T-1320-POD 7 all of which are located within the SE ¼ NE ¼ of said Section 31, and wells T-1320-S-2 and T-1320-S-4 which are located within the SW ¼ NE ¼ of said Section 31. T-1320 was previously licensed in the subject location for the irrigation of 43.048 acres of land with a licensed diversion of 179.51 acre-feet/annum from shallow groundwater. The subject application may enlarge the existing place of use to 78 acres of irrigated land and increase the total diversion of shallow groundwater for irrigation purposes to 325.26 acre-feet/annum.

Subject acreage and wells T-1320 et. al. can be found approximately 0.6 miles east of the intersection of County Road A002 and U.S. Highway 54 near Oscura, N.M. which is located approximately 15 miles southwest of Carrizozo, NM.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (objection must be legible, signed, and include the writer's complete name, phone number and mailing address). The objection to the approval of the application must be based on: (1) Impairment; if impairment, you must specifically identify your water rights; and/or (2) Public Welfare/Conservation of Water; if public welfare or conservation of water within the state of New Mexico, you must show how you will be substantially and specifically affected. The written protest must be filed, in triplicate, with the State Engineer, 1680 Hickory Loop, Suite J, Las Cruces, NM 88005-6598 within ten (10) days after the date of the last publication of this Notice. Facsimiles (faxes) will be accepted as a valid protest as long as the hard copy is hand-delivered or mailed and postmarked within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to the Office of the State Engineer, (575) 524-6160. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with the provisions of Chapter 72 NMSA 1978.

**County:** Lincoln  
**Name:** Town of Carrizozo  
**File No(s):** T-247

NOTICE is hereby given that on February 12, 2014, the Town of Carrizozo, c/o: William N. Griffin, Attorney at Law, P.O. Box 643, Ruidoso, NM 88355, filed application numbered T-5113-POD 1 with the STATE ENGINEER for Permit for Supplemental Well within the Tularosa Underground Water Basin in Lincoln County to use previously drilled temporary construction well T-5113-POD 1 located within the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 2, Township 8 South, Range 11 East, NMPM on land owned by the applicant for the continued diversion of up to 706 acre-feet per annum of shallow underground water in partial, continued exercise of existing water rights owned by the applicant and supplemental to existing Town of Carrizozo wells T-247 et al. for municipal, commercial and recreational purposes within the Town of Carrizozo service area which may include the Valle del Sol Subdivision.

Proposed supplemental well T-5113-POD 1 can be found approximately 5.3 miles east of Carrizozo, NM and approximately 1.9 miles northeast of the intersection of Valle del Sol and US Highway 380.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (objection must be legible, signed, and include the writer's complete name, phone number and mailing address). The objection to the approval of the application must be based on: (1) Impairment; if impairment, you must specifically identify your water rights; and/or (2) Public Welfare/Conservation of Water; if public welfare or conservation of water within the state of New Mexico, you must show how you will be substantially and specifically affected. The written protest must be filed, in triplicate, with the State Engineer, 1680 Hickory Loop, Suite J, Las Cruces, NM 88005-6598 within ten (10) days after the date of the last publication of this Notice. Facsimiles (faxes) will be accepted as a valid protest as long as the hard copy is hand-delivered or mailed and postmarked within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to the Office of the State Engineer, (575) 524-6160. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with the provisions of Chapter 72 NMSA 1978.

**Counties:** Lincoln and Socorro  
**Name:** FNF Construction, Inc.  
**File No(s):** T-6019

NOTICE is hereby given that on March 24, 2014, FNF Construction, Inc., 115 S. 48<sup>th</sup> Street, Tempe, AZ 85281, filed application T-6019 with the STATE ENGINEER for Permit to TEMPORARILY Appropriate Underground Water within the Tularosa Underground Water Basin in Lincoln County. Applicant proposes using existing wells T-1962, T-1962-S, T-1962-S-2 and T-1962-S-3 located within the NE ¼ SE ¼ of Section 1, Township 8 South, Range 10 East, NMPM otherwise described as the Carrizozo Golf Course supply wells which are located on land owned by the Town of Carrizozo for a temporary appropriation of groundwater in an amount not to exceed 90 acre-feet to be diverted for road construction purposes for NMDOT project no. 2100250 on Highway 54 between mileposts 130 and 146, north of Carrizozo, NM for a period of time not to exceed two years. The proposed diversion of 90 acre-feet will be pumped in part or in its entirety from the said wells and well T-1856 which is located on land owned by the Malkerson Ranch, LLC. The temporary appropriation of groundwater from well T-1856 is the subject of application numbered T-6008.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (objection must be legible, signed, and include the writer's complete name, phone number and mailing address). The objection to the approval of the application must be based on: (1) Impairment; if impairment, you must specifically identify your water rights; and/or (2) Public Welfare/Conservation of Water; if public welfare or conservation of water within the state of New Mexico, you must show how you will be substantially and specifically affected. The written protest must be filed, in triplicate, with the State Engineer, 1680 Hickory Loop, Suite J, Las Cruces, NM 88005-6598 within ten (10) days after the date of the last publication of this Notice. Facsimiles (faxes) will be accepted as a valid protest as long as the hard copy is hand-delivered or mailed and postmarked within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to the Office of the State Engineer, (575) 524-6160. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with the provisions of Chapter 72 NMSA 1978.

LEGAL NOTICE



NOTICE is hereby given that on September 23, 2013, Village of Ruidoso, 313 Cree Meadows Drive, Ruidoso, New Mexico 88345 and Ruidoso Properties Irrevocable Management Trust, 201 Third Street NW, Suite 1750, Albuquerque, New Mexico 87102; filed Application No. H-53-1 into 0275-1 and H-272 et al (T) with the STATE ENGINEER for permit to temporarily change point of diversion, place and purpose of use of 123.0 acre-feet per annum of groundwater and change point of diversion from

groundwater to surface water and groundwater, by ceasing the diversion of said waters from the following described wells:

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-53	SW $\frac{1}{4}$ SW $\frac{1}{4}$	20	11 S.	14 E.
H-53-S	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	29	11 S.	14 E.
H-54	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	30	11 S.	14 E.
H-55	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	29	11 S.	14 E.
H-56	NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	29	11 S.	14 E.

and severing said waters from commercial racetrack purposes within the Ruidoso Downs Racetrack facilities.

The applicant proposes to commence the diversion of 246.00 acre-feet per annum of groundwater and the surface waters of the Rio Ruidoso, and supplemental groundwater from the following described points of diversion:

RIO RUIDOSO SURFACE WATER	SUBDIVISION	SECTION	TOWNSHIP	RANGE
0275-A POD1	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	19	11 S.	13 E.
0275-A POD2	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	19	11 S.	13 E.
0275-A POD3	SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	26	11 S.	13 E.

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-272	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	36	11 S.	13 E.
H-272-S	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	25	11 S.	13 E.
H-272-S-2	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	02	11 S.	13 E.
H-272-S-3	NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	02	11 S.	13 E.
H-272-S-4	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	11	11 S.	13 E.
H-272-S-5	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	14	11 S.	13 E.
H-272-S-6	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	15	11 S.	13 E.
H-272-S-7	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	10	11 S.	13 E.
H-272-S-8	SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	14	11 S.	13 E.
H-272-S-9	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	23	11 S.	13 E.
H-272-S-11	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	25	11 S.	13 E.

for municipal purposes located within the Village of Ruidoso.

Application is made to cease the use of 123.0 acre-feet per annum commercial consumptive use at the race track and begin the diversion of 246.0 acre feet per annum from the municipal points of diversion for municipal use in the Village of Ruidoso with 50% return flow recognized in the municipal system.

This application is filed under the NM Water - Use Leasing Act, NMSA 1978 72-6-1 through 72-6-7.

This is a temporary application, for approximately a seven-year period extending from the date of approval of the requested permit to October 31, 2021; with all rights to revert to the move-from points of diversion, place and purpose of use on October 31, 2021; subject to an earlier reversion by written request of the applicant.

The move-from points of diversion and places of use are located at the race track in Ruidoso Downs, Lincoln County, New Mexico. The proposed move-to points of diversion and place of use are located within the Village of Ruidoso, Lincoln County, New Mexico.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address).

The objection to the approval of the application must be based on: (1) Impairment; if impairment you must specifically identify your water rights; and/or (2) Public welfare/conservation of water; if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially affected.

The written protest must be filed, in triplicate, with Scott A. Verhines, P.E., State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, within ten (10) days after the date of last publication of this Notice. Facsimiles (fax) will be accepted as a valid protest as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protest can be faxed to Office of the State Engineer, (575) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6, and 72-12-3.

Published in the Lincoln County News on April 10, 17 and 24, 2014.

LINCOLN County News  
4/10/2014  
ENCL 2

2

4/10/14

LEGAL NOTICE

Lincoln County News

NOTICE is hereby given that on July 15, 2013, Sea Gem, 9203 East 825 South, Upland, IN 46989, and Villa of Ruidoso, 313-Cree Meadows Drive, Ruidoso, NM 88345 filed application No. 01300-1; 01300-2; 01300-0826-2 into 0275-1 et al. & H-272 et al (T) with the STATE ENGINEER for permit to Temporarily Change t Surface and Supplemental Groundwater Points of Diversion and Change Place and Purpose of Use in the Hondo Underground Water Basin in the State of New Mexico.

The applicant proposes to discontinue the diversion of 343.04 acre-feet per annum (154.368 acre feet consumptive irrigation requirement) of the surface waters and supplemental groundwater from the Rio Ruidoso, a tributary of the Rio Hondo, via the Pablo Chavez, which diverts from the Ambrocio Chavez Ditch in t NW1/4SW1/4SW1/4 of Section 3, Township 11 South, Range 17 East, said Ambrocio Chavez Ditch diverts fr the Rio Ruidoso at a point in the SE1/4SE1/4NE1/4 of Section 5, Township 11 South, Range 17 East, N.M.P.M Supplemental well No. H-49-POD2 is located in the SE1/4SW1/4SW1/4 of Section 3, Township 11 South, Range East, and supplemental well No. H-50 is located in the NE1/4NE1/4NW1/4 of Section 10, Township 11 Sou Range 17 East, N.M.P.M. The application proposes to sever said water right from the irrigation of 107.2 acres land described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. E1/2E1/2NW1/4	10	11 S.	17 E.	6.1
Pt. E1/2SE1/4NW1/4	10	11 S.	17 E.	1.8
Pt. S1/2S1/2SW1/4	3	11 S.	17 E.	11.1
Pt. N1/2NW1/4	10	11 S.	17 E.	37.5
Pt. W3/4	10	11 S.	17 E.	50.7

The applicant proposes to temporarily commence the diversion of 308.736 acre-feet per annum (154.368 acre ft consumptive irrigation requirement) of the surface waters of the Rio Ruidoso, and supplemental shallow ground water, from the following described points of diversion:

	SUBDIVISION	SECTION	TOWNSHIP	RANGE
<b>SURFACE:</b>				
Rio Ruidoso				
0275-1A-POD1	NW1/4SW1/4SW1/4	19	11 S.	13 E.
0275-1A-POD2	SW1/4NE1/4SW1/4	19	11 S.	13 E.
0275-1A-POD3	SE1/4NW1/4SW1/4	26	11 S.	13 E.
<b>WELLS:</b>				
H-272	NW1/4NE1/4SW1/4	36	11 S.	13 E.
H-272-S	SE1/4SW1/4NE1/4	25	11 S.	13 E.
H-272-S-2	SW1/4SW1/4NE1/4	2	11 S.	13 E.
H-272-S-3	NE1/4SW1/4SE1/4	2	11 S.	13 E.
H-272-S-4	SE1/4NW1/4NE1/4	11	11 S.	13 E.
H-272-S-5	NE1/4NW1/4SW1/4	14	11 S.	13 E.
H-272-S-6	SW1/4NE1/4NE1/4	15	11 S.	13 E.
H-272-S-7	SW1/4NE1/4SE1/4	10	11 S.	13 E.
H-272-S-8	SE1/4NW1/4SW1/4	14	11 S.	13 E.
H-272-S-9	NW1/4NE1/4NE1/4	23	11 S.	13 E.
H-272-S-11	NW1/4NE1/4SE1/4	25	11 S.	13 E.

for municipal purposes within the Village of Ruidoso.

The move to place of use is as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE
Village of Ruidoso			
Municipal Limits	All	10-11S	13-14E

This application is filed under the NM Water-Use Leasing Act, NMSA 1978 72-6-1 through 72-6-7. The temporary lease and permit period will begin as of the filing date of the application and extend through October 31, 2014. The temporary permit may be reverted to the move from points of diversion and place and purpose of use by written request of the applicants anytime during the lease period.

The presently authorized points of diversion, Ambrocio Chavez Ditch, Pablo Chavez Ditch, well H-49, well H-50, and place of use are located in Hondo, in Lincoln County, New Mexico.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application must be based on: (1) Impairment; if impairment you must specifically identify your water right and/or (2) Public welfare/conservation of water; if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially affected. The written protest must be filed, in triplicate, with the State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, within ten (10) days after the date of publication of this Notice. Facsimiles (fax) will be accepted as a valid protest as long as the hard copy is submitted within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protest can be faxed to Office of the State Engineer, (575) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with the provisions of Chapter 72 NMSA 1978.

ENCL 3

# LEGALS - LEGALS - LEGALS - LEGALS

## LEGAL NOTICE

NOTICE is hereby given that on July 15, 2013, Village of Ruidoso, 313 Cree Meadows Drive, Ruidoso, New Mexico 88345 and Sea Gem, 9203 East 825 South, Upland, IN 46989, filed Application No. H-50-1 into 0275-1 and H-272 et al (T) with the STATE ENGINEER for permit to temporarily change point of diversion, place and purpose of use 26.88 acre-feet per annum of groundwater, and change point of diversion from groundwater to surface water and groundwater, by ceasing the diversion of said waters from the following described wells:

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-50	NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	10	11 S.	17 E.

and severing said waters from the commercial use of 8.40 acres of land, described as being part of the E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 10, Township 11 South, Range 17 East, N.M.P.M.

The applicant proposes to commence the diversion of 12.096 acre feet per annum consumptive use of the surface waters of the Rio Ruidoso, and supplemental shallow groundwater from the following described points of diversion:

RIO RUIDOSO SURFACE WATER	SUBDIVISION	SECTION	TOWNSHIP	RANGE
0275-A POD1	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	19	11 S.	13 E.
0275-A POD2	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	19	11 S.	13 E.
0275-A POD3	SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	26	11 S.	13 E.

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-272	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	36	11 S.	13 E.
H-272-S	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	25	11 S.	13 E.
H-272-S-2	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	02	11 S.	13 E.
H-272-S-3	NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	02	11 S.	13 E.
H-272-S-4	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	11	11 S.	13 E.
H-272-S-5	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	14	11 S.	13 E.
H-272-S-6	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	15	11 S.	13 E.
H-272-S-7	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	10	11 S.	13 E.
H-272-S-8	SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	14	11 S.	13 E.
H-272-S-9	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	23	11 S.	13 E.
H-272-S-11	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	25	11 S.	13 E.

for municipal purposes located within the Village of Ruidoso.

The application is made to divert 24.192 acre feet per annum at the move to points of diversion for municipal use with 50% return flow credit.

This application is filed under the NM Water - Use Leasing Act, NMSA 1978 72-6-1 through 72-6-7.

The temporary lease and permit period will begin as of the filing date of the application and extend for a nine-year period, with all rights to revert back to the move-from points of diversion, place and purpose of use on October 31, 2021, subject to an earlier reversion by written request of the applicant.

The move-from points of diversion and places of use are located in Hondo NM, Lincoln County, New Mexico. The proposed move-to points of diversion and place of use are located within the Village of Ruidoso, Lincoln County, New Mexico.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application must be based on: (1) Impairment; if impairment you must specifically identify your water rights; and/or (2) Public welfare/conservation of water; if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially affected. The written protest must be filed, in triplicate, with Scott A. Verhines, P.E., State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, within ten (10) days after the date of last publication of this Notice. Facsimiles (fax) will be accepted as a valid protest as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protest can be faxed to Office of the State Engineer, (575) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6, and 72-2-3.

Published in the Lincoln County News on April 10, 17 and 24, 2014.

LINCOLN County News 4/10/2014  
ENCL 4

# Mescalero president pursues ski resort land

## Salaries of Mescalero administration are reduced, gas prices lowered for tribal members

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

Efforts continue by the Mescalero Apache tribal administration to secure the 400 acres of Ski Apache Resort that now is part of the Lincoln National Forest.

In a six-page letter issued April 2 to tribal members, Mescalero President Danny Breuninger wrote that he and tribal attorney John Wheeler traveled to Washington D.C. to meet with both of New Mexico's United States senators and its congressional representatives to go over issues facing the Mescalero, including health care and housing.

"Another issue I discussed with them was our desire to acquire about 400 acres of U.S. Forest Service land where Ski Apache is located," Breuninger wrote. The land would be transferred to the Bureau of Indian Affairs and held in trust for the tribe, he wrote.

"To accomplish that, we will need Congressional action in the form of a bill being passed and signed by the President of the United States," he wrote. "This can be a lengthy process and it is our goal to have this completed within the next two years. The reason we are trying to acquire this land

is that the tribe over the last 50 years since we purchased Ski Apache (from oilman Robert O. Anderson) has invested millions of dollars in improvements to the property, and by expanding and making additional improvements, we can anticipate higher revenues for the tribe."

Former Tribal President Fred Chino was pushing the same initiative two years ago and spoke to the Ruidoso News about the effort at that time.

Lincoln County Commission Chairman Jackie Powell said the idea of relinquishing control of the headwaters of the Rio Ruidoso is "horrific," and she will ask for the support of other county commissioners to send letters to the county's congressional delegation and the U.S. Forest Service opposing any land sale or swap at the resort.

"You never want to turn over your headwaters, that's the worse scenario," she said. "I want to emphasize to the public how important it is to keep that little bit of headwater open to us. We would have no say if it was part of the (Mescalero) reservation. We have no say about what happens on the reservation now."

Transferring ownership also could cut off access to those acres for sportsmen and those recreating, she said.

"They could put up a whole bunch of buildings and anything that is done upstream could be so detrimental. It's all about water. We're in a dire situation here. It's such a small stream, and at the reservation line in Upper Canyon is where they send the water to Grindstone (the village of Ruidoso's major water storage reservoir). No one can afford to live here without upstream water. No one should even consider a transfer of ownership."

She pledged to do whatever she can to educate the public on the "cons" of the proposal, adding that, "I can't think of a pro."

Instead of Ruidoso officials spending millions of dollars trying to transfer water rights from downstream, they should be concentrating on what's happening upstream, Powell said.

"This would be zero benefit to Ruidoso, Lincoln County or those downstream," Powell said. "Water is so precious and there is so little of it. When you out-

grow your resources, who decide who can stay and who has to leave? We had drought in the 1950s, but we had a much smaller population then. (The Mescalero) want to build more without interference and they are pumping when (the aquifer) is so depleted. Without water, we have nothing. All of us should know where our water comes from, and it's not just out of a faucet. We better pay attention to every drop."

A Mescalero administration official said Thursday Breuninger may try to set up a meeting with Powell to discuss the issues that concern her. He pointed out that the president's letter was intended to keep tribal members informed and that Ski Apache's future success is vital not only to the Mescalero, but to the village of Ruidoso. The tribe also is trying to work with the village on water supply issues, he said, adding, "We want to work with Ruidoso and help."

