

COUNTY OF LINCOLN

Todd F Proctor, Chairman
Jon F Crunk, Vice-Chairman
Samantha J Serna, Member
Pierre S Pfeffer, Member
Mark G Fischer, Member



Walter Hill, Assessor
Shannan Hemphill, Clerk
Rhonda Burrows, Probate Judge
Michael Wood, Sheriff
Sherrie Huddleston, Treasurer

Ira Pearson, County Manager

AGENDA

Board of County Commissioners – Regular Meeting

April 18, 2023 @ 8:30am - Commission Chambers in Carrizozo, New Mexico and ZOOM

<https://us02web.zoom.us/j/86507290687?pwd=aXd5UTNQSiRRLRWYwVjB3MXhrZGxEUT09>

Meeting ID: 865 0729 0687

Passcode: 539343

One tap mobile

+12532158782

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:
 - a. March 1, 2023, Special Commission Meeting
 - b. March 21, 2023, 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, 2023
 - c. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims
 - d. Restricted Housing Report - Quarter Ending March 2023
 - e. Approval of Proclamation Declaring the Month of May as Motorcycle Awareness Month
 - f. Approval of Resolution 2023-48 Disposition of Surplus Inventory
 - g. Approval of Resolution 2023-49 a Resolution for a Variance from the Ordinance No. 2004-5, Allowing Temporary Vendors and Structures at Special Events in Lincoln, New Mexico
 - h. Approval of Resolution No. 2023-51 A Resolution Confirming Lincoln County to Participate in the New Mexico Department of Transportation Project Fund Call for Projects

PLEASE NOTE: ALL SUBJECTS LISTED ON THIS AGENDA ARE TO BE CONSIDERED ACTION ITEMS BY THE BOARD OF COUNTY COMMISSIONERS UNLESS OTHERWISE INDICATED.

Tuesday, April 18, 2023

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8. Approval of Budget Adjustment FY 22/23 by Resolution 2023-47
9. Forest, Land & Natural Resources Matters:
 - a. Smokey Bear Ranger District
 - b. Lincoln County / NMSU Extension Services
 - c. South Central Mountain RC & D
 - d. Upper Hondo Soil & Water Conservation District
 - e. Land and Natural Resources Advisory Committee - LANRAC
10. **9:30 A.M.:** PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY OFFICIALS (Items are for discussion only – no action will be taken)
11. Lincoln County Detention Center
 - a. Update – Warden, Ross Castleton
 - b. R.I.S.E (Reach, Intervene, Support and Engage) Program Application
12. Lincoln County Medical Center Update – Todd Oberheu
13. Opioid Settlement Proceeds:
 - a. Discussion and Direction Regarding Distribution of Settlement Funds
 - b. Consideration of Entering an Opioid Remediation Collaborative Joint Powers Agreement Between the County of Lincoln and Other “Counties” or “Participating Entities”
14. Lincoln County Community Health Council Update and Presentation Given by Sergio Castro, LCCHC Chairman
15. Peñasco Valley Telephone Company Fiber and Broadband Presentation – Mitch Hibbard
16. Consideration of Award of Contract to RY Construction LLC for the Lincoln County Courthouse Drainage Improvements in the Amount of \$105,044.07
17. Discussion and Direction Regarding Carrizozo Courthouse Complex Renovations and Security Upgrades
18. Office of Emergency Services
 - a. Resolution 2023-50: Declaration of Fire Danger Emergency
 - b. Approval of NM State Fire Protection Fund Applications
 - c. Hazard Mitigation Plan Presentation – Wendy Blackwell
19. Assessor Annual Report -Walter Hill – Lincoln County Assessor
20. Manager’s Report
21. Consolidated Dispatch Update – Village of Ruidoso Chief of Police, Lawrence Chavez
22. Approval of Lodger’s Tax Funding Requests:

PLEASE NOTE: ALL SUBJECTS LISTED ON THIS AGENDA ARE TO BE CONSIDERED ACTION ITEMS BY THE BOARD OF COUNTY COMMISSIONERS UNLESS OTHERWISE INDICATED.

