

COUNTY OF LINCOLN

New Mexico Special Meeting Board of County Commissioners

Preston Stone, Chair
Dallas Draper, Vice Chair

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

Minutes Thursday, March 19, 2015

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

1. Call to Order

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

2. Roll Call

Roll Call.

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

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

3. Invocation

The invocation was presented by Commissioner Draper.

4. Pledge of Allegiance

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

5. Approval of Agenda

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

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

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

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

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

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

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 Temple reported Commissioner Stewart had withdrawn his acceptance of the nomination.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

No: Commissioner Draper.

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

Sheriff Shepperd stated the previous HIDTA task force in Lincoln County was disbanded prior to his administration. Sheriff Shepperd discussed the efforts of co-operating agencies in Lincoln


County to reinstate the base funding distribution from HIDTA of approximately \$54,000. Sheriff Shepperd stated there was sufficient HIDTA funding to staff three positions in the County with one position allocated to the Sheriff's office. Sheriff Shepperd requested approval of the new position and stated all costs for the position were offset by the HIDTA grant funding.

Motion: Approve the new contract position for Sheriff's department utilizing grant funding from HIDTA, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Allen. **Vote:** Motion carried by unanimous vote (summary: Yes = 5). **Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen, Commissioner Draper, Commissioner Willard.

8. Adjourn

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

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

April 21, 2015
Date Approved