### Gas prices lowered

Breuninger also wrote that Rob Moreland was designated as acting manager of the Mescalero Gas Company after Fred Wallace resigned. Breuninger wrote that he ordered a full audit of the company to evaluate the financial performance

of the department, because there were many unanswered questions about the revenue being generated by the enterprise.

"The audit is nearly complete and we are awaiting the results," he wrote. Under the new management, "We have been able to cut propane and gasoline prices significantly, which is a huge benefit to our tribal members."

Prior to these cuts, our prices for both propane and gasoline were the highest anywhere in both Lincoln and Otero counties."

### Salaries

As the last item in his letter, Breuninger wrote that the salaries for the president and the vice president were approved by the tribal council at \$175,000 and \$115,000, respectively. Earlier this year, the administration took some heat when the council approved temporary salaries of \$200,000 and \$150,000.

"On Feb. 19, the Tribal Council once again discussed the salaries (for the two positions)," Breuninger wrote. "The President's annual salary was reduced to \$175,000 per year and the vice president's salary was reduced to \$115,000 per year."

"I want to mention that during these discussions, both the president and the vice president excused themselves from the meeting, along with Council Woman Pam Cordova, since the matter related to her brother Danny Breuninger."

Cordova voted with the council majority in January

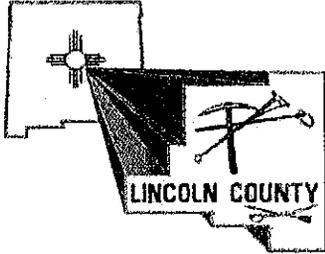
ries were established. Councilor Pamela Morgan voted against the motion at that time.

Some tribal members complain that the salaries are too high, pointing out that Gov. Susana Martinez paid \$110,000 a year and the lieutenant governor is paid \$85,000. New Mexico's chief justice is paid \$123,691. They also noted that Breuninger is a retired federal employee and should be receiving a federal pension in addition to his salary. They provided a copy of a pay scale worked up several years ago by some council members with starting salaries for the president and vice president based on years of tribal council service. Under that salary schedule, the president without previously serving on the council would begin at \$127,000, and would cap out after 38 years at \$237,000.

A tribal official said critics of the new administration who tried to remove the president and some other elected council members failed in their attempt to gain enough signatures.

Vice President Gabe Aguilard said the petition drive, "Slowed us down more than anything. We're trying to move forward and work together. This turned into a big fight and was very negative. A handful of people were against any salary. They think he should work for free. We're trying to look out for the best interests of the tribe. I'm just trying to do my job and stay positive."

Ruidoso News  
April 11, 2014



# County of Lincoln

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

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

June 4, 2013

Gilbert Zepeda, Deputy Regional Forester  
Southwestern Region  
333 Broadway SE  
Albuquerque, New Mexico 87102

Re: Mescalero Apache Tribal Proposal to Acquire USFS Land at Ski Apache

Dear Deputy Zepeda,

The purpose of this letter is to relay to you the continued strong opposition of Lincoln County, as voiced by the Board of County Commissioners ("BOCC") at its May 14<sup>th</sup>, 2013 meeting, to the U.S. Forest Service's potential exchange of land with the Mescalero Apache Tribe. In late April, Commission Chair Jackie Powell first became aware of meetings and discussions among the Mescalero Apache Tribe, the U.S. Forest Service, the Village of Ruidoso and New Mexico's Congressional Delegation regarding this potential land exchange; meetings and discussions that had commenced months earlier. Not only was the County of Lincoln not made aware of these discussions until after-the-fact, but neither was it invited to the table.

At that May 14<sup>th</sup> Commission meeting, Smokey Bear District Ranger Dave Warnack did provide an update of the meetings held between tribal representatives and the Southwest Regional Office of the Forest Service concerning the potential acquisition, and stated that the USFS was researching and assessing the authority for an acquisition of this land through a land exchange. Ranger Warnack noted that tribal representatives were also seeking options for acquisition by Congressional legislation. Ranger Warnack provided assurance that ongoing discussions would involve public input, including that of the County.

The County's opposition hinges on the ramifications of putting the headwaters of the Rio Ruidoso, intended and required for public use, under tribal control of tribal lands rather than under the existing public control of public lands. It is critical to keep in mind that the citizens and private landowners impacted by these headwaters include not only those residing and visiting in the whole of Lincoln County, whose water sources were greatly impacted by the Little Bear Fire and subsequent flooding, but also those in New Mexico counties and municipalities south and east of us, impacting the health and livelihood of thousands of individuals with significant water resource needs. To transfer the critical headwaters relied on by so many to tribal control that would serve so few, seems to be short-sighted and irresponsible. The County respectfully requests to be included as a key participant in all future stakeholder meetings and discussions.

*ENCL 6*

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816

In addition, it is critical that County residents, visitors and tourists alike continue to be able to hunt, horseback ride, hike and recreate on our public lands, as it is a major part of our economy; to turn this land over to the Tribe would relinquish the control of the access, and could result in the public being "locked-out" of the area, eliminating traditional and long-term recreational use. Such an action would further cripple our already-crippled economy.

As you may be aware, the County has entered into a Memorandum of Agreement with federal agencies that ensures County leadership is made aware of and is part of the decision-making process regarding issues impacting county residents and other matters impacting the health of the county. In addition, the Lincoln County Comprehensive Land Use Plan, adopted by the BOCC as Resolution 1997 - 33, states that:

*The Plan is to provide a direction from the people of Lincoln County to assist county, private, state and federal decision-makers involved in private and/or public land use planning and management. The plan is a guide to protect the private rights, protect and enhance the customs and cultures, and the economy and tax base necessary for both the well-being of the people and for the environmental quality.*

Please know that the Lincoln County BOCC considers the health and supply of its water sources to be among its most critical concerns, and any efforts it can make to safeguard those are top priority. We appreciate our ongoing partnership with the Smokey Bear Ranger District, and your commitment and cooperation in working with us on this important issue, and any other matters impacting our County.

Sincerely,



**NITA TAYLOR**  
**LINCOLN COUNTY MANAGER**  
**PO BOX 711, CARRIZOZO, NM 88301**  
**CELL: 575.808.1379**  
**OFFICE - 575.648.2385 EXT 101**  
**LINCLNCO@TULAROSA.NET**

**cc:**

Bob Cordts, Director of lands & Minerals, Southwestern Region USFS  
Travis Moseley, Forest Supervisor - Lincoln National Forest  
Dave Warnack, Smokey Bear Ranger - Lincoln National Forest  
Representative Steve Pearce - New Mexico Congressman

**COMMISSIONERS**

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



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

*District 3*  
(505) 827-4533

Wildfire Task Force  
Public Regulation Commission  
April 17, 2014  
2:00-4:00 p.m.  
Public Regulation Hearing Room  
Fourth Floor, PERA/PRC Building  
1120 Paseo de Peralta

AGENDA

1. Welcome and Introductions.
  - a. Commissioner Valerie Espinoza, State Representative Lucky Varela
  - b. Fire update:
    - i. NM and region – Fire Outlook Grim for 2014
2. Presentation on Wildfire Experiences and Prevention
  - a. Cochiti Pueblo Experiences, by Regis Pecos.
  - b. Jemez Pueblo Experiences, by TBD.
  - c. Wildfire Prevention by Michael Feinberg and Ty Tosdal.
3. Discussion on Objectives, and Action Items - Input from the Task Force
  - a. Legislation - Representative Lucky Varela
  - b. Comments from others
4. Conclusion

ENCL 7



NEWS RELEASE

FOR IMMEDIATE RELEASE

April 2, 2014

**PRC Joins Forces to Promote Wildfire Awareness**  
*March 30-April 5 is Southwest Wildfire Awareness Week*

SANTA FE – In 2013, Public Regulation Commission Vice-Chair Valerie Espinoza convened a Wildfire Task Force that includes over 40 representatives from state, local, federal, and tribal government agencies, as well as firefighters, law enforcement units, citizens, utilities and rural electric cooperatives from around the state.

The Wildfire Task Force’s work includes addressing issues around utility lines across private and public lands; raising public awareness about wildfire prevention; coordinating efforts across utilities, coops and other agencies to reduce problem trees; and to share vegetation management information and best practices.

Power lines are a potential ignition source and the areas surrounding the power lines are at risk of burning. If conditions are unfavorable, these wildfires can grow to a significant size and threaten private property, homes and entire communities.

The Wildfire Task Force is trying to prevent wildfires caused by power lines and developing vegetation management plans relating to vegetation around power lines. The Energy, Minerals and Natural Resources Department – Forestry Division (EMNRD) is the state agency responsible for wildfire protection and forest health. EMNRD works with the Department of Public Safety and the Department of Homeland Security and Emergency Management to provide for statewide public safety as it relates to wildfires.

Southwest Wildfire Awareness Week lasts from March 30 until April 5. The annual safety week program is sponsored regionally by the Southwest Prevention and Information Committee and the Southwest Area Coordinating Group. This year’s theme is “Where We Live, How We Live, Living with Wildfire.”

The Wildfire Task Force members have contributed much time and effort to helping solve these issues.

###



**For Immediate Release**

Date: April 17, 2014

Contact: Whitney Potter (202) 228-1578

## **Heinrich Helps New Mexicans Prepare For Wildfire Season, Releases PSA & Launches Online Resource Center**

WASHINGTON, D.C. (April 17, 2014) - In an effort to help New Mexicans prepare for wildfire season, U.S. Senator Martin Heinrich (D-N.M.) today launched the "[Wildfire Preparedness & Prevention Resource Center](#)" on his website, to provide critical information about how to protect communities from the devastating effects of wildfires. The new online resource center includes prevention tips, best practices to protect homes and businesses, active wildfire information, and more.

Senator Heinrich also released a [30-second public service announcement \(PSA\)](#) to help spread the word about how to stay safe throughout the fire season.

- [ONLINE](#) - Wildfire Preparedness & Prevention Resource Center
- [TV PSA](#) - Helping New Mexicans Prepare For Wildfire Season [[Download for TV](#)]
- [RADIO PSA](#) - Helping New Mexicans Prepare For Wildfire Season [[Download for Radio](#)]

"Wildfire season is here, and now is the time to get ready. Learning about wildfire danger and being prepared can help reduce the threat of fires to our natural surroundings, our homes, and our communities," said Sen. Heinrich. "These helpful tips and resources aim to provide New Mexicans with the best information available to prepare for fire season."

**Synopsis:**

Due to large tree mortality from fire, drought and bugs we have a huge problem of compromised trees. On April 1 and April 2, 2014 five separate incidents involving trees and power lines occurred in Lincoln County and in the Village of Ruidoso.

Four of the incidents resulted in small fires. In one of the incidents, a power line was knocked off of the utility pole but did not cause a fire.

During both days, the area experienced heavy winds. In all cases, had it not been for the quick reporting and response of the fire fighters, any one of the incidents could have caused catastrophic fire with loss of life and many homes.

**Solution:**

Of the many causes of fire, the issue of trees and limbs falling on power lines is largely preventable with proper planning and guidelines.

Lincoln County is currently working on a hazard tree ordinance but we need the assistance of the PRC to help with the power line utilities.

Mark Doth  
Lincoln County Commissioner  
575-937-0886

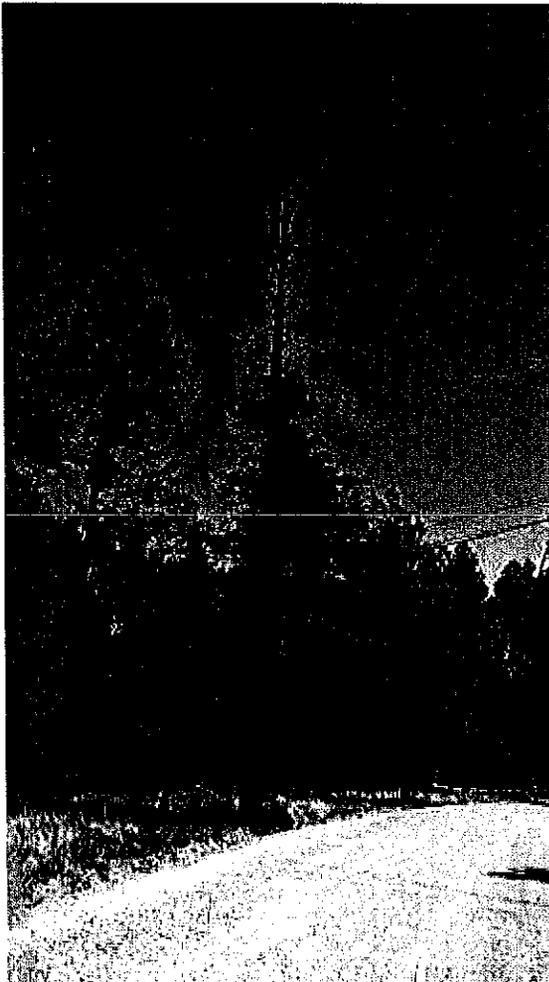


Date of Fire: April 1, 2014

Location: Signal Peak Road - Ruidoso, NM

Fire caused by dead tree branch falling on power line. Small area burned but was quickly contained.

Many more dead trees can be found along the power line path.



Date of Fire: April 2, 2014

Location: Loudat Lane in Ceder Creek - Lincoln County, NM

Fire caused by green tree falling on power line. Tree was in poor health. Several spots burned but were quickly contained.

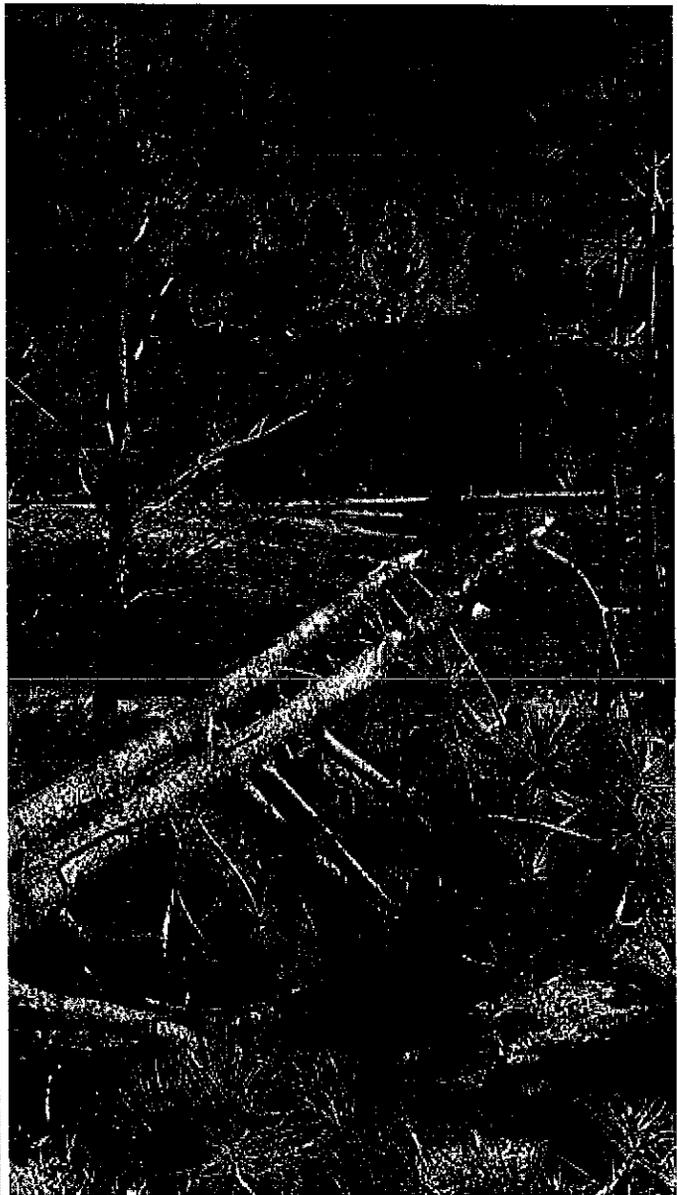
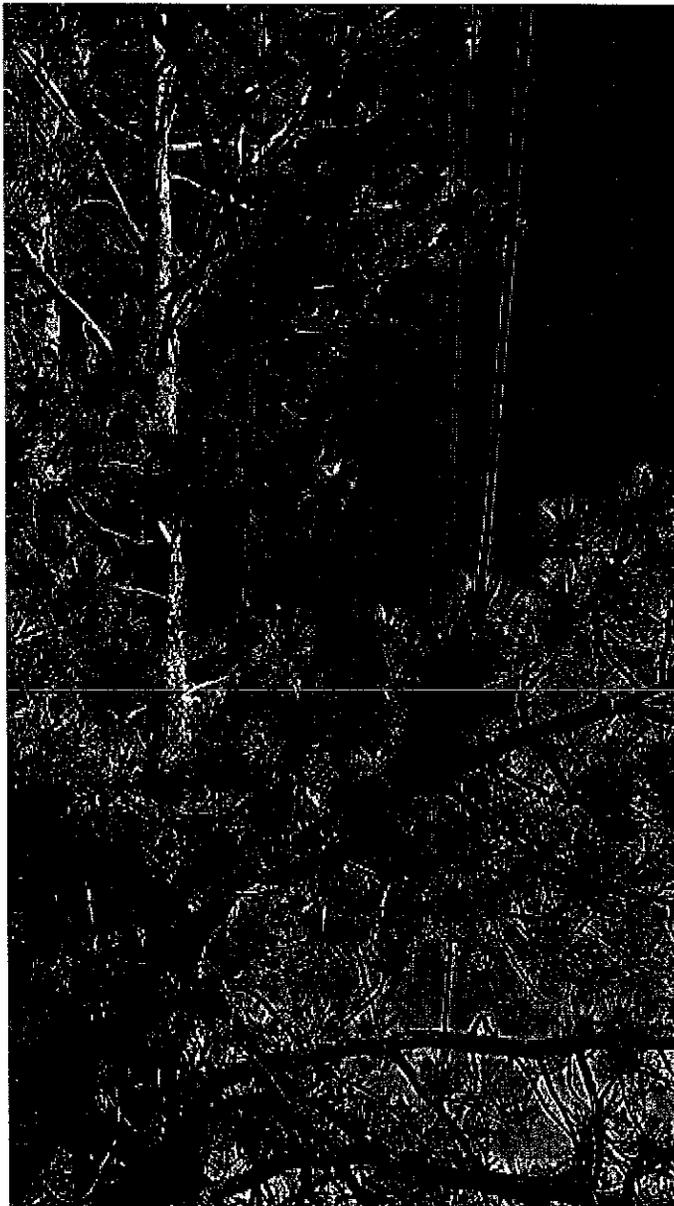
100 feet from fire location on Loudat Lane stands a live tree (top 20 feet dead) next to the power line.

Date of Fire: April 2, 2014

Location: Homestead Loop - Lincoln County, NM

Fire caused by green tree branch falling on power line. Small area burned but was quickly contained.

Utility lines go through the middle of the tree branches.