- a. Event: Last Escape of Billy the Kid Pageant
Amount Requested: \$16,000.00
Date(s) of Event: 8/4/2023-8/6/2023
Presenter: Nancy De Veny
- b. Event: Spencer Summer Season 2023
Amount Requested: \$10,000.00
Date(s) of Event: 7/1/2023-8/31/2023
Presenter: Charles Centilli

23. Public Works:

- a. Approval to File Solid Waste Liens:
 - 1. Marcus Salcido- **\$865.92**
 - 2. Marcus Salcido- **\$635.78**
 - 3. Robert H. Hawkins and Kathleen A. Hawkins- **\$900.02**
 - 4. Sandra Y. Overstreet and T. Overstreet- **\$900.02**
 - 5. Lewis R. Rumfield and Kelly A. Rumfield-**\$956.56**
 - 6. Brijida Chavez Herrera or Benjamin Herrera- **\$1,197.72**
 - 7. Dianna Wells- **\$841.18**
 - 8. Raven L. Stewart- **\$898.56**
 - 9. Richard Moore and Kelli Moore- **\$915.35**
 - 10. Sheila M. Zumwalt- **\$828.48**
 - 11. Timothy James Sanders- **\$940.97**
 - 12. James Warren Hanson and Katie A. Hanson- **\$900.02**
 - 13. Sonya Newton-**\$245.20**
 - 14. Abram L. Beier and Tonjah M. Beier-**\$738.48**
 - 15. Brad and Kasi Holland, Dwayne Kibbie and Karen Kibbie-**\$670.47**
 - 16. Jason Trujillo and Jessica Trujillo-**\$772.14**
 - 17. Jesus Rue- **\$838.48**
 - 18. Kevin D. Kennedy and Maria Barraza- **\$769.26**
 - 19. Guadalupe Gallegos- **\$1,197.88**
 - 20. Josephine E. Gutierrez- **\$715.40**
 - 21. Michael D. Smith and Viki L. Smith-**\$776.94**
 - 22. Ruben Chavez-**\$1,491.20**
 - 23. Daniel Gutierrez and Iva Gutierrez-**\$1,564.14**

Total : \$20,560.17
- b. Approval to issue for RFP - Solid Waste Services
- c. Consideration and Approval to Purchase Granicus Short-Term Rental Tracking Software in the Amount of \$27,929.55

24. Discussion and Direction Regarding Budget and Achievable Goals of the County of Lincoln

25. 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); Discussion of the Purchase Acquisition or Disposal of Real Property or Water Rights by the Public Body, Section 10-15-1, Subparagraph (H)(8); Limited Personnel Matters, Section 10-15-1, Subparagraph (H)(2); and Collective Bargaining Negotiations, Section 10-15-1, Subparagraph (H)(F)

26. Consideration and Approval of:
 - a. Signing of Replat for the Lincoln County Fairgrounds
 - b. Filing a Disclaimer of Interest in the matter of Dennis Rich and Yvonne Rich, v. Walt Hill, et al, Cause No. D-1226-CV-2022-00230 .

27. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinances:
 - a. Ordinance No. 2020-04 an Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2017-07
 - b. Ordinance No. 2020-04 Page 4, Paragraphs D, E and F as it Relates to Revising the Current Established Fees
 - c. Ordinance No. 2023-04 an Ordinance Providing for an Efficient and Fair Method of Enforcing the Ordinances of Lincoln County; Establishing the Position of Ordinance Enforcement Officer Under the Supervision of the Public Works Department; Authorizing the Ordinance Enforcement Officer to Enforce the Provisions of Lincoln County Ordinances; Designating Authority and Procedures for Ordinance Enforcement Officers; Providing for the Severability of Parts Hereof; Repealing Ordinance 2022-01 and Any Other Ordinances in Conflict Herewith; and Providing an Effective Date
 - d. Review and Adoption of Preliminary Budget for the County of Lincoln for FY 23/24

28. Signing of Official Documents

29. Next meetings:
 - a. May 2, 2023, Special Commission Meeting
 - b. May 16, 2023, Regular Commission Meeting

30. Adjourn



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

www.lincolncountynm.gov

AGENDA ITEM NO. 6

SUBJECT:

