

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 Tuesday, October 25, 2016

Minutes of the Special Meeting of the Lincoln County Commission held at 2:00 PM on October 25, 2016 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

1. Call to Order

Chair Stone called the Special Meeting of the Board of County Commissioners to order at 2:00 PM.

2. Roll Call

Roll Call.

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

Others present included Nita Taylor, County Manager; Alan Morel, County Attorney; 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: Acceptance of the Agenda and authorized the Chair to move items as necessary;
Action: Approve, Moved by Commissioner Stewart, Seconded by Commissioner Draper.
Vote: Motion carried by unanimous vote (summary: Yes = 4).

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

6. Resolution 2016-20; A Resolution of the County Commission of the County of Lincoln, New Mexico affirming the actions of the County Commission undertaken at a Special Meeting held on September 9, 2016; and providing certain other matters in connection therewith.

- a) Approval of Consent Agenda - Approval of Sun Valley Water and Sanitation District Mill Levy Request
- b) Approval/Imposition of 2015-2016 Property Tax Rates
- c) Approve Per Diem & Mileage Policy by Resolution 2016-10
- d) Approve Resolution 2016-11 & Proclamation calling for approval of a General Obligation Bond on the 2016 General Election for the funding and construction of a new hospital
- e) Lincoln County Solid Waste Billing Letter to Fox Run Subdivision Landowners

Nita Taylor, Manager stated Lincoln County received notice on October 14, 2016 from the Office of the Attorney General a complaint "alleging a violation of the Open Meetings Act" provision for required notice and publication of the agenda for the Special Meeting of September 9, 2016. Ms. Taylor provided a copy of the complaint filed by Debra Ingle.

Ms. Taylor stated as the typical remedy for any such violation was a reconsideration and reaffirmation of any actions taken, she and the County Attorney were recommending the Board of County Commissioners reaffirm by Resolution actions taken during the September 9, 2016 Special Meeting. Ms. Taylor read the Resolution and requested inclusion in the record.

Alan Morel, County Attorney expressed firm belief Lincoln County had met the requirements for notification of the September 9, 2016 Special Meeting and no violation had in fact occurred. Mr. Morel stated the recommendation to reaffirm these actions was made simply "out of an abundance of caution". Attorney Morel suggested it was also appropriate to consider comments or questions from the public.

Chair Stone requested public comment and noted no comments or questions were offered.

Motion: Adopt Resolution 2016-20, **Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Stewart.

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

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

SEE EXHIBIT A: Copy of Resolution 2016-20 is attached hereto in reference thereto made a part hereof.

7. Signing of Official Documents

8. Next Meetings

- a) November 10, 2016, Special Commission Meeting
- b) November 15, 2016, Regular Commission Meeting

9. Adjourn

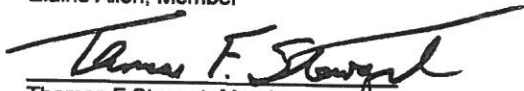
There being no further business to come before the Board of County Commissioners, Chair Stone adjourned the meeting at 2:07 PM.

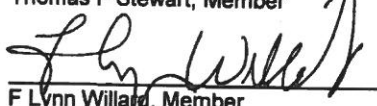
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ATTEST:


Rhonda Burrows, County Clerk



November 15, 2016
Date Approved