Date of Fire: April 2, 2014

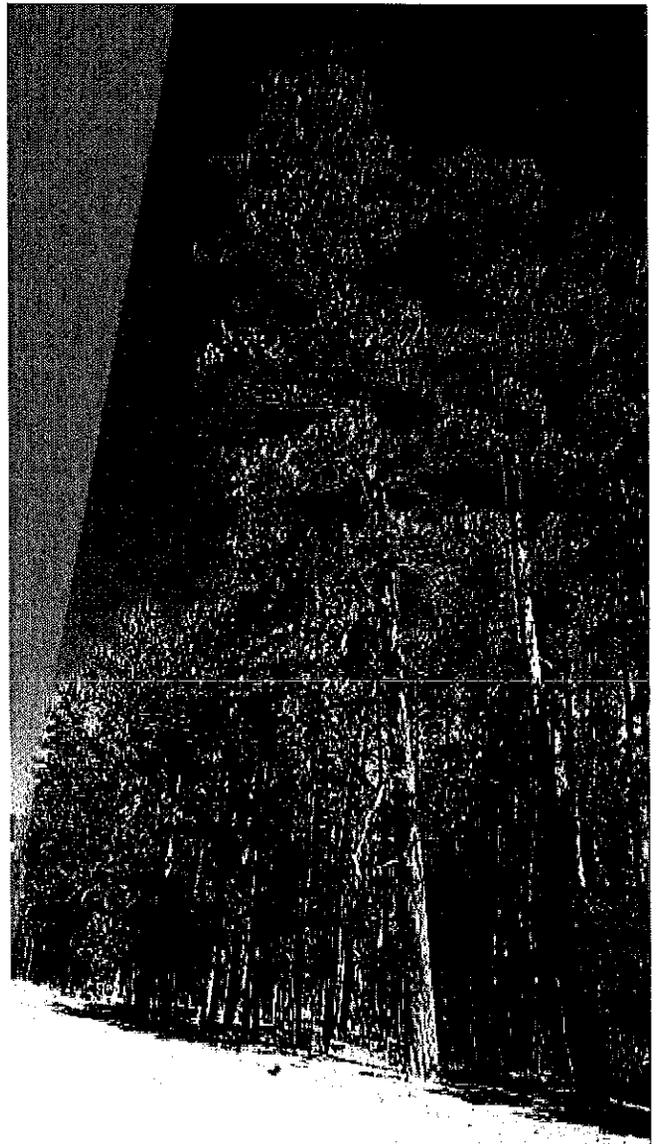
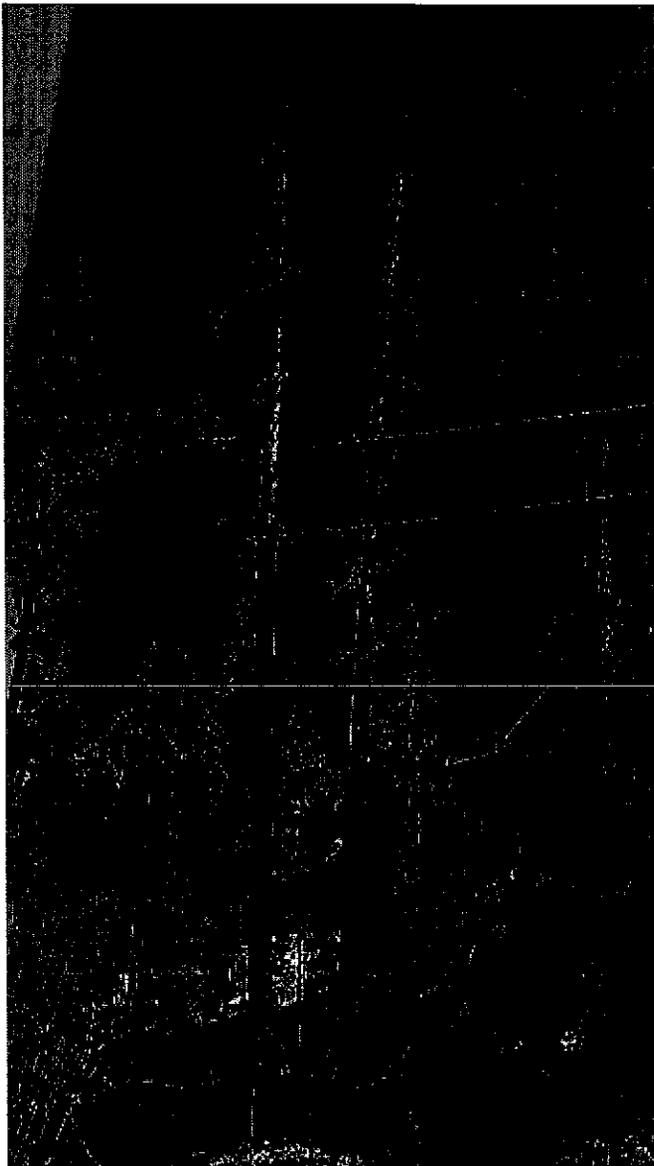
Location: Hemlock Circle - Ruidoso, NM

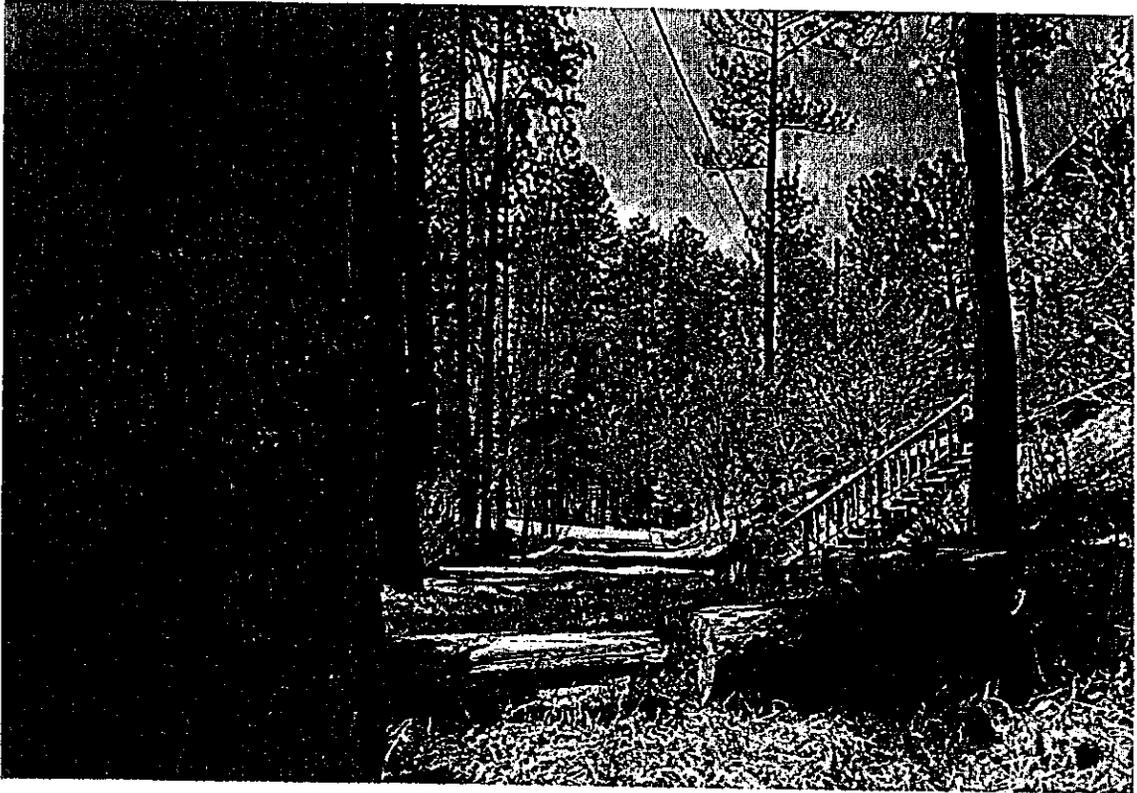
Fire caused by a branch from a dead tree falling on power line. Small area burned but was quickly contained. Bottom Picture shows dead trees in utility lines.

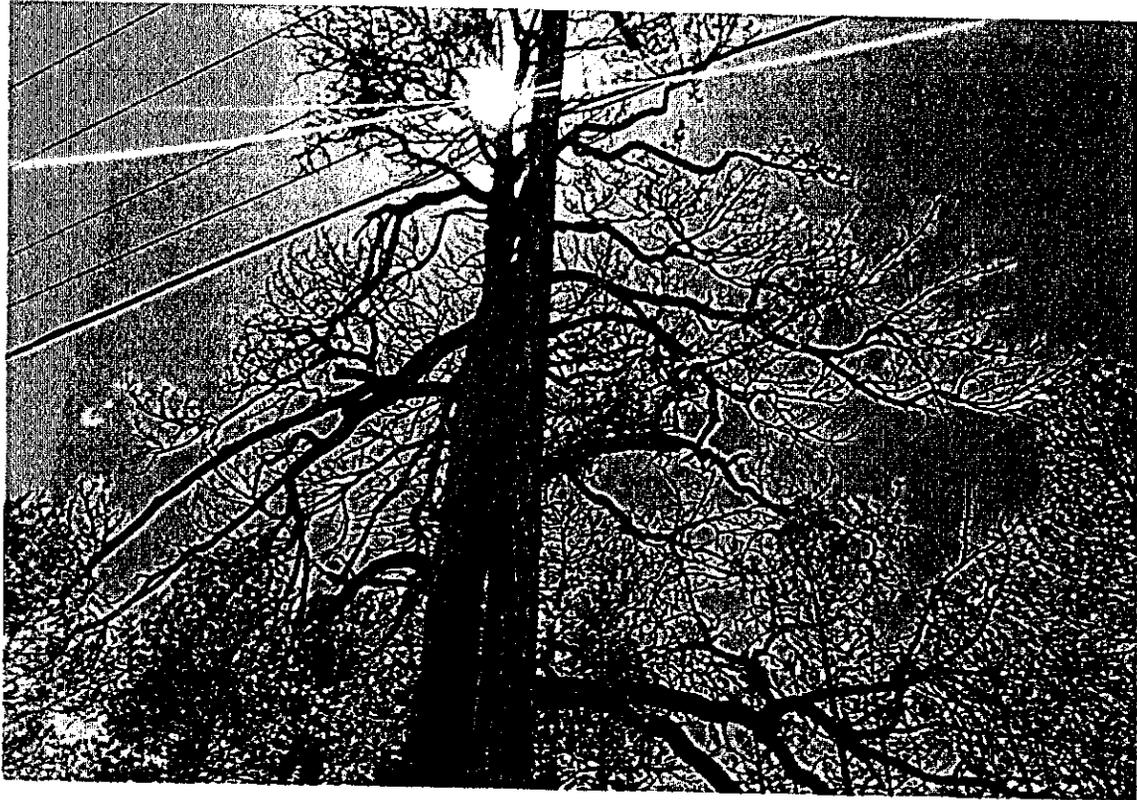


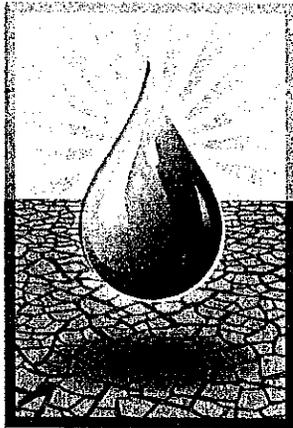


Many, many examples of hazard trees exist all over the forested areas of Lincoln County.









ADVANCING NEW MEXICO'S FUTURE:

# A Town Hall on Water Planning, Development & Use

## PARTICIPANT PACKET

- > April 15-16, 2014
- > 8:30-5:00
- > Marriott Pyramid North, Albuquerque

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New Mexico First

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**NEW MEXICO FIRST**  
*People. Ideas. Progress.*

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*By attending New Mexico First's Town Hall on Water Planning, Development & Use, you acknowledge that photographs or videos of you may be taken by staff or photographers. You grant New Mexico First permission to use these photographs or videos in any type of media, including websites and print publications, without compensation or reward.*

# AGENDA

DAY ONE: Tuesday, April 15, 2014		
WHEN	WHAT	WHERE
8:30	<b>Check-In &amp; Networking</b>	Registration Desk
9:00	<b>Welcome</b> <ul style="list-style-type: none"> <li>Jennifer Salisbury, Chair, New Mexico First</li> <li>Heather Balas, President and Executive Director, New Mexico First</li> <li>The Honorable Martin Heinrich, Senator, United States Senate</li> <li>Kurt Steinhaus, LANL, Chair-Elect of NM First</li> <li>The Honorable Tom Udall, Senator, United State Senate (video)</li> </ul>	Pyramid Ballroom
9:30	<b>Roundtable Discussion</b> <ul style="list-style-type: none"> <li>Background Report Review</li> <li>Discussion                             <ul style="list-style-type: none"> <li>Ryan Flynn, Cabinet Secretary, NM Environment Department</li> <li>Richard Luarkie, Governor, Laguna Pueblo</li> <li>David Martin, Cabinet Secretary, NM Energy, Minerals &amp; Natural Resources Department</li> <li>Laura McCarthy, Director, The Nature Conservancy</li> <li>Jeff Witte, Cabinet Secretary, NM Department of Agriculture</li> <li>Heather Balas, moderator</li> </ul> </li> </ul>	Pyramid Ballroom
10:45	<b>Town Hall Overview</b> <ul style="list-style-type: none"> <li>Heather Balas, President and Executive Director, New Mexico First</li> <li>Charlotte Pollard, Deputy Director, New Mexico First</li> </ul>	Pyramid Ballroom
11:00	<b>Break</b>	
11:15	<b>Small Group Introductions and Overview</b> <ul style="list-style-type: none"> <li>Introductions</li> <li>Ground rules</li> <li>Outcomes</li> <li>Consensus definition</li> </ul>	Blue: Taos Green: Las Cruces Yellow: Santa Fe Orange: Tampico Red: Cozumel Brown: Coronado Gray: Santa Rosa Purple: Rio Grande
12:00	<b>Lunch</b> <ul style="list-style-type: none"> <li>Scott Verhines, State Engineer, NM Office of the State Engineer</li> <li>Joseph Cervantes, Senator, NM Legislature</li> <li>Heather Balas</li> </ul>	Pyramid Ballroom
1:00	<b>Small Group Recommendation Discussion A</b> <ul style="list-style-type: none"> <li>Question 1: Given our group's topic, what water policy reforms are needed (including changes by government, public, or private sectors):                             <ul style="list-style-type: none"> <li>What do we need to stop doing?</li> <li>What do we need to start doing or do better?</li> </ul> </li> <li>Question 2: What recommendation do we want to make to the full group?</li> </ul>	Same as previous small group discussion

PARTICIPANT PACKET: Town Hall on Water Planning, Development & Use

2:30	<b>Break</b>	
2:45	<b>Small Group Recommendation Discussion A, cont'd.</b>	Same as above
4:00	<b>Plenary Session: Group Recommendations</b> <ul style="list-style-type: none"> <li>Brief reports by each group.</li> </ul>	Pyramid Ballroom
5:00	<b>Adjourn</b>	

**DAY TWO: Wednesday, April 16, 2014**

WHEN	WHAT	WHERE
8:30	<b>Buffet Breakfast</b> <ul style="list-style-type: none"> <li>Welcome: Patrick Apodaca, PNM, New Mexico First Board Member</li> <li>Town Hall Amendment Rules: Heather Balas</li> </ul>	Pyramid Ballroom
9:00	<b>Small Group Amendment Discussion A</b> <ul style="list-style-type: none"> <li>Question 3: What, if any, amendments do we propose for the Day 1 recommendations?</li> </ul>	Blue: Taos Green: Las Cruces Yellow: Santa Fe Orange: Tampico Red: Cozumel Brown: Coronado Gray: Santa Rosa Purple: Rio Grande
9:45	<b>Small Group Recommendation Discussion B + Hidden Break</b> <ul style="list-style-type: none"> <li>Question 4: What is a bold idea for how New Mexico can strengthen our water policy that is unique from yesterday's recommendations?</li> <li>Question 5: What recommendation do we want to make to the full group?</li> </ul>	Same as above
12:00	<b>Lunch</b> <ul style="list-style-type: none"> <li>Implementation Process: John D'Antonio Jr. P.E., Deputy District Engineer, U.S. Army Corps of Engineers and New Mexico First Town Hall Implementation Chair</li> <li>Group Recommendation Reports</li> <li>Town Hall Amendments and Revisions: Heather Balas</li> </ul>	Pyramid Ballroom
12:45	<b>Small Group Amendment Discussion B</b> <ul style="list-style-type: none"> <li>Question 6: What, if any, amendments do we propose for the Day 2 recommendations?</li> </ul>	Same as morning
1:45	<b>Break</b>	
2:00	<b>Plenary Session</b> <ul style="list-style-type: none"> <li>Jennifer Salisbury, Chair, New Mexico First Board</li> <li>Heather Balas, President and Executive Director</li> </ul>	Pyramid Ballroom
4:45	<b>Closing</b>	Pyramid Ballroom
5:00	<b>Adjourn</b>	

## TOWN HALL OVERVIEW

Water is perhaps THE most critical policy issue in New Mexico. Without enough clean, available water, our economy, health, environment, and overall population suffers. The topic is far-reaching and complex, as we saw in 2013 with periods of extreme drought followed by unusually heavy rains. This two-day town hall will bring together people from around the state to develop practical recommendations on water use and policy.

### What Happens During the Town Hall?

The town hall is not a typical conference with day after day of presentations. Speakers help set context for the issues, but the bulk of the town hall is comprised of small group discussions among people who care about the future of the state and want to create practical recommendations that will lead to progress. Prior to the town hall, you received a background report that outlined the key issues and provides a basis for the discussions held during the town hall.

### What Happens After the Town Hall?

The recommendations will not sit on a shelf. **New Mexico First** will organize an implementation team to advance the recommendations. The town hall recommendations will be presented to tribal, federal, state, and local policymakers as well as private sector leaders and communities throughout New Mexico. The implementation effort will run about 18 months (or through two legislative sessions). This town hall's implementation chair is John D'Antonio. *See p. 11.*

### About New Mexico First

**New Mexico First** engages people in important issues facing their state or community. Co-founded in 1986 by retired U.S. Senators Jeff Bingaman and Pete Domenici, the public policy organization offers unique town halls and forums that bring together people from all walks of life to develop their best ideas for policymakers and the public. **New Mexico First** also produces nonpartisan public policy reports on critical issues facing the state. These reports – on topics like education, healthcare, the economy, and energy – are available at [www.nmfirst.org](http://www.nmfirst.org).



Senator Pete Domenici  
Founder



Senator Jeff Bingaman  
Founder



Senator Tom Udall  
Honorary Co-chair



Senator Martin Heinrich  
Honorary Co-chair

# TOWN HALL TOPICS

Group	Day One Topic	Day Two Topic	Room
Blue	Regional & State Water Planning	Open	Taos
Green	Conservation & Reuse (i.e., individual, municipal, agricultural, and industrial)	Open	Las Cruces
Yellow	Watersheds & Environment	Open	Santa Fe
Orange	Water Shortage (e.g., shortage-sharing agreements, priority administration)	Open	Tampico
Red	Brackish & Produced Water	Open	Cozumel
Brown	Water Financing	Open	Coronado
Gray	Water Rights (i.e., adjudication, transfers, imports)	Open	Santa Rosa
Purple	Water Compacts	Open	Rio Grande

## Regional and State Water Planning

See pages 34-37 of the background.

New Mexico currently has a state water plan as well as 16 regional ones. The Office of the State Engineer announced last year the goal of updating the regional plans. A new handbook was developed, along with changes to the methodology for measuring water need and use. In addition, the state water plan must be reviewed every five years.