Approval of Minutes:

- a. March 1, 2023, Special Commission Meeting
- b. March 21, 2023, Regular Commission Meeting

Tuesday April 18, 2023

COUNTY OF LINCOLN

New Mexico Special Meeting Board of County Commissioners

Todd Proctor, Chair
Jon Crunk, Vice Chair

Samantha Serna, Member
Pierre Pfeffer, Member
Mark Fischer, Member

Minutes Tuesday March 1, 2023

Minutes of the Special Meeting of the Lincoln County Commission held at 8:30 AM on March 1, 2023, in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico. The meeting was also accessible via Zoom.

1. Call to Order

Chair Proctor called the Special Meeting of the Board of County Commissioners to order at 8:30 AM.

2. Roll Call

Roll Call.

Present: Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

Others present included Ira Pearson, County Manager; Alan Morel, County Attorney; and Shannan Hemphill, County Clerk.

3. Invocation

The Invocation was presented by Commissioner Crunk.

4. Pledge of Allegiance

- a. Pledge – USA 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 Crunk, **Seconded by** Commissioner Pfeffer.

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

Yes: Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

7. Approval of Resolution 2023-40 – Certification of Road Mileage

50
51 Jeff Honeycutt, Road Superintendent, discussed the changes to the road mileage due to various
52 road vacations. Mr. Honeycutt stated the road mileage was about a mile less this year and would
53 continue to decrease in small amounts as roads were vacated in the future.

54
55 **Motion:** Approval of Certification of Road Mileage by Adoption of Resolution 2023-40, **Action:**
56 Adopt, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Fischer.

57 **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5).
58 Yes: Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
59 Chair Proctor.

60
61 **SEE EXHIBIT A:** Copy of Resolution 2023-40 is attached hereto in reference thereto made a part
62 hereof.

63
64 **8. Consideration of the Cooperative Forest Road Agreement Between the Lincoln**
65 **County, New Mexico and the USDA, Forest Service Southwestern Region, Lincoln**
66 **National Forest**
67

68 Mr. Honeycutt explained it was a 5-year agreement with the two forest service entities on which
69 roads and how much of those roads the County maintained, and he informed the roads were
70 maintained to the forest service designations. Mr. Honeycutt stated the Forest Service had to
71 provide the material and his office would install it and maintain the roads at least once per year.

72
73 Commissioner Pfeffer questioned the County liability on County maintained roads. Attorney Morel
74 explained the County had some liability anytime they worked on a road. Attorney Morel stated
75 there was a shared responsibility between the Forest Service, Federal Government, and the
76 County so if the road was negligently maintained there would be some potential liability.

77
78 Mr. Honeycutt explained the payments received to cover the County costs were not sufficient and
79 explained there were caliche pits opened on forest service areas accessible to the County to help
80 offset some of the costs. Mr. Honeycutt informed the Forest Service owned a reclaimer and
81 allowed the County to use it as needed.

82
83 **Motion:** Approve the Cooperative Forest Road Agreement, **Action:** Approve, **Moved by**
84 Commissioner Crunk, **Seconded by** Commissioner Pfeffer.

85 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).
86 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
87 Chair Proctor.

88
89 **9. Discussion and Direction Regarding the Abandonment and Vacation or Closure of**
90 **Roads and/or Right-of-Ways**
91

92 Attorney Morel explained 60%-70% of the roads in the County were based on a prescriptive use
93 and they weren't dedicated to the County.

94
95 There was a discussion on the 5-member road review committee and the process used to
96 determine if abandonment and vacation of a road was warranted or if it should be closed instead.
97 It would then need to be approved by the County Commission. Attorney Morel explained the
98 process to then abandon and vacate a road if it had been approved by the commission.

99 Assessor Hill detailed the assessment and valuation process his office used in determining the
100 value of the road that is requested to be abandoned and vacated or closed.

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6. Wilson & Co. Quarterly Project Update and Action Items

Eric Hamilton, Wilson & Company, gave an overview of the company and the projects they have worked on, in order to bring the new Commissioners up to date.

