

COUNTY OF LINCOLN

New Mexico
Special Meeting
Board of County Commissioners

Jackie Powell, Chair
Preston Stone, Vice-Chair

Kathryn L. Minter, Member
Mark Doth, Member
Dallas Draper, Member

Minutes
Wednesday, December 31, 2014

Minutes of the Special Meeting of the Lincoln County Commission held at 10:00 AM on December 31, 2014 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

1. **Call to order**

Vice-Chair Stone called the meeting to order at 10:00 AM.

2. **Roll Call**

Roll Call

Present: Commissioner Stone (telephonically), Commissioner Doth, Commissioner Draper.
Absent/Excused: Chair Powell, Commissioner Minter.

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

Motion: Appoint Commissioner Draper as Acting Chair of the Board of Commissioners for the Special Meeting, **Action:** Approve, **Moved by** Commissioner Stone, **Seconded by** Commissioner Doth.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Commissioner Doth, Commissioner Draper, Commissioner Stone.

Absent: Chair Powell, Commissioner Minter.

3. **Invocation**

The invocation was presented by Chair Draper.

4. **Pledge of Allegiance**

- A. Pledge – U.S.A. Flag
- B. Salute – N.M. Flag

5. **Approval of Agenda**

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

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

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Draper, Commissioner Doth, Commissioner Stone.

Absent: Commissioner Powell, Commissioner Minter.

6. **Executive Session Pursuant to the Open Meetings Act: Discussion of Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph H.(7) – Causes of Action:**

Motion: To close the meeting for the purposes of an Executive Session to discuss Threatened and/or Pending Litigation pursuant to the Open Meetings Act, Section 10-15-1, Sub Paragraph H.(7) – Causes of Action as follows:

- a) Greentree Solid Waste Authority vs. County of Lincoln, Case No. D-1226-CV-2014-00095 in the Twelfth Judicial District Court; and

- b) New cause of action recently filed in the New Mexico Supreme Court by J. Robert Beauvais and Greentree Solid Waste Authority vs. the Honorable Jerry H. Ritter, Jr., Twelfth Judicial District Court Judge, and County of Lincoln titled: Verified Emergency Petition for Writ of Prohibition; Alternatively, Superintending Control; Request for Stay (No case number assigned by the Supreme Court as of date.)

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

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Draper, Commissioner Doth, Commissioner Stone.

Absent: Commissioner Powell, Commissioner Minter.

Chair Draper recessed the Special Meeting and convened the Closed Session at 10:07 PM.

Chair Draper adjourned the Closed Session and reconvened the Special Meeting at 10:26 PM.

Commissioner Doth attested that matters discussed in the closed meeting were limited to those specified in the motion for closure or in the notice of separate, closed meeting.

7. Discussion/Possible Action regarding Greentree Solid Waste Authority vs. County of Lincoln, Case No. D-1226-CV-2014-00095

Motion: Instruct the County's counsel to file a motion for sanctions against GSWA for contempt of court for having billed in violation of a court order, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Chair Draper.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Draper, Commissioner Doth, Commissioner Stone.

Absent: Commissioner Powell, Commissioner Minter.

8. Discussion/Possible Action regarding County Billing for Solid Waste Services in the County outside of the municipalities and the Alto Lakes Water and Sanitation District

Motion: Instruct the County Manager to proceed with billing for Solid Waste Collection Services for County residents, **Action:** Approve, **Moved by** Commissioner Doth, **Seconded by** Chair Draper.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Draper, Commissioner Doth, Commissioner Stone.

Absent: Commissioner Powell, Commissioner Minter.

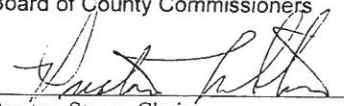
9. Next Regular Meeting:


Tuesday, January 13, 2015

10. Adjourn


There being no further business to come before the Board of County Commissioners, Chair Draper adjourned the meeting at 10:27 AM.

County of Lincoln
Board of County Commissioners


Preston Stone, Chair


Dallas Draper, Vice Chair


F Lynn Willard, Member


Thomas Stewart, Member


Elaine Allen, Member

ATTEST:


Rhonda Burrows, County Clerk

January 13, 2015
Date Approved