Many entities recommend that future long-range planning be integrated across multiple issues, including land use, economic development, and energy. What prevents such integration from occurring currently? How might integration occur across regions? As new regional planning efforts begin, some people say it is essential that communities have ample opportunity to offer input on the ISC's new water supply and demand analyses. What activities, conducted now, would increase the likelihood of success for the new approach? How can the state plan be strengthened and its value maximized?

## Conservation and Reuse (Individual, Municipal, Agricultural, Industrial)

See pages 21-28 of the background.

Conservation can be enhanced at the individual household level, across a community, and through industry practices. On the industrial level, the potential for increased conservation in agriculture attracts attention because of the volume of water used in dairy production, farming, and ranching.

What strategies can encourage individuals to use less water? What about conservation targets; do specific goals motivate people and communities to reduce water use? To what degree should communities explore different wastewater re-use options? To what extent are leaks in municipal infrastructure a priority? What are the best ways to encourage water conservation among the different types of agriculture and other industries throughout New Mexico?

## **Watersheds and Environment**

*See pages 17-20 of the backgrounder.*

Forest health, wildfire policies, river flow, and endangered species all affect watershed management. Well-functioning watersheds not only influence the plants and animals within them, but also human economies, municipal water supplies, and agricultural irrigation.

Is New Mexico currently doing enough to advance healthy watersheds? To what extent are state, federal, tribal, and local entities integrating their watershed management practices? What, if any, new policies should be considered regarding environmental flows? What are the pros and cons of focusing on protection of specific species versus overall ecosystems?

What about wildfire policies? Should we thin our forests? If so, how could a small-budget state like New Mexico begin to thin over nine million acres of forested land? Should our state allow more logging or other commercial activities, and if so, under what parameters?

## **Water Shortages**

*See pages 8-11 of the backgrounder.*

Sometimes drought or other circumstances mean there is not enough water to go around. Many experts predict that our state will face that situation more frequently in the coming years.

How should New Mexico plan for drought? Is the legal solution of priority administration the best answer? Voluntary shortage-sharing agreements enable water rights owners within a region to work together to meet minimum needs. To what extent are shortage-sharing agreements a potential alternative to water rights disputes or priority calls? What are the barriers to pursuing these types of agreements?

## **Brackish and Produced Water**

*See pages 29-33 of the backgrounder.*

New Mexico has an estimated 15 billion acre-feet of brackish water under its surface, but the quality and accessibility of that fluid ranges widely. Even if the brackish water were cleaned, it is not considered a permanently sustainable source. However, it could potentially diversify the state's water supplies. Additionally, produced water generated through oil and gas production also hold potential for reuse, but it too presents significant challenges.

How can New Mexico gather information to understand the economic and technical viability of reusing brackish and produced water? How can we best leverage the research capabilities of the national laboratories and state universities? What information is needed regarding potential environmental risks to soils, plants, and groundwater? How would practical matters, such as pipelines to move the water, be handled and financed? How should decision-makers balance the questions of sustainability versus diversification? Who owns the rights to any "new" water developed from brackish aquifers or oil production?

## **Water Financing**

*See pages 37-38 of the backgrounder.*

Financing current and future water projects presents a wide range of challenges. Strategies may include state grants, federal loans, bonds, public-private partnerships, or other approaches.

How do we prioritize what to fund and how? What are the pros and cons of different approaches? How might we strengthen our capital outlay process? Are there ways to improve collaboration among funding programs and entities?

## Water Rights

*See pages 10-14 of the background.*

Over 72,000 defendants in New Mexico have unsettled water rights. They include private landowners, Native American communities, businesses, and others. In addition, any number of entities would like to buy, sell, lease, or transfer water rights.

What would enable more of the pending water rights adjudications to become settled? Which is more important: speed and efficiency or due process protections for individuals? And what would it take to have a water transfer system in New Mexico that is fair, efficient, and addresses economic, environmental, and social values? As a water market evolves in New Mexico, how can its framework adapt to future growth or different state needs? How might the system be structured to meet both environmental and economic needs? To what degree would such a market support or undermine the viability of agriculture? What options exist for New Mexico to import water that is located external to our borders?

## Water Compacts

*See pages 15-16 and 40-42 of the background.*

Interstate compacts are legal agreements between states on how to share natural resources within specific river systems. There are eight interstate stream compacts affecting New Mexico. Rules governing them vary considerably, and they influence how much water we use, where we store it, and when we can move it. To what extent should the public become more aware of the compacts? Do options exist for maximizing water use in New Mexico while still ensuring compliance with these legal agreements?

## LUNCH SPEAKERS



**Scott Verhines, P.E.** is the New Mexico State Engineer and Secretary of the Interstate Stream Commission. Prior to this role, he served as program manager for the Eastern New Mexico Water Authority, a \$500 million regional project that provides water to communities in Curry and Roosevelt counties. Verhines earned an undergraduate degree in civil engineering from Texas Tech University. He also has master's degrees in civil engineering and business administration from the University of New Mexico.



**Joseph Cervantes** is a New Mexico Senator representing District 31. He has served on various committees including chair of the Drought Subcommittee, vice-chair of the NM Finance Authority Oversight Committee, vice-chair of the Judiciary Committee, and member of the Water and Natural Resources and Conservation Committees. Prior public service positions include State Representative and Dona Ana County Commissioner. Cervantes, a former architect, works for the Cervantes Law Firm as an attorney. He received a BA in Architecture from the University of New Mexico, a MA in Architecture from the California Polytechnic State University, and a JD in Law from the University of New Mexico.

## ROUNDTABLE PARTICIPANTS



**Ryan Flynn** is Cabinet Secretary of the New Mexico Environment Department. Prior to his appointment, he served as the department's General Counsel and Legislative Coordinator. His previous professional experience includes being an attorney at Modrall Spering in the firm's Commercial Litigation and Renewable Energy practice groups. Flynn is also an Assistant Judge Advocate General in the United States Air Force Reserve. He received his undergraduate degree from Harvard University and his law degree from the University of Arizona.



**Richard Luarkie** is from the Pueblo of Laguna and is currently serving as the Governor for the tribe. His professional experience includes Digital Migration, Inc., DataCom Sciences, Inc., American Management Systems, AT&T Advanced Network Products & Services-Global Strategy, Pueblo of Laguna and Laguna Industries, Inc. Luarkie has been a small-business owner and has a passion for supporting entrepreneurs and economic creation. He holds an undergraduate degree in economics from the University of New Mexico and an MBA in strategy and business development from New Mexico State University.



**David Martin** is Cabinet Secretary for the New Mexico Energy, Minerals and Natural Resources Department. His career includes extensive experience in the field of energy as an engineer and as a policy coordinator between New Mexico and the United States Department of Energy. Prior to his appointment as Cabinet Secretary, he served as an Adjunct Associate Professor at the New Mexico Institute of Mining and Technology. Martin has pledged to preserve New Mexico's natural treasures in a balanced and responsible way.



**Laura McCarthy** is the Director of Conservation for The Nature Conservancy in New Mexico. Her previous experience includes national Policy Advisor for Fire and Forest Restoration for The Nature Conservancy and director of the Santa Fe-based Forest Guild's community forestry program. Her other work includes wildland firefighting, ski area permit administration, and planning projects for biodiversity conservation and ecosystem management of forested watersheds. McCarthy has an undergraduate degree in government from Bowdoin College and a master's degree in forestry from Yale University.



**Jeff Witte** is Secretary of the New Mexico Department of Agriculture. He co-directed the Southwest Border Food Safety and Defense Center at New Mexico State University where he worked closely with various private, state and federal agencies as well as research institutions on agriculture issues related to homeland security. Witte is a member of Infragard New Mexico, New Mexico Biosecurity Work Group with the U.S. Attorney's office, and is a founding member of AgriGard, a national workgroup that brings together industry and law enforcement. He is a graduate of New Mexico State University with a bachelor's degree in Agricultural Business Management and a master's degree in Agricultural Economics and Economics.

## TOWN HALL LEADERSHIP



**John D'Antonio** is Deputy District Engineer for the U.S. Army Corps of Engineers-Albuquerque District. A former New Mexico State Engineer and Cabinet Secretary for the New Mexico Environment Department, D'Antonio has experience in hydraulic design, acequia rehabilitation, water resource management, water policy development, and project management for both civil works and military construction. He received a bachelor's degree in civil engineering from the University of New Mexico. He has served under three governors: Gary Johnson, Bill Richardson, and Susana Martinez.

As **Implementation Team Co-chair** for the town hall, Mr. D'Antonio will lead the effort to advance the recommendations with tribal, state, and local leaders.



**Jennifer Salisbury** is an independent consultant on natural resource issues and a facilitator on public policy issues. She is a former Cabinet Secretary of the New Mexico Energy, Minerals, and Natural Resources Department. Her previous experience includes U.S. Department of the Interior as Associate Solicitor of General Law, Deputy Assistant Secretary for Fish, Wildlife, and Parks, and Deputy Assistant Secretary for Land and Minerals Management. She received her undergraduate and law degrees from the University of New Mexico.

Salisbury is Board Chair of New Mexico First and was the Implementation Team Chair for the 2009 statewide town hall on energy. She will be serving as **Plenary Co-chair** for the water town hall.



**Heather Balas** is President and Executive Director of New Mexico First. A fifth-generation New Mexican, Balas worked in Washington, DC, and San Francisco for several years before returning to her home state. She brings over 20 years experience in public policy, including citizen outreach, voter education, coalition-building, and policy research. Previous employers include the Commission on Presidential Debates, the California Center for Civic Participation, and the Henry J. Kaiser Family Foundation. She holds a Masters in political communication from the University of Maryland.

Balas will be serving as **Plenary Co-chair** for the water town hall.

## TYPES OF TOWN HALL PARTICIPATION

**Participants:** Most people at town halls are participants. They take part in the discussions, explore ideas, and negotiate the final recommendations.

**Observers:** Observers watch the participants work, but do not take part in any of the discussions themselves.

### **Leadership Team:**

**Discussion Leaders:** Facilitate consensus in the small group discussions.

**Recorders:** Take notes and draft the consensus recommendations in the small group discussions.

**Master Recorder:** Combines the work of the full group into the final report.

**Media:** The media may be present and are allowed to quote the participants, but they may not take part in the discussions.

# TOWN HALL PROCESS

Using **New Mexico First's** proven consensus-building process, the two-day event asks you to share your best ideas for making progress as a state on the topic. During the town hall, you will be divided into small groups to discuss policy options, as well as develop and refine recommendations for addressing the critical issues.

## **Step 1: LEARN THE ISSUES**

Background report:

Review report before attending the town hall.



Context setting and shared learning:

Listen to guest speakers and ask questions.



## **Step 2: EXPLORE POSSIBILITIES**

Small group discussions:

Consider promising opportunities or crucial issues that need to be addressed.



## **Step 3: DEVELOP COMMON GROUND**

Draft recommendations:

Create recommendations that will impact the state's future progress.



Amend recommendations:

Refine recommendations for consideration by full group.



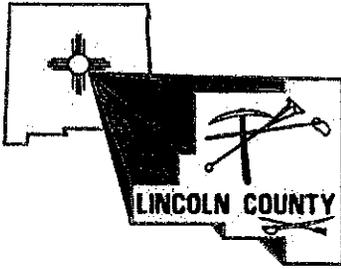
Agree on final recommendations:

Reach consensus on final recommendations in the full group.



## **Step 4: ADVANCE CHANGE**

A final report will be sent to all stakeholders, including community and business leaders, policymakers, media, and all town hall registrants. The Implementation Team will work to advance the recommendations agreed to by town hall participants.



www.lincolncountynm.net

# County of Lincoln

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

## AGENDA ITEM NO. 16

April 22, 2014

### MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *NT*

SUBJECT: Bid Awards:  
Bid 13-14-009 Resurfacing Cedar Creek Road

Purpose: To award bid 13-14-009

#### **Discussion:**

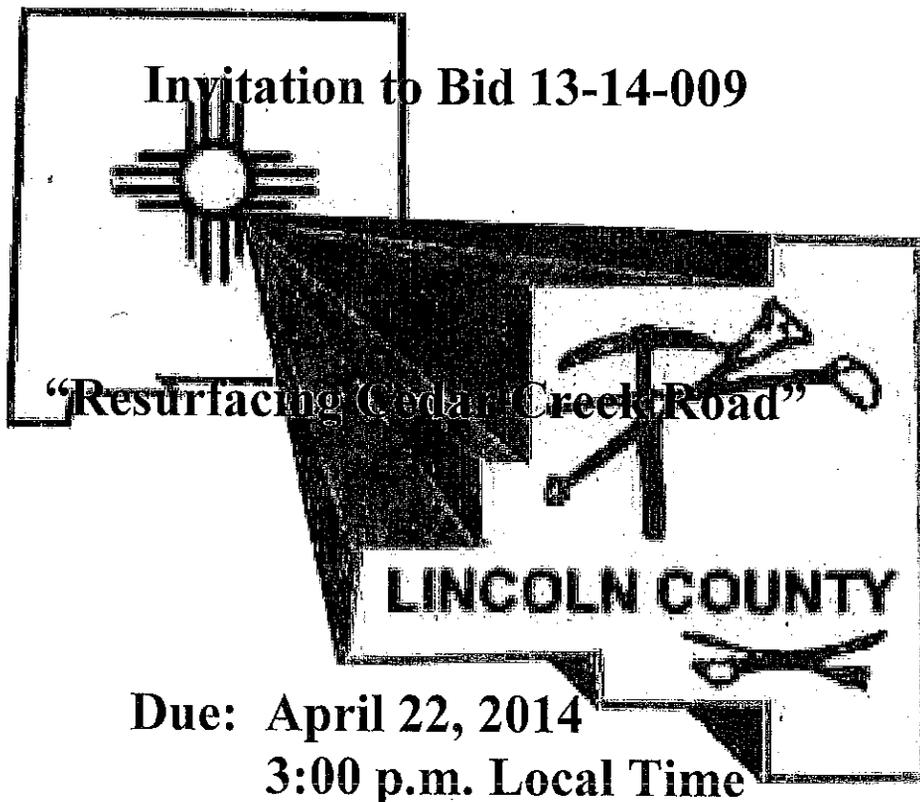
Submitted sealed bids were opened on April 22, 2014 to resurface Cedar Creek Road:

Two bids were received:

1. Mesa Verde Enterprises, Inc. \$169,716.40
2. Renegade Construction, LLC.\$199,568.38

**Recommendation:** Manager recommends award to the low bidder

# COUNTY OF LINCOLN Carrizozo, NM 88301



A mandatory pre-bid meeting will be held at the Lincoln County Road Yard located at 120 Tiger Road, Capitan, NM at 9:00 am on April 14, 2014.

**COUNTY OF LINCOLN  
Carrizozo, NM 88301**

**Invitation to Bid 13-14-009**

**Resurfacing Cedar Creek Road**

**Due: April 22, 2014, 3:00 p.m.**

**CONTENTS**

- 1. Cover Sheet**
- 2. Contents**
- 3. Legal Notice**
- 4. Specifications and Map**
- 5. Bid sheet**
- 6. Department of Labor Wage Rates**
- 7. Campaign Contribution Disclosure Form**
- 8. Instructions to Bidders "Terms and Conditions" 19 pages**

# LEGAL NOTICE

## INVITATION TO BID 13-14-009

### Resurfacing Cedar Creek Road

DUE: April 22, 2014

NOTICE is hereby given that competitive sealed bids will be received by the County of Lincoln, for Resurfacing Cedar Creek Road. Complete specifications are contained in the bid package that is available at the office of the County Purchasing Agent, 300 Central Ave., Carrizozo, NM 88301 and by calling Orlando Samora at (575) 648-2385 ext. 105., or go to [lincolncountynm.net](http://lincolncountynm.net), find Purchasing under County Offices to download Bids and RFP's

All bids submitted must be clearly marked on the outside of the sealed envelope with the Bid Title, Bid Number, Date and Time of Opening. If the bid is sent by mail, the sealed envelope shall have the notation "Sealed Bid" along with the Bid Number. Bid should be sent or hand-delivered to County of Lincoln, PO Box 711 (300 Central Ave.), Carrizozo, NM 88301 by 3:00 PM Local Time, April 22, 2014. Bids received after that date and time will be returned unopened. Faxed bids cannot be accepted.

The Lincoln County Board of Commissioners will review the bids and make their final determination during the Regular Commission Meeting on April 25, 2014 at the Lincoln County Commissioner's Chambers.

Lincoln County reserves the right to accept or reject all or any part of any bid, waive minor technicalities and award the bid to best serve the interests of Lincoln County.

Orlando Samora  
Purchasing Agent

---

Published in the *Lincoln County News* on April 10, 2014.

**COUNTY OF LINCOLN  
Carrizozo, NM**

**Invitation to Submit Bids No.  
13-14-009  
“Resurfacing Cedar Creek Road**

**Due: April 22, 2014, 3:00 p.m. Local Time**

**SPECIFICATIONS**

**A. SCOPE OF WORK**

Furnish all labor, materials, warranties, quality control, traffic control and patching to resurface Cedar Creek Road with Type I—Plant Mix Bituminous Plant Overlay in accordance with the specifications below and the New Mexico State Highway Department’s Booklet *Standard Specifications for Road and Bridge Construction*, 2000 Edition, Sections 401-Plant Mix Bituminous Pavement and 407-Tack Coat.

**B. MANDATORY PRE-BID MEETING**

A mandatory pre-bid meeting will be held at the Lincoln Road Yard located at 120 Tiger Road, Capitan, New Mexico at 9:00 am on **April 14, 2014**.

**C. ACCURATE ROAD MEASUREMENT AND MATERIAL COMPUTATION**

It is the Bidder’s responsibility to visit the sites, accurately measure the roads to be seals and compute the quantity of material needed. Measurements given below are approximations. The County will not pay for additional materials based on Bidder’s inaccurate distance and material computations.

**D. CEDAR CREEK ROAD (See map Attachment 1)**

1. Total length is 1.5 miles or 6336 linear feet or approximately 16,896 sq. yds.
2. Total width is 24 feet.
3. Construction consists of furnishing and placing 1 1/2” PMBP Overlay with an asphalt tack coat.
4. Tack and Patch needed areas on Cedar Creek Road.
5. This project shall be constructed in accordance with the New Mexico State Highway and Transportation Department’s *2000 Standard Specifications for High and Bridge Construction*, Section 401 & 407.

**E. TRAFFIC CONTROL**

Proper traffic control shall be furnished by the Contractor to insure the public’s safety.

**F. START AND COMPLETION DATES**

Work shall commence by **May 5, 2014**. Contractor shall notify Carl Palmer, Lincoln County Road Superintendent, 575-354-2922, when ready to begin the projects.

Projects must be completed no later than **May 30, 2014**, weather permitting. The Road Superintendent must approve weather-related nonwork days. Penalties of \$500 per day will be assessed beyond the May 30, 2014 deadline.

**G. FINAL APPROVAL**

All work requires acceptance and final approval by the Road Superintendent.

**H. WARRANTY**

All work performed and materials furnished shall come with a two-year written warranty.

**I. WAGE RATES**

Work on these projects will be performed under New Mexico Department of Labor Wage Rate Decision LI-14-0493 A. Current Wage Rates are enclosed.