Manager Pearson explained Phase 1 of Palo Verde Slopes and how the County received the funding to complete the project so they were now ready to start phase 2.

c. Colonias Funding Application – Phase 2

1. Approval of Resolution 2023-41 - A Resolution by the Board Of County Commissioners, the Governing Body of Lincoln County New Mexico, Whereby the Board of County Commissioners Authorizes and Approves the Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority for the Colonias Infrastructure Fund.

Motion: Adopt Resolution 2023-41, **Action:** Adopt, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Serna.

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

Yes: Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

SEE EXHIBIT B: Copy of Resolution 2023-41 is attached hereto in reference thereto made a part hereof.

2. Approval of Resolution 2023-42 – A Resolution of the Board of County Commissioners, the Governing Body of Lincoln County, New Mexico, Whereby the Board of County Commissioners Commits County Staff with the Implementation of Asset Management Planning Within Three Years and in Accordance with Principles of the A.M. Kan Work.

Mr. Hamilton explained the Transportation Asset Management plan focusing on drainage infrastructure and transportation.

Commissioner Fischer would like to include the public in future plan discussions.

Motion: Adopt Resolution 2023-42, **Action:** Adopt, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Fischer.

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

Yes: Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

SEE EXHIBIT C: Copy of Resolution 2023-42 is attached hereto in reference thereto made a part hereof.

- b. Award of Contract to White Sands Construction for the Lincoln County ADA Restroom Build in the Amount of \$59,963.31.

Jimmy Craig, Wilson & Company, detailed the new ADA restroom in the Lincoln County Courthouse.

152
153 Manager Pearson stated it was approved in the Spring of 2020 for \$90,000. Manager Pearson
154 informed it could be completed within budget if approved as the remaining amount was used for
155 design.

156
157 **Motion:** Approval of the Contract to White Sands Construction for the Lincoln County ADA
158 Restroom Build in the Amount of \$59,963.31, **Action:** Approve, **Moved by** Commissioner Crunk,
159 **Seconded by** Commissioner Pfeffer.

160 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

161 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
162 Chair Proctor.

163
164 a. Award On-Call Construction Contract to Mesa Verde Enterprises, Inc. and Renegade
165 Construction, LLC.

166
167 Mr. Hamilton detailed the projects and the contracts requested for approval.

168
169 **Motion:** Award On-Call Construction Contract to Mesa Verde Enterprises, Inc. and Renegade
170 Construction, LLC, **Action:** Approve, **Moved by** Commissioner Serna, **Seconded by**
171 Commissioner Crunk.

172 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

173 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
174 Chair Proctor.

175
176 b. Consideration of Task Order No. 02222023: Professional Engineering Design Services
177 for the Lincoln County Fairgrounds Pedestrian & Livestock Bridge – Not to exceed
178 \$75,608.21.

179
180 Mr. Hamilton explained the road changes recommended for the Lincoln County Fairgrounds and
181 the pedestrian walkways around the buildings. Mr. Hamilton further explained the subsurface
182 drainage systems options to help alleviate the flooding.

183
184 Mr. Honeycutt discussed the parking lot renovations that were made South of the brick house and
185 detailed the additional parking available.

186
187 Commissioner Crunk questioned the properties down the river and our liability if we divert the
188 water and flood properties and homes down the river. Mr. Hamilton explained they evaluated the
189 existing conditions and ensured they don't increase the water flow down river.

190
191 Mr. Hamilton explained the pedestrian bridge usage and design.

192
193 Mr. Hamilton explained the parking and drainage project would be \$2.5 mil. Mr. Hamilton stated
194 the schedule would not allow the full completion and they would need to do phase 1, the parking
195 lot and the bridge, prior to July 1; however, phase 2, the wash racks and drainage, will not be
196 started until after the County Fair is complete.

197
198 Chair Proctor was concerned about the pricing as phase 1 is now more expensive than both
199 phases combined were the last time it was discussed. Chair Proctor was also disappointed as the
200 timing has been pushed back to not allow completion before the County Fair.