**J. BID SHEET**

Only one Bidder will be awarded the total project based on the lowest cost shown in the **TOTAL PRICE** column. Bid prices shall include all taxes.

**K. NEW MEXICO CONTRACTOR'S LICENSE**

You must hold a current New Mexico Contractor's License to bid on this work. Your Contractor's License number must be provided on the Bid Sheet.

**L. BONDING AND WORKERS' COMPENSATION**

**1. Bid Bond**

A Bid Bond in the amount of at least 5% of the Total Price for Both Projects must accompany the bid.

**2. Performance and Payment Bonds**

Performance and Payment Bonds in the full amount of the award, including applicable taxes, will be due before the Notice to Proceed is issued and before the commencement of work.

**3. Workers' Compensation and General Liability Insurance**

Successful Bidder must furnish proof of Workers' Compensation Insurance and General Liability Insurance (refer to *General Instructions, Terms and Conditions* enclosed) before Notice to Proceed can be issued and work begun.

**M. NEW MEXICO RESIDENCE PREFERENCE NUMBER**

If you hold a New Mexico Residence Preference Number and wish to have it applied to this bid, you must enter the Preference Number in the space provided on the Bid Sheet. Lincoln County is not responsible for determining your status or entering the Preference Number after the bid closes.

**N. CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

Effective May 17, 2006 Chapter 81, Laws of 2006 requires and prospective contractor seeking to enter into a contract with any state agency or local public body to file a "Campaign Contribution Disclosure Form" with that state agency or local public body.

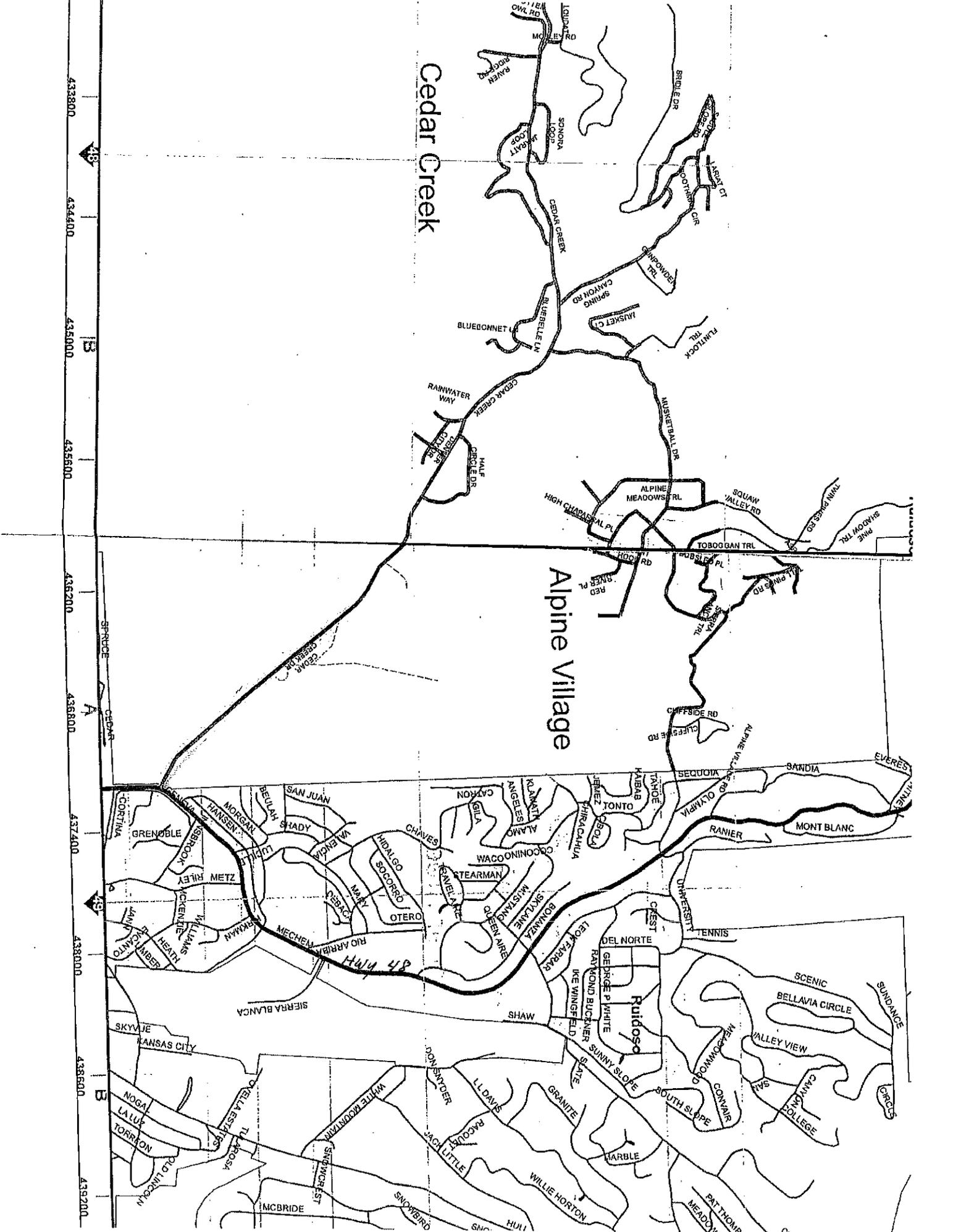
**THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.**

**O. GENERAL INSTRUCTIONS, TERMS AND CONDITIONS**

Lincoln County *General Instructions, Terms and Conditions* are included in this bid and are applicable to it and the resulting award.

**P. PRICE QUOTE**

Price must contain price per square yard and a breakdown of what all is included in the price per square yard.



Cedar Creek

Alpine Village

HWY 49

Ruidoso

433800 434400 435000 435600 436200 436800 437400 438000 438600 439200

48

13

49

13

49

SPRUCE CEDAR

KANSAS CITY

MCBRIDE

SNOWBIRD

HUI

# COUNTY OF LINCOLN

P.O. Box 711  
300 Central Ave  
Carrizozo, NM 88301

575-648-2385 phone  
575-648-2381 fax

## BID SHEET

TITLE	BID NO.	OPENING DATE/TIME	AWARD DATE	DATE MAILED
Resurfacing Cedar Creek Road	13-14-009	April 22, 2014 3:00 p.m.	April 25, 2014	April 10, 2014

ITEM	DESCRIPTION	BID PRICE INCLUDING TAX
	<b>Only one Bidder will be awarded the total project based on the lowest cost shown in the Total Price column.</b>	
1.	Resurfacing Cedar Creek Road  <div style="text-align: right;">Total Price</div>	\$ _____
2.	New Mexico Contractor's License No. _____	
3.	New Mexico Residence Preference No. _____	
4.	All general contractors bidding more than \$60,000 on a public works contract <b>MUST</b> be Registered with the Labor & Industrial Division. Supply your <b>DOL registration number</b> _____	
5.	Have you included a Bid Bond of at least 5% of the total of Item 1?	

Lincoln County reserves the right to accept or reject all or any part of any bid, waive minor technicalities and award the bid to best serve the interests of Lincoln County.

**To the County of Lincoln Purchasing Department:** In compliance with the Bid Specifications, the undersigned offers and agrees to furnish any and all items upon which prices are offered at the price set opposite each item to the County within the time specified

### Bidder's Signature and Information

Company Name and Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Typed or Printed Name of

\_\_\_\_\_  
(Authorized Person & Title)

\_\_\_\_\_  
(Signature)

Phone No. \_\_\_\_\_

NM CRS No. \_\_\_\_\_

Fax No. \_\_\_\_\_

Federal ID No. \_\_\_\_\_

Prompt Payment Terms \_\_\_\_\_

NM Residence Preference No. \_\_\_\_\_

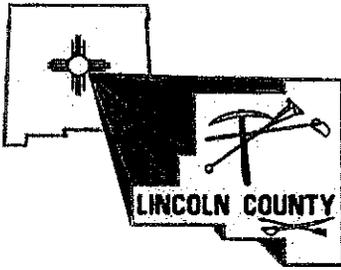
**NOTE: FACSIMILE BIDS WILL NOT BE ACCEPTED.**

## TYPE "A" - STREET, HIGHWAY, UTILITY & LIGHT ENGINEERING

*Effective January 1, 2014*

Trade Classification	Base Rate	Fringe Rate
Bricklayer/Blocklayer/Stonemason	17.74	0.26
Carpenter/Lather	15.99	0.44
Cement Mason	15.52	0.26
Ironworker	21.77	6.03
Painter (Brush/Roller/Spray)	17.56	0.44
<b>Electricians (outside)</b>		
Groundman	26.79	11.03
Equipment Operator	29.61	11.03
Lineman/Wireman or Tech	30.20	11.03
Cable Splicer	31.38	11.03
Plumber/Pipefitter	28.30	4.07
<b>Laborers</b>		
Group I	13.73	0.35
Group II	14.03	0.35
Group III	14.43	0.35
<b>Operators</b>		
Group I	15.74	0.26
Group II	15.94	0.26
Group III	16.52	0.26
Group IV	16.54	0.26
Group V	16.53	0.26
Group VI	16.69	0.26
Group VII	16.74	0.26
Group VIII	16.89	0.26
Group IX	17.39	0.26
Group X	18.19	0.26
<b>Truck Drivers</b>		
Group I	13.32	0.26
Group II	13.52	0.26
Group III	13.72	0.26
Group IV	13.92	0.26

**NOTE: SUBSISTENCE AND INCENTIVE PAY DO NOT APPLY TO TYPE "A" CONSTRUCTION.**



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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. 17

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners  
**FROM:** Nita Taylor, Lincoln County Manager  
**SUBJECT:** Bonito Fire Department Request to Purchase Water Tender

**Purpose:** Consideration and Action on the Bonito Fire Department Request to transfer existing water tender to Rio Arriba County, and to purchase new water tender

**Discussion:** The Bonito Fire Department is requesting the Commission to approve the transfer of an existing 1991 water tender to the Ojo Sarco Fire Department in Rio Arriba County; and to approve the purchase of a new 2,000 gallon 2013 water tender, which is more suitable to the needs of the Bonito Fire Department.

**See enclosure 1** for Chief Carl Bartley's thorough analysis supporting his request for approval:

1. The existing 1991 water tender is in good shape with approximately 14,000 miles on it, but it is very heavy under today's standards and will have to be upgraded at some point;
2. The Ojo Sarco Fire Department in Rio Arriba County lost its only water tender earlier in the year during a structure fire and has no bulk water capability at all in the district. The State Fire Marshal has sent a broad communication across the state requesting assistance for this struggling department, and has already approved this transfer, subject to Commission approval;
3. Bonito Fire Department proposes to purchase a new 2,000 gallon water tender, which will be ready for pick-up in May, 2014. The State Fire Marshal has approved the build and design of this water tender and has approved Bonito Fire Department to use State Fire Funds for the purchase;
4. The Bonito Fire Department's budget can adequately support the purchase of this apparatus.

**Recommendation:** The Bonito Fire Department is integral to the health, safety and welfare of citizens, visitors and property in Lincoln County. It has proven time and again its ability to identify and obtain equipment necessary to meet those challenges. I recommend you approve this two-part request. Chief Bartley is present to respond to questions.

Lincoln County Commissioners  
April 25, 2014

Bonito Fire Department 2,000 Gallon Tender Request

This request is a 2-part request for approval:

1. The first part of this request is for County Commission approval to transfer the oldest water tender/apparatus in our fleet to Rio Arriba County for the benefit of Ojo Sarco Fire Department. This tender has a 1,875 gallon stainless steel tank and is built on a 1991 Chevrolet Kodiak chassis. Although the tender is still in very good shape with just over 14,000 miles on it, the apparatus is heavy under today's standards and at some point will require the tank to be upgraded.

The Ojo Sarco Fire Department lost their only water tender earlier in the year due to complete mechanical failure during a structure fire. Thus, at this time the small volunteer fire department does not have any water tender/bulk water transportation capability at all in their district. The State Fire Marshall's office sent out communications earlier this year that any other fire department in the state that could assist this struggling fire department would be greatly appreciated, and as such has approved the transfer subject to both Counties approving it as well.

Bonito Fire Department has checked with all of the other fire departments in Lincoln County and none of them are interested in this water tender.

Bonito Fire Department estimates that the most we would receive for this apparatus if we were to auction it would be in the \$3,000 - \$3,500 range.

Bonito fire Department will request a clause in the transfer documents stating that Rio Arriba County and Ojo Sarco Fire Department will give Lincoln County and Bonito Fire Department first right of refusal to take the water tender back at no cost should the Ojo Sarco Fire Department no longer need the water tender or otherwise decide to dispose of it.

2. Part two of this request is for County Commission approval of Bonito Fire Department purchasing a new 2,000 gallon water tender built on a 2013 Freightliner chassis from Artesia Fire/Rosenbauer. This is a new apparatus which will be coming off of the Rosenbauer production line and ready for pick up in mid to late May, 2014.

The cost of the new water tender will be +/- \$180,000.

The State Fire Marshall has approved the build and design of the water tender, and has approved Bonito Fire Department to use State Fire Funds to purchase the apparatus.

Bonito Fire Department carried over \$96,465 from the 2013 funding year which we designated to be used for the future purchase of new water tender to replace the 1991 model.

Bonito Fire Department estimates we would carry over an additional \$95,000 to \$100,000 this year (2014). A financial summary is as follows:

<b>BUDGET</b>			<b>YTD Actual</b>
July 1 2013 Carry Over	\$96,465.00		\$96,465.82
2013/2014 SFM Funding	\$190,200.00		\$190,602.54
<b>Total Income</b>	<b>\$286,665.00</b>		<b>\$287,068.36</b>
Intercept payments	\$50,800.00		\$50,800.00
<b>Net after Intercept Pmts</b>	<b>\$235,865.00</b>		<b>\$236,268.36</b>
	<b>\$235,865.00</b>		<b>\$236,268.36</b>
<b>Projected 2013/2014 Expenses</b>	<b>\$80,000.00</b>	Actual YTD	<b>\$50,219.72</b> 03/31/14
<b>Excess Revenues</b>	<b>\$155,865.00</b>		<b>\$186,048.64</b>
			<u>\$50,800.00</u>
			<b>\$236,848.64</b>
<b>New 2,000 Gal Tender Cost</b>			<b><u>\$180,000.00</u></b>
<b>Net cash balance after purchase</b>			<b>\$56,848.64</b>

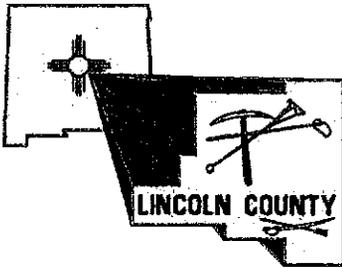
Thus, as can be seen above, after investing \$180,000 in the new water tender, Bonito Fire Department will have an excess balance for operating expenses of approximately \$56,848 for the months of April, May and June, 2014. We predict we will use no more than \$20,000 during the final three months of this year.

Annual State Fire Funds will be received in July 2014 in the minimum amount of \$157,254.00. Prior years this funding has actually been +/- \$190,000.

Your consideration and approval is most appreciated,

Respectfully submitted,

Carl Bartley, Chief  
Bonito Fire Department



www.lincolncountynm.net

# County of Lincoln

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

## AGENDA ITEM NO. 18

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Donation of Metal Building to Serve as Nogal Fire District Sub-Station

**Purpose:** Consideration and Potential Action accepting an offer for donation of building for Nogal Voluntary Fire Department.

**Discussion:** Fire Chief Jim Rodella has been made aware of a generous offer to donate a new metal building for use as a fire station. The offer is for a commercial grade, 3-bay building with full insulation, comparable to fire stations currently operating in the County. In exchange for the gift of the building, the donor requests that the station be dedicated in the name of his daughter, "Abi Ann". "The land for this new fire station was donated to the county for this purpose by another private citizen (local volunteer firefighter) years ago. **See enclosure 1.**

Chief Rodella has provided a history of this need for a fire station in the Loma Grande/Magado Creek area, the concept supporting this specific location, and a proposal to complete the remaining tasks required. **See enclosure 2.** In fact, as early as 2004, the County recognized that a Sub-station in Loma Grande for the Nogal Fire Department, with 30,000 gallons of water storage was required. **See enclosure 3.** Remaining tasks include, but are not limited to constructing foundation, placing utilities, etc. Chief Rodella points out those utilities such as water, natural gas, telephone service and electricity are already on or near the site, and the site has previously been approved by the State Fire Marshal. While a firm estimate of total costs that would be incurred by the County or the State Fire Fund are not yet available, Chief Rodella has obtained initial estimates that indicate a sufficient funds exist in the Nogal Fire District capital outlay budget to complete this project in the current fiscal year.

**Recommendation:** Consider the option of accepting the offer of a donated metal building to serve as the Loma Grande Sub-station with the caveat that the building would be dedicated to "Abi Ann". By way of comparison, the existing fire station in Nogal was also dedicated to an individual, whose name is displayed on the front of the building. **See enclosure 4.** If that option is acceptable, I recommend you approve the concept, and direct Chief Rodella to obtain firm construction estimates, and bring the request back to the Commission for consideration.

Keep!

**SPECIAL WARRANTY DEED**

VERDE HERITAGE RANCH, LLC, a Delaware Limited Liability Company, whose address is 201 E. Main, 4<sup>th</sup> Floor, El Paso, TX 79901, for consideration paid, grants to THE COUNTY OF LINCOLN, whose address is Post Office Box 711 Carrizozo, New Mexico 88301-0711, the following described real property located in Lincoln County, New Mexico:

LOMA GRANDE SUBSTATION TRACT, as shown by that certain Boundary Survey Plat of a tract of land in the W/2NW/4 of Section 22, Township 9 South, Range 13 East, N.M.P.M., Lincoln County, New Mexico filed in the office of the County Clerk of Lincoln County, New Mexico on May 23, 2003 in Cabinet H, Slide No. 597.

TOGETHER WITH all improvements;  
SUBJECT TO reservations, restrictions, and easements of record;  
WITH SPECIAL WARRANTY COVENANTS.

WITNESS our hand(s) and seal(s) this 13<sup>th</sup> day of March, 2008

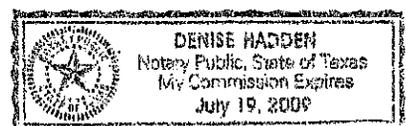
VERDE HERITAGE RANCH, LLC, a  
Delaware Limited Liability Company  
By: [Signature]  
Name: Homer Luther  
Title: President

THE STATE OF TEXAS            )  
  ) SS.  
COUNTY OF EL PASO         )

On this the 13<sup>th</sup> day of March, 2008, before me personally appeared Homer Luther, President of Verde Heritage Ranch, LLC, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed and in the capacity therein stated.

[Signature]  
NOTARY PUBLIC

My Commission Expires: July 19, 2009



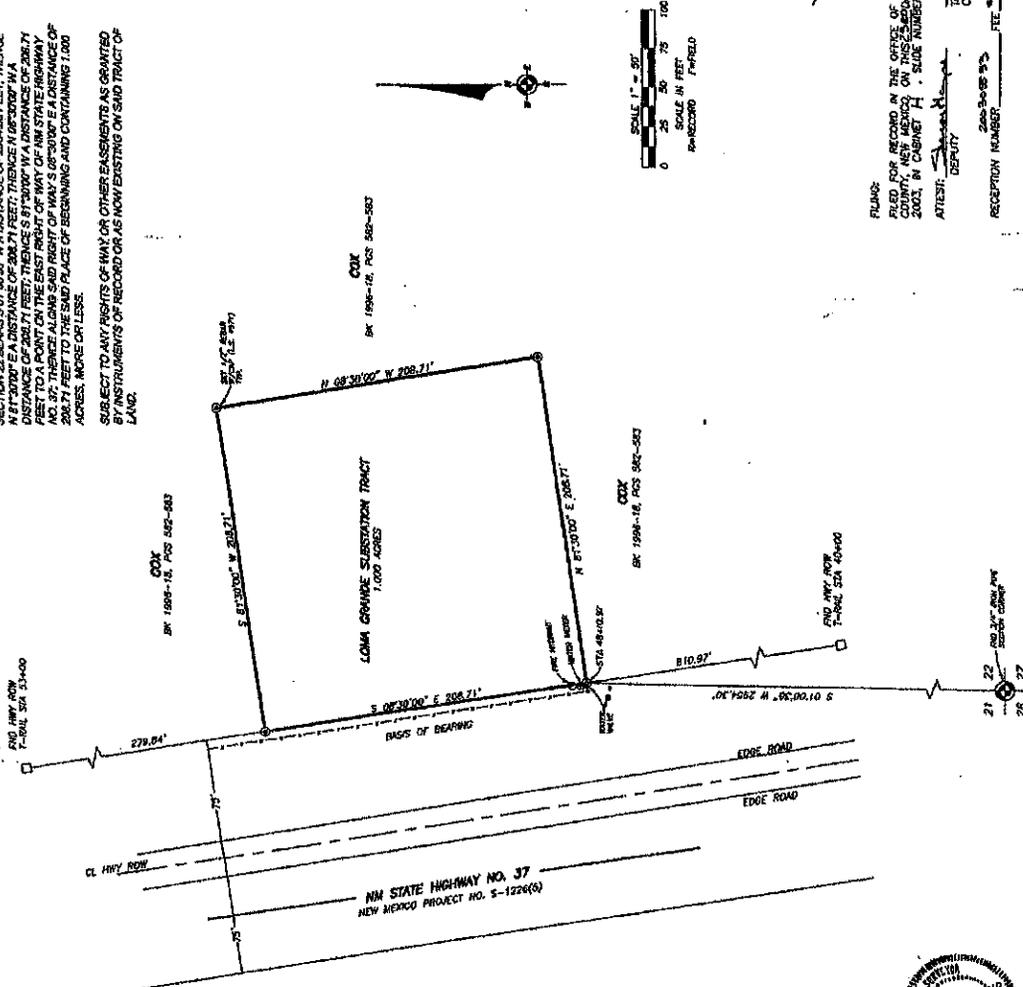
ENCL 1

# BOUNDARY SURVEY PLAT

DESCRIPTION: LOMA GRANDE SUBSTATION TRACT  
 A TRACT OF LAND IN THE NW 1/4 OF SECTION 22, TOWNSHIP 9 SOUTH,  
 RANGE 13 EAST, MAP 14, LINCOLN COUNTY, NEW MEXICO, DESCRIBED  
 BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF NM STATE  
 HIGHWAY NO. 37, THENCE ALONG SAID RIGHT OF WAY S 08°30'00" E A DISTANCE OF  
 279.84 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF NM STATE  
 HIGHWAY NO. 37, THENCE ALONG SAID RIGHT OF WAY S 81°30'00" W A DISTANCE OF  
 288.71 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF NM STATE  
 HIGHWAY NO. 37, THENCE ALONG SAID RIGHT OF WAY S 08°30'00" E A DISTANCE OF  
 279.84 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.000  
 ACRES, MORE OR LESS.

SUBJECT TO ANY RIGHTS OF WAY OR OTHER EASEMENTS AS GRANTED  
 BY INSTRUMENTS OF RECORD OR AS NOW EXISTING ON SAID TRACT OF  
 LAND.



FILED FOR RECORD IN THE OFFICE OF THE CLERK OF LINCOLN  
 COUNTY, NEW MEXICO, ON THIS 25th DAY OF MAY  
 2003, IN CABINET H, SLIDE NUMBER 597  
 ATTEST: DEPUTY CLERK  
 TAMARA J. HANDEK  
 COUNTY CLERK  
 RECEPTION NUMBER: 2003-05-25  
 FILE: 92.00 TIME: 3:52 PM

COX	W/2 NW/4
OWNER OF PROPERTY	SUBDIVISION
22	R 13 E
SECTION	T 9 S
14	RANGE
INDEXING INFORMATION FOR COUNTY CLERK	

CLAIM OF EASEMENT  
 I, DAVID A. COX, CLAIM AN EASEMENT FROM THE REQUIREMENTS OF THE NEW MEXICO SUBDIVISION  
 ACT AND THE LINCOLN COUNTY, NEW MEXICO SUBDIVISION REGULATIONS FOR THE FOLLOWING  
 REASON: I CERTIFY THAT THIS TRANSACTION INCLUDES:

THE SALE, LEASE OR OTHER CONVEYANCE OF A SINGLE PARCEL FROM A TRACT OF LAND SUBJECT  
 TO THE REQUIREMENTS OF THE NEW MEXICO SUBDIVISION ACT AND THE LINCOLN COUNTY, NEW  
 MEXICO SUBDIVISION REGULATIONS TO AN INDIVIDUAL OR ENTITY WHOSE INTEREST IN THE  
 PARCEL IS NOT A SECOND OR SUBSEQUENT SALE, LEASE OR OTHER CONVEYANCE FROM THE SAME  
 TRACT OF LAND WITHIN FIVE (5) YEARS OF THE INITIAL SALE, LEASE OR OTHER CONVEYANCE SHALL BE  
 SUBJECT TO THE PROVISIONS OF THE NEW MEXICO SUBDIVISION ACT AND THESE REGULATIONS.

DATE: 4/15/03  
 DAVID A. COX, TRUSTEE  
 OF THE LOMA GRANDE TRUST

ACKNOWLEDGMENT  
 STATE OF NEW MEXICO 133  
 COUNTY OF LINCOLN 138

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 15th DAY  
 OF APRIL 2003, BY DAVID A. COX, TRUSTEE OF THE LOMA GRANDE  
 TRUST.

MY COMMISSION EXPIRES: 12/22/03  
 DATE: 12/22/03  
 DEPUTY CLERK

APPROVED: LINCOLN COUNTY OF THE 19th DAY OF APRIL 2003  
 DAVID A. COLLINS  
 COUNTY CLERK

DAVID A. COLLINS, NEW MEXICO PROFESSIONAL SURVEYOR LICENSE NUMBER 4871,  
 IS HEREBY CERTIFIED THAT THIS SURVEY WAS PREPARED FROM AN ACTUAL SURVEY  
 PERFORMED BY ME OR UNDER MY SUPERVISION, THAT I AM RESPONSIBLE  
 FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF  
 MY KNOWLEDGE AND BELIEF, AND THAT I AM A MEMBER IN GOOD STANDING  
 WHO HAS MET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.  
 DATE: 4/15/03  
 DAVID A. COLLINS, N.M.S. NO. 4871  
 NEW MEXICO SURVEYOR



SCALE: 1"=50'
DATE: 4/15/03
DRAWN BY: D.A.C.
CHECKED BY: D.A.C.
DATE: 4/15/03
FILE NO: 92-562
SHEET 1 OF 1
D.T. COLLINS & ASSOCIATES P.C. SURVEYING, MAPPING 1042 MEXICO DR. 505-256-5272 P.O. BOX 4871 RUIDOSO, LINCOLN COUNTY, NEW MEXICO

# **Nogal Fire District Sub-Station**

## **History**

A Nogal Fire District Sub-Station for the Loma Grande/Magado Creek area has been planned and discussed at length as far back as March 1993. During that time, cost estimates were generated and submitted to the Lincoln County Commissioners for consideration. Over time, funding issues arose and complicated the completion of a station in a timely manner. One of the issues had been obtaining of a parcel of land for the project. That issue was addressed in February 2003, when the David Cox Family donated a one acre parcel of property on State Hwy 37 at approximately mile post 5.5, within the Loma Grande/Magado Creek sub-division area.

The idea caught some traction and was raised for further exploration by former County Manager Thomas Stewart, in June of 2004. Since that time, the idea has not progressed further even though significant support has existed.

## **Concept**

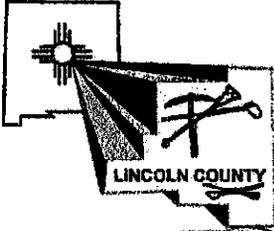
A sub-station in the Loma Grande/Magado Creek area is highly desirable and would significantly enhance public safety and fire protection to area residents. Currently, a large number of the Nogal Fire District volunteers live in the Loma Grande vicinity. When a page-out for a Fire Department response occurs, personnel must drive 7 – 10 miles to the main fire station in the Nogal Township, taking up precious minutes, to obtain a fire apparatus. If the service call is in the Loma Grande/Magado Creek area, response time in best conditions would be approximately 20 mins. That time would be significantly longer during inclement weather. The need for a sub-station in the area cannot be overemphasized.

## **Proposal**

Recently, a part time Lincoln County resident has graciously offered to donate a new metal building for use as a fire station. His offer is for a commercial grade 3-bay building with full insulation, comparable to the fire station we currently operate. His only request in return, is that the Station be dedicated in the name of his daughter "Abi Ann". With this building donation we now have the means to complete a sub-station in the Loma Grande/Magado Creek

*ENCL 2*

area. We have an adequately sized parcel, with water, natural gas, phone lines, and electricity on or near the site. The site has been previously approved by the State Fire Marshall. Currently there is sufficient funding in the Nogal Fire District capital outlay budget to complete this project in the existing fiscal year. Estimates have been obtained from local contractors which suggest that this project is very feasible. Upon completion, a substation would receive State Fire Funds in the order of \$18,000 annually at a minimum. These funds can then be used to obtain additional fire apparatus. We are asking for support from the Commission to continue to pursue this project. We would like to return at a later time with more definite cost figures and additional details for your consideration.



# County of Lincoln

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

June 25, 2004

County Fire Chiefs

RE: Planned Capital Projects

Dear Lincoln County Fire Chief:

The purpose of this letter is to outline a strategy for the next year of significant capital projects in fire departments of the county; solicit support for the endeavors; and obtain ideas for the future.

Now that the county is close to completing some major health care projects in Carrizozo and two in Ruidoso, the Board of County Commissioners is supporting efforts for improvements in the fire districts. They have authorized general funding of \$60,000 for water storage and \$125,000 for sub-station construction. These amounts to be combined with Community Enhancement Funding in the Hondo Valley in the amount of \$125,000 and existing/developing fire fund capital funding to complete the following:

1. A Picacho sub-station for the Hondo Fire Department with 30,000 gallons of water storage.
2. A sub-station for the Glencoe Fire Department with 30,000 gallons of water storage.
3. A sub-station in Loma Grande for the Nogal Fire Department with 30,000 gallons of water storage.
4. A sub-station in Angus for the Bonito Fire Station.
5. 30,000 gallons of water storage in Arabela.

These projects are in various stages of development, and I would appreciate hearing from all involved on any issues which may be necessary to complete this first phase of fire department improvements.

Thank you,

Thomas F. Stewart  
County Manager

ASSESSOR / 648-2306  
P. O. Box 38

CLERK / 648-2394  
P. O. Box 338

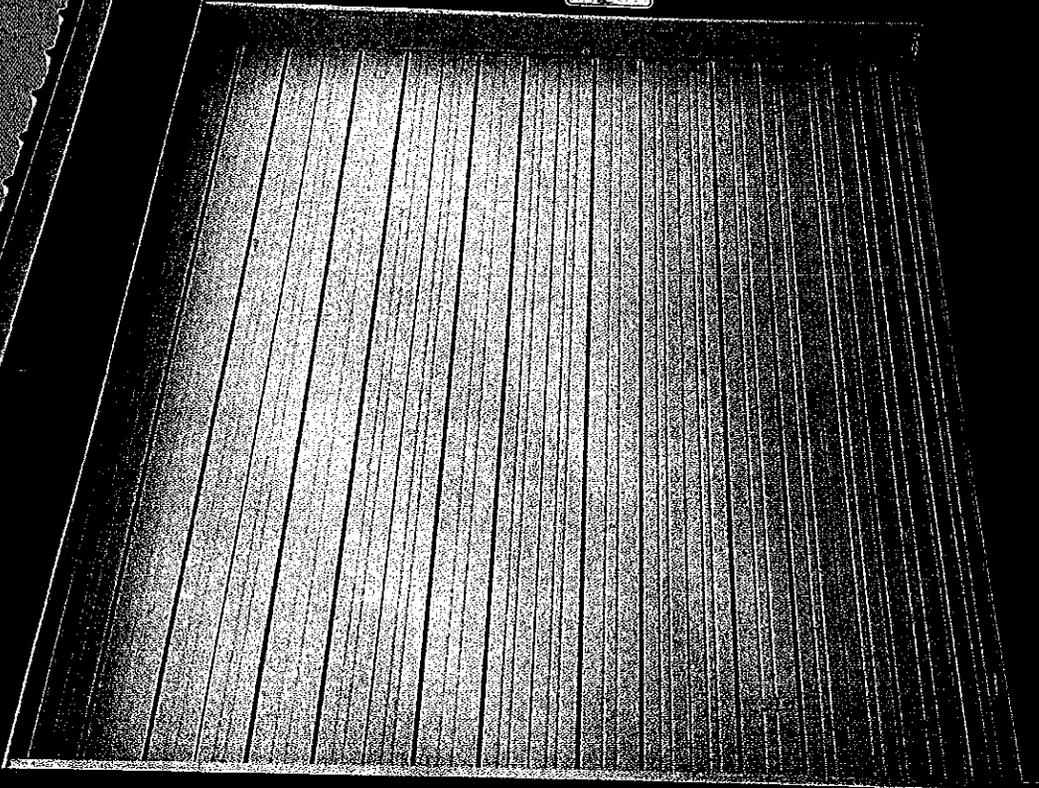
SHERIFF / 648-2342  
P. O. Box 278

TREASURER / 648-2397  
P. O. Box 709

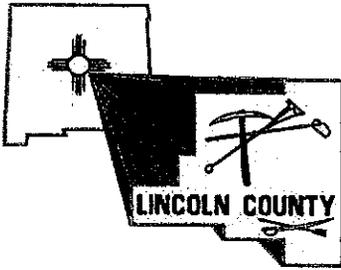
ENCL 3

NOGAL VOLUNTEER FIRE DEPT.

NO  
SMOKING  
HERE  
PLEASE



STATION



www.lincolncountynm.net

# County of Lincoln

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

## AGENDA ITEM NO. 19

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

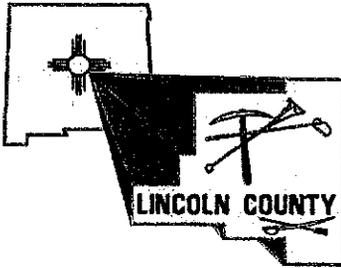
**SUBJECT:** Substance Abuse Services of Lincoln County Agreement

**Purpose:** Consideration and Potential Action Re: Agreement with Substance Abuse Services of Lincoln County for providing mental health and electronic monitoring services to inmates in the Lincoln County Detention Center

**Discussion:** The County entered into an Agreement with Substance Abuse Services of Lincoln County on July 1, 2011, with the ability to extend it for a total of four years, until June 30, 2015. This agreement requires the County to pay Contractor \$50.00 per hour for providing these services, not to exceed \$50,000 (plus gross receipts taxes) annually.

Substance Abuse Services has currently billed the County in the amount of \$55,724.68 for services rendered through March, 2014, averaging approximately \$6,200 monthly, due to extremely high expense levels in the first three months of the year. The average for the last six months has been approximately \$4,700. The contract allows that "in the event the cost for services rendered exceeds \$50,000 per year, the parties to this Contract shall discuss additional funding and/or other options at that time".

**Recommendation:** I recommend the amount of the annual Agreement through June 30, 2014 be increased to \$71,000, which allows \$5,000 per month for the remainder of the fiscal year.



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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 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Sole Community Provider & Indigent Health Care Claims

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

### Discussion:

**Sole Community Provider Payments:** This month our coordinator processed thirty-four (34) claims, thirty (30) of which are recommended for approval, and four (4) for disapproval for the reasons indicated at Enclosure 1. If approved, the total recommended payment this month is **\$40,661.59**. See Enclosure. 1.

**Indigent Health Care Claims:** This month our coordinator processed twenty-six (26) claims. Twenty (20) are recommended for approval, and six (6) for disapproval for the reason indicated at Enclosure 2. If approved, total recommended for payment this month is **\$13,503.08**. 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 each lists the applications by provider.

**Manager's Analysis** – For the last two years, the average Indigent Health Care monthly payments were **\$21,651** and **\$24,262** respectively. The FY 12-13 year-end total was **\$291,140.11**. Our budget for FY13 - 14 is \$393,278. To date, the total expenditure is \$194,546.74 or an average of \$19,454.67 monthly.

Similarly, for the last two fiscal years, the total Commission-approved Sole Community Provider Claims were **\$1,201,132** and **\$1,371,890** respectively. The FY 12-13 monthly average was **\$114,324.16**. To date, the total expenditure is \$930,161.91, with a monthly average of \$93,016.19.

**Recommendation:** Approve and disapprove the claims as indicated for the Sole Community Provider report at Enclosure 1 and the Indigent Health Care Program report as indicated at Enclosure 2.