201

202 Mr. Hamilton stated they could not control the pricing as prices on all materials had increased
203 dramatically. Mr. Hamilton also explained the boundary survey took a full year to complete and
204 they were unable to begin the project until they had a complete boundary survey done. Renegade
205 Construction was the low bidder on phase 1 and could complete it by July 1.

206
207 Billie Jo Guevara, Finance Director stated there was \$995,000 in Lodgers Tax however, 40%
208 goes to advertising, leaving \$600,000 lodgers tax funding available to help with the project.
209 Manager Pearson stated there were possible ARPA funds available to use as well.

210
211 **Motion:** Approve Task Order No. 02222023: Professional Engineering Design Services for the
212 Lincoln County Fairgrounds Pedestrian & Livestock Bridge – Not to exceed \$75,608.21 out of
213 Lodgers Tax and/or ARPA funding, **Action:** Approve, **Moved by** Commissioner Crunk,
214 **Seconded by** Commissioner Serna.

215 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

216 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
217 Chair Proctor.

218
219 Chair Proctor recessed the meeting at 10:51 AM and reconvened the meeting at 11:00 AM.

220
221 **10. Consideration of Parking Lot(s) Seal Coat Estimates for OES, Carrizozo Complex**
222 **and the Ruidoso Annex.**

223
224 Manager Pearson detailed the three estimates and explained a company would be in town in
225 June which would save the mobilization charges. Manager Pearson stated the projects were not
226 budgeted for this year, they were being presented due to the savings if done in June. Mr.
227 Honeycutt informed the savings would be for micro surface at the Sub-office only, the seal coats
228 would still have mobilization charges.

229
230 Commissioner Serna questioned the dirt parking lot located at the Carrizozo Complex. Manager
231 Pearson stated District Court was working on a plan to turn it into a secured parking area so it
232 would be paved once they finalized plans.

233
234 Commissioner Pfeffer questioned the real dollar amount of savings the County would see if the
235 projects were started now instead of waiting until the new budget year. Mr. Honeycutt informed
236 the projects were tied to oil prices so there was not a clear set number.

237
238 Chair Proctor recommended bringing the agenda item back at the March meeting with budget
239 numbers and requested documentation.

240
241 **11. Approval of the Purchase and Outfitting of a Command Truck for the Lincoln County**
242 **Office of Emergency Services, Utilizing Fire Protection Fund Monies in the Amount**
243 **of \$68,584**

244
245 Manager Pearson stated the Fire Marshall informed the County they were to receive the full
246 amount authorized to purchase of fire truck as well as outfit it. The prior approval and amount was
247 simply for the purchase of the fire truck so this was to clarify and authorize the full amount.

248
249 **Motion:** Approve the Purchase and Outfitting of a Command Truck for the Lincoln County OES,
250 Utilizing Fire Protection Fund Monies in the Amount of \$68,584, **Action:** Approve, **Moved by**
251 Commissioner Serna, **Seconded by** Commissioner Crunk.

252 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

253 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
254 Chair Proctor.

255
256 **12. Approval to Purchase a Back-Up Generator for the Lincoln County Dispatch Center**
257

258 Manager Pearson stated power was lost and the back-up generator did not turn on leaving
259 dispatch without power. Manager Pearson explained there was a generator from New Horizons
260 which could be converted from natural gas to propane however it was smaller than the current
261 one. Manager Pearson informed they would get an electrician to verify the size of generator
262 needed. Manager Pearson stated to order a generator they were 50 weeks out so if one needed
263 to be purchased, it would have to be purchased off the shelf.

264
265 Attorney Morel explained the dispatch center would be moving to the consolidated dispatch in
266 Ruidoso, so he hoped they would not need to purchase a generator for the local dispatch.

267
268 **Motion:** Approval for the County Manager to spend up to \$70,000 for an emergency generator,
269 **Action:** Approve, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Fischer.

270
271 Manager Pearson stated he would determine the best route to go, after verification by an
272 electrician of the size needed, whether it would be purchasing a new generator off the shelf,
273 converting the smaller generator from New Horizons or renting a generator if the need arose.