Approved: \_\_\_\_\_  
Jackie Powell

# SOLE COMMUNITY PROVIDER CLAIMS FISCAL YEAR 2013 - 2014

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$889,500.32

ADJUSTMENTS

TOTAL ADJUSTMENTS: \$0.00 \$0.00

APRIL # CLAIMS FOR APPROVAL 30  
# CLAIMS FOR DENIAL 4  
APRIL # TOTAL CLAIMS 34

APRIL TOTAL \$ AMOUNT APPROVED \$40,661.59

TOTAL # CLAIMS THIS FY APPROVED 541  
TOTAL # CLAIMS THIS FY DENIED 28  
TOTAL # CLAIMS FY 2013 - 2014 569

TOTAL APPROVED THIS FISCAL YEAR \$930,161.91

ENCL 1

FACILITY: LINCOLN COUNTY MEDICAL CENTER

04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
20500	10/01/2013	3514.40		000%
INCOME EXCEEDS PROGRAM LIMIT				
20469	03/05/2014	7273.00	5600.21	077%
20486	03/14/2014	3583.01	2758.92	077%
20504	01/13/2014	1216.00	936.32	077%
20494	11/04/2013	3091.00	2380.07	077%
20496	12/05/2013	4936.00	3800.72	077%
20467	01/14/2014	112.00	86.24	077%
20468	01/29/2014	625.00	481.25	077%
20457	12/20/2013	2909.00	2239.93	077%
20459	01/27/2014	539.00		000%
ELIGIBLE FOR INSURANCE/OTHER PAY				
20473	02/13/2013	97.00	74.69	077%
20502	03/31/2014	815.00	627.55	077%
20474	07/30/2013	3342.84	2573.99	077%
20487	02/28/2014	1294.20	996.53	077%
20477	02/10/2014	757.00	582.89	077%
20451	10/14/2013	885.00	681.45	077%
20471	03/03/2014	875.00	673.75	077%
20503	04/02/2014	589.00	453.53	077%
20475	02/13/2013	175.00	134.75	077%
20476	03/13/2013	82.00	63.14	077%
20470	01/06/2014	1358.01	1045.67	077%
20454	02/09/2014	769.15	592.25	077%
20455	01/09/2014	229.00	176.33	077%
20505	01/03/2014	3719.00	2863.63	077%
20485	01/28/2014	1586.00		000%
ASSETS EXCEED PROGRAM LIMIT				
20478	02/12/2013	211.00	162.47	077%
20480	07/31/2013	3896.00	2999.92	077%
20481	07/29/2013	282.00	217.14	077%
20482	07/29/2013	387.00	297.99	077%
20488	02/26/2014	1350.20	1039.65	077%
20498	02/05/2014	280.00		000%
CLAIM WAS PREVIOUSLY APPROVED				
20483	02/13/2013	149.00	114.73	077%
20484	03/06/2013	275.00	211.75	077%
20465	02/08/2014	7524.84	5794.13	077%

40661.59

APPROVED- 30 REJECTED- 4

# INDIGENT HEALTH CARE CLAIMS FISCAL YEAR 2013 - 2014

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$181,043.66

## ADJUSTMENTS

Lilley and O'Connell, PA settlement 8,880.17

**TOTAL ADJUSTMENTS:** 8,880.17

APRIL # CLAIMS FOR APPROVAL	20
# CLAIMS FOR DENIAL	6
APRIL # TOTAL CLAIMS	26

APRIL TOTAL \$ AMOUNT APPROVED \$13,503.08

TOTAL # CLAIMS THIS FY APPROVED	543
TOTAL # CLAIMS THIS FY DENIED	72
TOTAL # CLAIMS FY 2013 - 2014	615

CURRENT TOTAL APPROVED THIS FISCAL YEAR \$194,546.74

\*Assuming the above is approved

*ENCL 2*

FACILITY: ANESTHESIA ASSOCIATES OF NM 04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20499	12/13/2013	3570.00	589.50 017%
			589.50

APPROVED- 1 REJECTED-

FACILITY: EASTERN NM MEXICO MEDICAL CNTR 04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20452	11/26/2013	103.58	79.76 077%
			79.76

APPROVED- 1 REJECTED-

FACILITY: FRONTIER MEDICAL 04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20456	12/18/2013	121.68	121.68 100%
			121.68

APPROVED- 1 REJECTED-

FACILITY: GERALD CHAMPION REGIONAL MED CTR 04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20446	06/28/2013	86.78	66.82 077%
20490	08/20/2012	2142.60	1649.80 077%
20491	08/21/2012	7238.00	3350.20 046%
			5066.82

APPROVED- 3 REJECTED-

FACILITY: LC AMBULANCE-PRES HEALTH SVCS 04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20493	11/04/2013	681.20	500.00 073%
20495	12/05/2013	681.20	000%
PATIENT HAS MET OR EXCEEDED POLICY LIMIT			
20479	07/30/2013	837.20	500.00 060%
20464	02/08/2014	712.40	500.00 070%
			1500.00

APPROVED- 3 REJECTED- 1

FACILITY: LINCO MEDICAL & SUPPLY, INC 04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20492	03/31/2014	208.21	208.21 100%
20453	01/30/2014	178.24	178.24 100%
			386.45

APPROVED- 2 REJECTED-

FACILITY: LINCOLN COUNTY FAMILY MEDICAL 04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20447	07/16/2013	134.55	52.08 039%
20448	08/05/2013	134.55	52.08 039%
20460	08/15/2013	134.55	000%
PAST FILING DEADLINE			
20461	11/11/2013	199.78	81.91 041%
			186.07

APPROVED- 3 REJECTED- 1

FACILITY: LINCOLN COUNTY RADIOLOGY 04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20472	12/10/2013	385.00	78.68 020%
20501	12/23/2013	233.00	000%
INCOME EXCEEDS PROGRAM LIMIT			
20463	12/31/2013	238.00	54.36 023%
20450	12/26/2013	98.00	23.16 024%
20466	02/08/2014	260.00	62.40 024%
			218.60

APPROVED- 4 REJECTED- 1

FACILITY: MICHAEL P CLEMENTS, M.D.

04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20462	02/19/2014	15.00	000%
DATE OF SERVICE NOT ELIGIBLE FOR PAYMENT			
20497	03/11/2014	20.79	000%
PATIENT'S BILL IS BELOW \$50			

APPROVED- REJECTED- 2

FACILITY: UNM HEALTH SCIENCES CTR

04/25/2014 THROUGH 04/25/2014

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
20449	02/28/2014	460.00	354.20 077%
20458	01/07/2014	48007.35	5000.00 010%
20489	01/02/2014	74.00	000%
PATIENT HAS MET OR EXCEEDED POLICY LIMIT			

5354.20

APPROVED- 2 REJECTED- 1

YTD

INDIGENT FUND MEETING

APRIL 25, 2014

TOTAL APPLICATIONS	1184	1,122,510.05
TOTAL APPROVED	1083	
TOTAL DENIED	101	

ALBUQUERQUE		
ANESTHESIA ASSOCIATES OF NM		5,749.54
APPROVED-	26	
DENIED-	2	

ROSWELL		
EASTERN NM MEXICO MEDICAL CNTR		10,079.76
APPROVED-	3	
DENIED-		

RUIDOSO		
FRONTIER MEDICAL		347.25
APPROVED-	3	
DENIED-		

ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		39,014.48
APPROVED-	37	
DENIED-	2	

RUIDOSO		
LC AMBULANCE-PRES HEALTH SVCS		18,171.74
APPROVED-	46	
DENIED-	13	

RUIDOSO		
LINCO MEDICAL & SUPPLY, INC		13,121.52
APPROVED-	79	
DENIED-	3	

RUIDOSO		
LINCOLN COUNTY FAMILY MEDICAL		13,210.57
APPROVED-	179	
DENIED-	8	

RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		930,161.91
APPROVED-	541	
DENIED-	28	

ALTO		
LINCOLN COUNTY RADIOLOGY		3,085.44
APPROVED-	49	
DENIED-	8	

RUIDOSO		
MICHAEL P CLEMENTS, M.D.		1,359.12
APPROVED-	14	
DENIED-	0	

ENCL 3

PHOENIX NATIVE AM. AIR AMBULANCE, INC APPROVED- DENIED-	1	490.00
ALBUQUERQUE NEW MEXICO ONCOLOGY HEMATOLOY APPROVED- DENIED-	20 10	6,071.05
ROSWELL PATHOLOGY CONSULTANTS OF NM APPROVED- DENIED-	4 1	101.89
LOS ANGELES PHI AIR MEDICAL APPROVED- DENIED-	4 1	2,485.00
ALBUQUERQUE PRESBYTERIAN HOSPITAL APPROVED- DENIED-	10 4	25,393.95
BRENTWOOD ROSWELL CLINIC CORP APPROVED- DENIED-	2	104.16
RUIDOSO RUIDOSO HOME CARE & HOSPICE APPROVED- DENIED-	9	5,617.18
RUIDOSO RUIDOSO PHYSICAL THERAPY, INC. APPROVED- DENIED-	17	2,773.48
RUIDOSO SUBSTANCE ABUSE SERVICES OF LC APPROVED- DENIED-	6	1,884.00
RUIDOSO TALL PINES MEDICAL, INC APPROVED- DENIED-	3 2	298.01
ALBUQUERQUE UNM HEALTH SCIENCES CTR APPROVED- DENIED-	30 10	42,990.00

INDIGENT FUND MEETING

APRIL 25, 2014

TOTAL APPLICATIONS	60	54,164.67
TOTAL APPROVED	50	
TOTAL DENIED	10	
ALBUQUERQUE		
ANESTHESIA ASSOCIATES OF NM		589.50
APPROVED-	1	
DENIED-		
ROSWELL		
EASTERN NM MEXICO MEDICAL CNTR		79.76
APPROVED-	1	
DENIED-		
RUIDOSO		
FRONTIER MEDICAL		121.68
APPROVED-	1	
DENIED-		
ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		5,066.82
APPROVED-	3	
DENIED-		
RUIDOSO		
LC AMBULANCE-PRES HEALTH SVCS		1,500.00
APPROVED-	3	
DENIED-	1	
RUIDOSO		
LINCO MEDICAL & SUPPLY, INC		386.45
APPROVED-	2	
DENIED-		
RUIDOSO		
LINCOLN COUNTY FAMILY MEDICAL		186.07
APPROVED-	3	
DENIED-	1	
RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		40,661.59
APPROVED-	30	
DENIED-	4	
ALTO		
LINCOLN COUNTY RADIOLOGY		218.60
APPROVED-	4	
DENIED-	1	
RUIDOSO		
MICHAEL P CLEMENTS, M.D.		
APPROVED-		
DENIED-		

ALBUQUERQUE  
UNM HEALTH SCIENCES CTR  
APPROVED-  
DENIED-

2  
1

5,354.20

Agenda Item No. 21

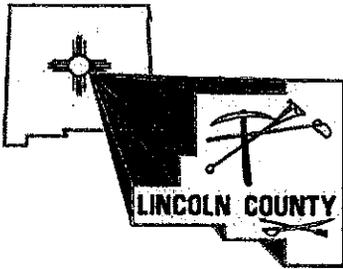
**SUBJECT**

**11:30 a.m.** Inspection of the Courthouse/Sheriff Expansion

**Agenda Item No. 22**

**SUBJECT**

**1:00 P.M.** Public Hearing to consider County Ordinance 2014 -3 to Dedicate to the Safety Net Care Pool Fund an Amount Equal to a Gross Receipts Tax Rate of One-Twelfth Percent; in Accordance with CS/SB268 – Sole Community Provider Hospital Federal Compliance



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# County of Lincoln

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

## AGENDA ITEM NO. 23

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Lodgers' Tax Audits – Calendar Year 2012

**Purpose:** To Provide Reports Resulting from Calendar Year 2012 Lodgers' Tax Audits

**Discussion:** Per County Ordinance 2004-04, the County is required to randomly select four Lodges for examination by a Certified Public Accountant annually. Mr. Dan Austin, CPA was hired to conduct the audit, and his report and accompanying documents are found at Enclosure 1. His findings are as follows:

1. Dragon Fly Inn Bed & Breakfast – Compliance confirmed; no exceptions were noted;
2. Riverstone Ranch, Inc. – Records were found to be in good order; no exceptions noted;
3. Vernadore Little Creek - Records found to be in good order; no exceptions noted;
4. Elk Run Cabins and RV Park – Records in order; no exceptions noted.

Copies of the reports were forwarded by Mr. Austin to New Mexico department of Finance and Administration, as required.

**Recommendation:** Approve audit reports for the four lodges examined.

**DAN AUSTIN CPA, P.C.**  
MEMBER  
**AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS**  
**NEW MEXICO SOCIETY OF CERTIFIED PUBLIC ACCOUNTS**

Dan Austin CPA  
(575) 257-0081  
Fax (575) 257-1395

700 MECHEM DRIVE  
SUITE 15  
RUIDOSO, NM 88345

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April 18, 2014

Nita Taylor, County Manager  
County of Lincoln  
PO Box 711  
Carrizozo, NM 88301

Dear Ms. Taylor:

We were engaged to complete Lodgers' Tax Audits per requirements of County Ordinance 2004-04 for the Calendar year 2012 on September 24, 2013. Please find enclosed reports on each of the lodging entities selected for examination by the County Commission of the County of Lincoln for the calendar year 2012. The following is a summary of each lodger examination:

**Dragon Fly Inn Bed & Breakfast**

I completed the field work on February 18, 2013. The owner, records and vendor's accountant were located out of state and were not complete as of February 10<sup>th</sup> 2014. I able to obtain sufficient evidence to confirm compliance. No exceptions were noted.

**Riverstone Ranch, Inc.**

I completed the field work on October 15, 2013. I noted the records to be in good order. No exceptions were noted.

**Varnadore Little Creek**

The vendor closed for the winter on October 1 and was out of state. We completed the examination on February 12, 2014. We noted the records to be in good order. No exceptions were noted.

**Elk Run Cabins and RV Park**

I completed the field work on December 10, 2013. I noted the records to be in good order. No exceptions were noted.

I have forwarded the reports to the New Mexico Department of Finance and Administration per attached letter.

Please find enclosed reports on each entity. Should you have any questions concerning any of the reports, please call me at (575) 257-0081.

Sincerely,



Dan Austin CPA

ENCL 1

DAN AUSTIN CPA, P.C.  
MEMBER  
AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS  
NEW MEXICO SOCIETY OF CERTIFIED PUBLIC ACCOUNTS

Dan Austin CPA  
(575) 257-0081  
Fax (575) 257-1395

700 MECHEM DRIVE  
SUITE 15  
RUIDOSO, NM 88345

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April 18, 2014

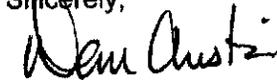
State of New Mexico  
Department of Finance and Administration  
Local Government Division  
407 Galisteo St.  
Santa Fe, NM 87501

Re: Lodger's Tax Examinations for the County of Lincoln

Dear Sirs:

Please find the enclosed Lodger's Tax examination reports recently completed and reported to the Commission of Lincoln County for the calendar year 2012. Should you have any questions concerning these reports please call me at 575-257-0081.

Sincerely,



Dan Austin CPA

**DAN AUSTIN CPA, P.C.**  
MEMBER  
**AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS**  
**NEW MEXICO SOCIETY OF CERTIFIED PUBLIC ACCOUNTS**

Dan Austin CPA  
(575) 257-0081  
Fax (575) 257-1395

700 MECHEM DRIVE  
SUITE 15  
RUIDOSO, NM 88345

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Report On Applying Agreed-upon Procedures

County of Lincoln  
PO Box 711  
Carrizozo, NM 88301

C.R. Dean Enterprises, LLC  
DBA Elk Run Cabins and R.V. Park  
1068 Hwy. 48  
Alto, NM 88312

I have performed the procedures enumerated below, which were agreed to by the County of Lincoln solely to determine if C.R. Dean Enterprises, LLC was compliant with the County Ordinance 2004-04 (Lodging Ordinance) established by the County of Lincoln for the calendar year 2012. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the County of Lincoln. Consequently, I make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

My procedures were as follows:

1. Reviewed the County of Lincoln Ordinance 2004-04 relating to the collection and payment of lodging taxes within the County of Lincoln.

I read County of Lincoln Ordinance 2004-04.

2. Review the summary of all Lodgers' Tax Reports submitted to the County.

I reviewed the Lodgers' Tax Summary for calendar year 2012.

3. Reviewed various internal financial records and income tax returns of C.R. Dean Enterprises, LLC and Lodger's Tax Reports filed with the County of Lincoln by the lodger for the year ended December 31, 2012 to determine the correctness of the reports filed and taxes paid to the County of Lincoln in accordance with County of Lincoln Ordinance 2004-04.

No exceptions or unpaid tax in excess of \$50.00 was noted.

I was not engaged to, and did not conduct an audit, the objective of which would be the expression of an opinion on the compliance with County of Lincoln Ordinance 2004-04. Accordingly, I do not express such an opinion. Had I performed additional procedures, other matters might have come to my attention that would have been reported to you.

This report is intended solely for the information and use of the County of Lincoln, the New Mexico Department of Finance and Administration, New Mexico Office of the State Auditor, and C.R. Dean Enterprises, LLC, and is not intended to be and should not be used by anyone other than the specified parties.

*Dan Austin CPA, PC*

February 18, 2014

**DAN AUSTIN CPA, P.C.**  
MEMBER  
**AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS**  
**NEW MEXICO SOCIETY OF CERTIFIED PUBLIC ACCOUNTS**

Dan Austin CPA  
(575) 257-0081  
Fax (575) 257-1395

700 MECHEM DRIVE  
SUITE 15  
RUIDOSO, NM 88345

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Report On Applying Agreed-upon Procedures

County of Lincoln  
PO Box 711  
Carrizozo, NM 88301

Bobbie Kilpatrick, President  
Riverstone Ranch, Inc.  
4582 Hwy 71  
Columbus, TX 78934

I have performed the procedures enumerated below, which were agreed to by the County of Lincoln solely to determine if Riverstone Ranch, Inc. was compliant with the County Ordinance 2004-04 (Lodging Ordinance) established by the County of Lincoln for the calendar year 2012. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the County of Lincoln. Consequently, I make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

My procedures were as follows:

1. Reviewed the County of Lincoln Ordinance 2004-04 relating to the collection and payment of lodging taxes within the County of Lincoln.

I read County of Lincoln Ordinance 2004-04.

2. Review the summary of all Lodgers' Tax Reports submitted to the County.

I reviewed the Lodger's Tax Summary for calendar year 2012.

3. Reviewed various internal financial records and Income tax returns of Riverstone Ranch, Inc. and Lodger's Tax Reports filed with the County of Lincoln by the lodger for the year ended December 31, 2012 to determine the correctness of the reports filed and taxes paid to the County of Lincoln in accordance with County of Lincoln Ordinance 2004-04.

No exceptions or unpaid tax in excess of \$50.00 was noted.

I was not engaged to, and did not conduct an audit, the objective of which would be the expression of an opinion on the compliance with County of Lincoln Ordinance 2004-04. Accordingly, I do not express such an opinion. Had I performed additional procedures, other matters might have come to my attention that would have been reported to you.

This report is intended solely for the information and use of the County of Lincoln, the New Mexico Department of Finance and Administration, New Mexico Office of the State Auditor, and Riverstone Ranch, Inc. and is not intended to be and should not be used by anyone other than the specified parties.

*Dan Austin CPA, PC*

October 15, 2013

**DAN AUSTIN CPA, P.C.**  
MEMBER  
**AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS**  
**NEW MEXICO SOCIETY OF CERTIFIED PUBLIC ACCOUNTS**

Dan Austin CPA  
(575) 257-0081  
Fax (575) 257-1395

700 MECHEM DRIVE  
SUITE 15  
RUIDOSO, NM 88345

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Report On Applying Agreed-upon Procedures

County of Lincoln  
PO Box 711  
Carrizozo, NM 88301

Valeria J Drew  
DBA Dragon Fly Inn & B & B  
PO Box 14202  
Odessa, TX 78768

I have performed the procedures enumerated below, which were agreed to by the County of Lincoln solely to determine if Valeria Drew, DBA Dragon Fly B & B was compliant with the County Ordinance 2004-04 (Lodging Ordinance) established by the County of Lincoln for the calendar year 2012. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the County of Lincoln. Consequently, I make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

My procedures were as follows:

1. Reviewed the County of Lincoln Ordinance 2004-04 relating to the collection and payment of lodging taxes within the County of Lincoln.

I read County of Lincoln Ordinance 2004-04.

2. Review the summary of all Lodgers' Tax Reports submitted to the County.

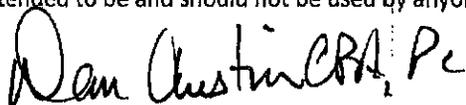
I reviewed the Lodger's Tax Summary for calendar year 2012.

3. Reviewed various internal financial records and income tax returns of Valeria Drew, DBA Dragon Fly B & B and Lodger's Tax Reports filed with the County of Lincoln by the lodger for the year ended December 31, 2012 to determine the correctness of the reports filed and taxes paid to the County of Lincoln in accordance with County of Lincoln Ordinance 2004-04.

No exceptions or unpaid tax in excess of \$50.00 was noted.

I was not engaged to, and did not conduct an audit, the objective of which would be the expression of an opinion on the compliance with County of Lincoln Ordinance 2004-04. Accordingly, I do not express such an opinion. Had I performed additional procedures, other matters might have come to my attention that would have been reported to you.

This report is intended solely for the information and use of the County of Lincoln, the New Mexico Department of Finance and Administration, New Mexico Office of the State Auditor, and Valeria Drew, DBA Dragon Fly B & B and is not intended to be and should not be used by anyone other than the specified parties.



February 18, 2014

**DAN AUSTIN CPA, P.C.**  
MEMBER  
**AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS**  
**NEW MEXICO SOCIETY OF CERTIFIED PUBLIC ACCOUNTS**

Dan Austin CPA  
(575) 257-0081  
Fax (575) 257-1395

700 MECHEM DRIVE  
SUITE 15  
RUIDOSO, NM 88345

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Report On Applying Agreed-upon Procedures

County of Lincoln  
PO Box 711  
Carrizozo, NM 88301

Tina Varnadore  
Varnadore Little Creek  
290 St. Hwy. 220  
Alto, NM 88312

I have performed the procedures enumerated below, which were agreed to by the County of Lincoln solely to determine if Varnadore Little Creek was compliant with the County Ordinance 2004-04 (Lodging Ordinance) established by the County of Lincoln for the calendar year 2012. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the County of Lincoln. Consequently, I make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

My procedures were as follows:

1. Reviewed the County of Lincoln Ordinance 2004-04 relating to the collection and payment of lodging taxes within the County of Lincoln.

I read County of Lincoln Ordinance 2004-04.

2. Review the summary of all Lodgers' Tax Reports submitted to the County.

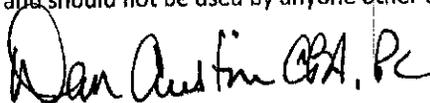
I reviewed the Lodger's Tax Summary for calendar year 2012.

3. Reviewed various internal financial records and income tax returns of Varnadore Little Creek, and Lodger's Tax Reports filed with the County of Lincoln by the lodger for the year ended December 31, 2012 to determine the correctness of the reports filed and taxes paid to the County of Lincoln in accordance with County of Lincoln Ordinance 2004-04.

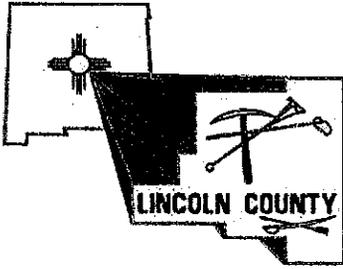
No exceptions or unpaid tax in excess of \$10.00 was noted.

I was not engaged to, and did not conduct an audit, the objective of which would be the expression of an opinion on the compliance with County of Lincoln Ordinance 2004-04. Accordingly, I do not express such an opinion. Had I performed additional procedures, other matters might have come to my attention that would have been reported to you.

This report is intended solely for the information and use of the County of Lincoln, the New Mexico Department of Finance and Administration, New Mexico Office of the State Auditor, and Varnadore Little Creek, and is not intended to be and should not be used by anyone other than the specified parties.



February 18, 2014



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# County of Lincoln

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## AGENDA ITEM NO. 24

April 21, 2014

### MEMORANDUM

**TO:** County Commissioners

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

**SUBJECT:** Cooperative Education Services

**Purpose:** To Familiarize the Commission With the Procurement Options Available Utilizing CES Services

**Discussion:** The CES JPA provides for cooperative procurement in accordance with the New Mexico State Procurement Code. 13-1-135 NMSA 1978 of the procurement code also allows local public bodies and state agencies to take advantage of cooperative procurement through the CES JPA.

Mr. Robin Strauser, Deputy Executive Director, CES will provide an overview of the various types of services and agreements it can provide to local government on a number of different products and services.

**Recommendation:** No action required. For information only.

## **Agenda Items No. 25**

### **SUBJECT**

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

- A. Ordinance Prohibiting Contraband in Lincoln County Detention Center
- B. Hazardous Tree Ordinance

## **Agenda Item No. 26**

### **SUBJECT**

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

- A. Lodger's Tax Committee
- B. Planning Commission
- C. **Tabled**-Senior Citizens Olympic Committee

**LODGERS TAX COMMITTEE, LINCOLN COUNTY - 2 YEAR TERM (ORDINANCE NO. 2004-04)**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
336-4330	TOURIST RELATE- JAMES HOBBS	BOX 2505 RUIDOSO 88355	4	02/19/13	02/15
973-8244	GENERAL PUBLIC - SUE HUTCHISON Suehutch1958@gmail.com	1149 SHOESHONE TRAIL ALTO	4	08/20/13	08/15
653-4609	LODGING INDUSTRY - DAVID VIGIL	BOX 15, LINCOLN 88338	5	06/12/12	06/14
937-2121	TOURIST RELATED- ALICE SEELY; ALICESEELY@PVTN.NET	BOX 166 HONDO, NM 88336	5	04/17/12	04/14
653-4300	LODGING INDUSTRY - VICTOR GARRISON	BOX 236, LINCOLN, 88338	5	07/26/12	7/14

**NEW MEXICO COUNTY INSURANCE AUTHORITY - WORKERS' COMPENSATION**

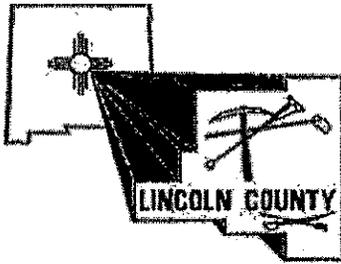
DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	KATHRYN MINTER	147 SONTERRA DR, ALTO	4	01/14/2014	1/2015
	ALTERNATE - NITA TAYLOR	BOX 93, LINCOLN, NEW MEXICO	1	01/14/2014	1/2015

**NEW MEXICO COUNTY INSURANCE AUTHORITY - MULTI-LINE POOL**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	KATHRYN MINTER	147 SONTERRA DR, ALTO	4	01/14/2015	01/15
	ALTERNATE - DALLAS DRAPER	113 ALPINE VILLAGE RUIDOSO	3	01/14/2014	01/15

**PLANNING COMMISSION - 2 YEAR TERM (ORDINANCE NO. 2008-5)**

DISTRICT NO.	MEMBER	ADDRESS	RECOMMENDED BY	DATE APPOINTED	TERM EXPIRATION
DIST 1	DENNIS RICH; DENANDYVONNE@NETSCAPE.NET	PO BOX 575, CAPITAN, NM 937-5996	COMM. POWELL	04/17/12	04/14
DIST 2	DENNIS DUNNUM ldhrczz@tularosa.net	443 JICARILLA RD, WHITE OAKS (648-1022)	COMM. POWELL	03/18/14	03/16
DIST 3	MARY ANN RUSS siegbieg1@hotmail.com	104 PLUMAS PL., RUIDOSO 575-937-0720	COMM. POWELL	01/14/14	01/16
DIST 4	MARY DOKIANOS (336-7640) mbd@valornet.com	103 WINTER HAWK HEIGHTS, ALTO	COMM. MINTER	09/17/13	09/15
DIST 5	TOM MANN MEMBER-AT-LARGE - ELAINE ALLEN	BOX 77, LINCOLN NM (653-4272) PO BOX 74, LINCOLN (653-4251) eelela@yahoo.com	COMM. POWELL	07/26/12	07/14
	MEMBER-AT-LARGE - KARYL WILLIAMS KARYL.WILLIAMS@MTG-TECH.COM	PO BOX 1707 CAPITAN (354-5300) 575-808-9776		01/22/13	01/15



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# County of Lincoln

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RECEIVED

APR 14 2014

ADMINISTRATION  
LINCOLN COUNTY NM

April 9, 2014

Alice Seely  
PO Box 166  
Hondo, NM 88336

Dear Ms. Seely:

Your term for the Lodger's Tax Committee will expire April 2014. If you would like to serve an additional two year term and be re-appointed, please indicate below and return for further processing.

Thank you for serving on this Board, and hopefully you will continue to serve. If I can be of any assistance to you, please contact this office.

Sincerely,

Billie-Jo Guevara  
Administrative Assistant/  
Human Resources

Yes I would like to be re-appointed to the Lodger's Tax Committee.

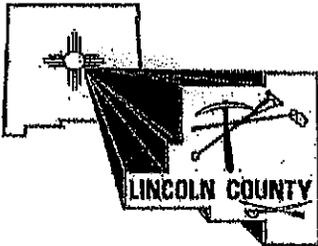
No I would not like to be re-appointed at this time.

  
\_\_\_\_\_  
Alice Seely

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816



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# County of Lincoln

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

April 9, 2014

Dennis Rich  
PO Box 575  
Capitan, NM 88316

Dear Mr. Rich:

Your term for the Planning Commission will expire April 2014. If you would like to serve an additional two year term and be re-appointed at the next commission meeting, April 25, 2014, please indicate below and return for further processing.

Thank you for serving on this Board, and hopefully you will continue to serve. If I can be of any assistance to you, please contact this office.

Sincerely,

Billie-Jo Guevara  
Administrative Assistant/  
Human Resources

Yes I would like to be re-appointed to the Planning Commission.

No I would not like to be re-appointed at this time.

Dennis Rich

County Manager's Fax  
(575) 648-4182

Finance/Purchasing Fax  
(575) 648-2381

Rural Addressing Fax  
(575) 648-2816

**PREDATORY ANIMAL CONTROL BOARD, LINCOLN COUNTY – 5 YEAR TERM**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	MARK HENDRICKS	BOX 307, CARRIZOZO 88301	1	07/20/10	07/15
	JIM COOPER	HC75 BOX 25, TINNIE 88351	5	07/20/10	07/15
	RON MERRITT	HC66 BOX 30, YESO 88136	1	07/20/10	07/15
	MIKE SKEEN	BOX 67, PICACHO 88343	5	07/20/10	07/15
	LEE SULTEMEIER	Box 147, CORONA 88318		07/20/10	07/15
	BILLY BOB SHAFER	BOX 82, CARRIZOZO 88301	1	07/20/10	07/15

ACB HOLDS ELECTION – PUBLICATION IS REQUIRED

**PROPERTY TAX PROTEST BOARD – 2 YEAR TERM**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	LORI WETZEL	BOX 698, CARRIZOZO, 88301		05/15/12	05/14
	DONDA RICHARDSON	BOX 9, CAPTAN, NM 88316		05/15/12	05/14
	ALTERNATE – DEREK MOORHEAD	1201 MECHEM DR, RUIDOSO 88345		05/15/12	05/14

**REGIONAL WASTE WATER JOINT USE BOARD – 2 YEAR TERM**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION

**ROAD REVIEW ADVISORY COMMITTEE, LINCOLN COUNTY – 2 YEAR TERM (ORDINANCE NO. 2003-5)**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
DIST 1	LANCE HALE 575-430-9060	BOX 745 RUIDOSO DOWNS, 88346	1	08/20/13	08/15
DIST 2	ROBERT BARBER	BOX 126, CAPTAN, NM	1	10/16/12	10/14
DIST 3	JAMES RUSS	PO BOX 2362 RUIDOSO NM	3	08/20/13	08/15
DIST 4	J.BRYAN WHITE (336-2619 OR 208-610-5464; COCHICH@BAJABB.COM)	PO BOX 237, ALTO, NM 88312		01/22/13	01/15
DIST 5	BILLY SEELBACH (258-1704)	406 GAVILAN CANYON, DOSO 88345	2	06/12/12	06/14

PUBLICATION IS REQUIRED

**SENIOR CITIZENS OLYMPIC COMMITTEE, LINCOLN COUNTY – 2 YEAR TERM (ORDINANCE NO. 1994-5)**

DISTRICT NO.	MEMBER	ADDRESS	RESIDES IN DISTRICT NO.	DATE APPOINTED	TERM EXPIRATION
	BART YOUNG (257-3193)	BOX 2930, RUIDOSO 88355		03/18/14	03/16
	LUCY SERVIES	107 JACK LITTLE DR. B3, RUIDOSO		01/22/13	01/15
	JIM CLEMENTS	101 POW WOW TR, RUIDOSO 88345		12/17/13	12/15
	GENE NITZ	218 JACK LITTLE DR, RUIDOSO		12/17/13	12/15

\*

## **Agenda Item No. 27**

### **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 25, 2014

**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. Lodger=s Tax Issue B Casa del Cocinero B making regular payments
2. *Cooper, Gale and DeBaca County News v. County of Lincoln, Sheriff of Lincoln County, et al.* D-1329-CV-200701364. Suit filed: October 15, 2007. Verified Complaint for Declaratory Judgment Ordering Production of Certain Records and Information. Hearing took place Dec. 18, 2013, and case is ongoing.
3. *Michael Wheaton v Paul F. Baca, Lincoln County Assessor, et. al.* D-1226-CV-2011-00341. Suit filed October 18, 2011. Notice of Appeal of Final Order of the Lincoln County Valuation Protests Board. Attorney has agreed to stay the case pending the decision from the Court of Appeals.
4. *Coble Constructors, LLC, et al v Carl Kelley Construction Ltd. Co, et al.* D-1226-CV-2012-00003. Suit filed January 15, 2012. Complaint to Foreclose Mechanic=s Lien. Order granting motion for resetting 4/17/13. Motion for Summary Judgment filed Jan. 29, 2014, Hearing scheduled April 24, 2014.
- \*5. *Greentree Solid Waste Authority v. Lincoln County, et. al.* D-0101-CV-2013-00104. Suit filed January 9, 2013. Petition for Declaratory Judgment; Preliminary and Permanent Injunction. Order Granting ALW&SD=s Motion for Judgment on the Pleadings and for Summary Judgment entered by the court on 6-15-13. Plaintiff's Motion to Reconsider with Judge Singleton was denied in Hearing Jan. 24, 2013. Melendres, Melendres and Harrigan hired by the county to manage county's withdrawal from GSWA. Meeting with both parties without attorneys and managers produced an agreed desire to discontinue appeal. Mr. Beauvais filed an appeal Feb. 27, 2014. Mr. Beauvais filed a Reply to Motion to Review Stay and Supersedeas Bond on April 16, 2014.

6. *Rio Grande-Alameda, Ltd. v Paul Baca, Lincoln County Assessor D-1226-CV-2013-00005.* Suit filed January 9, 2013. Complaint for Refund of Taxes Paid. Defendant=s first motion to dismiss or Summary Judgment filed August 29, 2013, with plaintiff=s response filed Oct. 4, 2013. Defendant=s Reply to Motion to Dismiss or for Summary Judgment filed Oct. 21, 2013. Hearing was Jan. 6, 2014, and produced an Order of Dismissal, with a Motion to Reconsider filed Jan. 8, 2014. Hearing on the Merits scheduled for May 12, 2014 in Carrizozo with Judge Parsons.

\*7. *Steven Miller, et al. v. State Forestry Division, NM Energy, Minerals, and Natural Resources Department, County of Lincoln, et al. D-1226-CV-2013-00160.* Suit filed June 15, 2013. Lincoln County Manager and Commissioners served July 9, 2013. Complaint for Negligence, Injury and Damages. On August 2, 2013, NMAC advised Attorney Bryan Evans has been assigned as counsel for Lincoln County. Judge Waylon Counts has been assigned the case. Plaintiff's Response to Lincoln County's and State's Motion to Dismiss filed Jan. 3, 2014. Judge Counts granted Motion to Dismiss March 24, 2014.

8. *Barbara Diane Latham, et al v. Neal Cox, Ben Hazen, Lincoln County Sheriff=s Department and the County of Lincoln. D-1226-CV-2013-00191.* Suit filed July 19, 2013. Complaint for Violation of Civil Rights, Wrongful Death and Damages by Attorney Gary Mitchell. LCSO and LC Manager were served on August 5, 2013. Tort Claim Notice was filed on October 27, 2011. Advised NMAC has assigned the case to Brennan and Sullivan Law Firm 9/5/13. Case has been moved to Federal Court August 30, 2013. Order Settlement Conference scheduled for July 22, 2014.

9. *State of NM/Lincoln County v. Avalon-Construction, Ruidoso, NM D-1226-CV 2014-00006* Filed Jan. 6, 2014 Open complaint for Refund of Taxes paid. Case assigned to Basham & Basham/Dwyer. Peter Dwyer is lead attorney.

\*10. *State of NM/Lincoln County v. Warren Marker M 30 MR 2014-00046* Filed Feb. 28, 2014. Alleged bringing contraband into LCDC – Chris Nebalek with Gary Mitchell's firm assigned as public defender. Pre-Trial Hearing April 14, 2014 was attended by the Defendant who was removed from the court due to creating a disturbance.

\*11. *State of NM/Lincoln County v. Gonzales Gonzales M-30-MR-2014-00004* Filed Jan. 7, 2014. Alleged bringing contraband into LCDC – Chris Nedbalek with Gary Mitchell's firm assigned as public defender. Pre-Trial Hearing April 14, 2014 produced plea of No Contest. Fine, court costs, probation assigned. Case concluded.

\*12. *State of NM/Lincoln County v. Alberto Ruiz – M-30-MR-2014-00012* Filed Jan. 5, 2014. Alleged bringing contraband into LCDC – Chris Nedbalek with Gary Mitchell's firm assigned as public defender. Pre-Trial Hearing April 14, 2014 produced plea of No Contest. Suspended fine, court costs and unsupervised probation assigned. Case concluded.

\*13. *State of NM/Lincoln County v. Nathan Little – M-30-MR-2014-00015* Filed Jan. 21, 2014. Alleged bring contraband into LCDC – Chris Nedbalek with Gary Mitchell’s firm assigned as public defender. Pre-Trial Hearing April 14, 2014 produced plea of No Contest. Fine, court costs and unsupervised probation assigned. Case concluded.

\*14. *State of NM/Lincoln County v. Shann M. Marler M-30-MR-2014-00026* Alleged bringing contraband into LCDC. Chris Nedbalek with Gary Mitchell’s firm assigned as public defender. Pre-Trial Hearing April 14, 2014 produced plea of No Contest. Fine, court costs and unsupervised probation assigned. Case concluded.

\*15. *State of NM v. Irene Howcroft – M-30-MR-201300190* Alleged animal nuisance. Ms. Howcroft pled not guilty August 22, 2013. Mr. Morel received the case from the court. Non-Jury Trial April 14, 2014: Ms. Howcroft did not appear. A bench warrant was issued. Ms. Howcroft’s next date of appearance is scheduled for May 14, 2014.

\*15. *State of NM v. Kimberly Mendez M 32 MR 2014-00073* alleged dogs and cats running at large. Arraignment scheduled April 21, 2014. Ms. Mendez pled guilty. Fine, court costs and suspended sentence assigned. Case concluded.

\*16. *State of NM v. Stephen D. Rabdurn M 32 MR 2014-00076* alleged dogs and cats running at large. Arraignment scheduled April 28, 2014.

\*17. *State of NM v. Sherrie Coronado M 32 MR 2014-00075* alleged dogs and cats running at large. Arraignment scheduled April 28, 2014.

## **Tort Claims Notices Received or Threatened**

### **2013**

**Allen, Katherine Elizabeth-** Notice of Tort Claim 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.

## 2012

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

**Riordan, J.T. B** Correspondence received from Theresa Riordan on March 28, 2012, concerning her son=s treatment and detention conditions while being held in LCDC.

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

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