274
275 Yvonne Petty, Administrative Director LCSO, informed the 911 Grant paid for the backup
276 generator for dispatch so they could possibly get reimbursed for the purchase through DFA.

277
278 **Vote:** Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

279 **Yes:** Commissioner Fischer, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

280 **No:** Commissioner Serna.

281
282 **13. Recognition and Memorialization of Melinda K. Shaw**
283

284 Joe Kenmore, Office of Emergency Services, read the recognition and memorialization of Melinda
285 K. Shaw for her dedication and passion for the health and well-being of the residents of EMS
286 Regions 1 & 3, as well as the EMS community of Lincoln County whose lives she impacted.

287
288 **14. Approval of an Amendment to the Memorandum of Understanding (“MOU”)**
289 **Between the Village of Ruidoso and the County of Lincoln as the Administrative**
290 **Authority for Lincoln County Sheriff’s Office for Driving While Intoxicated (“DWI”)**
291 **Prevention Enforcement Activities and Reimbursement of Costs (Amending**
292 **Paragraph four – LCSO Deputies will be paid time and half as reimbursement for**
293 **services in an amount not to exceed ~~\$2,000~~ (\$6,000).**
294

295 Manager Pearson explained the amendment to the MOU changing the amount from \$2,000 to
296 \$6,000 and stated the County of Lincoln would be reimbursed by the Village of Ruidoso.

297
298 **Motion:** Approve the Memorandum of Understanding as presented, **Action:** Approve, **Moved by**
299 Commissioner Serna, **Seconded by** Commissioner Fischer.

300 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

301 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
302 Chair Proctor.

303

304 **15. Lincoln County Executive Session Pursuant to the Open Meetings Act: Discussion**
305 **of All Threatened and/or Pending Litigation, Section 10-15-1, Subparagraph (H)(7);**
306 **Discussion of the Purchase Acquisition or Disposal of Real Property or Water**
307 **Rights by the Public Body, Section 10-15-1, Subparagraph (H)(8); and Limited**
308 **Personnel Matters, Section 10-15-1, Subparagraph (H)(2)**
309

310 **Motion:** To close the meeting for the purposes of an Executive Session to discuss Threatened
311 and/or Pending Litigation, Section 10-15-1, Subparagraph (H)(7); Discussion of the Purchase
312 Acquisition or Disposal of Real Property or Water Rights by the Public Body, Section 10-15-1,
313 Subparagraph (H)(8); and Limited Personnel Matters, Section 10-15-1, Subparagraph (H)(2),

314 **Action:** Approve, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Pfeiffer.

315 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

316 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeiffer, Commissioner Crunk,
317 Chair Proctor.

318
319 Chair Proctor recessed the Special Meeting and convened the Closed Session at 11:39 AM.
320

321 **New or Updated Matters since last report ***
322

323 1. **Board of County Commissioners of Lincoln County v. Roger Romero D-1226-CV-**
324 **2018-00055** Complaint for Foreclosure. Complaint was filed February 20, 2018. Defendant Roger
325 Romero filed an Answer to the Complaint asserting a Counterclaim to be filed in the U.S. District
326 Court on April 2, 2018. A Judicial Inquiry Hearing took place September 4, 2018. The case is
327 still pending.
328

329 2. **Roger Romero v. State of New Mexico – D-1226-CV-2018-00113 (Underlying Cases**
330 **are: Board of County Commissioners of Lincoln County v. Roger Romero, D-1226-CV-**
331 **2018-00055, and State of N.M. v. Roger Romero M-30-MR-2016-00142)** A Petition for Writ of
332 Habeas Corpus was filed requesting that the Judgment & Sentence entered by Judge Vega in
333 Cause No. M-30-MR-2016-00142 be vacated and set aside. George Romero's Answer to
334 Complaint and Counterclaim was filed April 30, 2018 in Cause No. D-1226-CV-2018-00055. On
335 February 26, 2019, an Order Setting Aside Conviction was entered by Judge Counts.
336

337 **On March 25, 2019, a Notice of Appeal was filed with the N.M. Supreme Court, Case**
338 **No. S-1-SC-37602** On January 8, 2021, the Supreme Court entered its Dispositional Order of
339 Transfer transferring the case to the Court of Appeals for consideration and review.
340

341 **On January 28, 2021, a Dispositional Order was entered transferring the case to the**
342 **NM Court of Appeals for consideration and review. Case No. A-1-CA-39446** On December
343 8, 2022, the case was submitted to a 3 Judge Panel for a decision.
344

345 3. **Romero, et al. v. Stone, et al, Cause No. D-1226-CV-2019-00271** Request for
346 Appointment of Guardian Ad Litem for Plaintiffs and Complaint for Violation of Civil and
347 Constitutional Rights, Negligence, Prima Facie Tort and Wrongful Taking was filed on October 9,
348 2019 along with a Jury Demand. Lisa B. Riley is the presiding Judge. The case is still pending.
349

350 4. **Brd. of County Commissioners of Lincoln County v. Amerisourcebergen Drug**
351 **Corp., et. al – U.S. Dist. Court Case No. 2:19-cv-00462** – Complaint for Public Nuisance,
352 Violations of Racketeer Influenced and Corrupt Organizations Act (RICO)... filed on May 20, 2019
353 by Attorneys Robles, Rail & Anaya, P.C., et. al. After receiving no oppositions to the transfer of
354 the case, on June 17, 2019, the case was transferred to the Northern District of Ohio noting that

355 as of December 5, 2017, 1,534 cases have been transferred to Ohio for further proceedings.
356 Settlement has been reached with some of the Defendants and, Lincoln County has begun to
357 receive payments from some of the settling Defendants. The case is still pending.
358

359 5. **Greentree Solid Waste Authority v. Lincoln County, Cause No. D-1226-CV-2014-**
360 **00095** – Compromise and Settlement Agreement and Release executed on December 17, 2015.
361

362 6. **Debra Wilcox v. Board of County Commissioners, Deputy Samuel C. Hanna,**
363 **Caroline McCoy and Former Sheriff Robert Shepperd, Cause No. D-1215-CV-2021-00574**
364 Complaint for Damages was filed on the 2nd day of September, 2021 by Steven Sanders alleging
365 personal injury resulting from an improper and grossly negligent investigation and for “malicious
366 abuse of process”. County Defendants were served on November 2, 2021. The case is still
367 pending.
368

369 7. **Eby Revocable Trust AND William R. Moser v. Lincoln County Assessor, et al,**
370 **Cause No. D-1226-CV-2021-0260** A Notice of Appeal of Decision of Tax Protest Board was filed
371 on the 14th day of December, 2021 by Attorney Zach Cook. On January 27, 2022, New Mexico
372 Counties assigned Attorney Daniel Macke to represent Lincoln County. The case is still pending.
373

374 8. **Crystal Buster v. Board of County Commissioners for Lincoln County, Correctional**
375 **Solutions Group, LLC, et al, Cause No. 2:21-cv-01208** A Complaint for Recovery of Damages
376 Caused by the Deprivation of Civil Rights with a Jury Demand was filed on the 12th day of
377 December, 2021, by Coyte Law P.C., and the Law Offices of Matthew Vance, P.C. The case is
378 still pending.
379

380 9. **Lionel Burns v. Lincoln County Sheriff’s Department; Deputy Daniel Brawley; in**
381 **their individual and official capacities, and Rhonda Burns, Cause No. D-1226-CV-2022-**
382 **00032** A Complaint for Damages was filed on the 4th day of March, 2022, by Clayton E. Crowley,
383 Esq. and Joseph J. Gribble, Esq.
384

385 **On April 22, 2022 the case was removed to the U.S. District Court for the District of**
386 **New Mexico, Cause No. 1:22-cv-000304.** The case is still pending.
387

388 10. **Potential Recovery of County of Lincoln Losses from the McBride / Nogal Fires**
389

390 11. **Butch’s Properties, LLC v. Vera Cruz Ranches, et al, Cause No. D-1226-CV-2022-**
391 **00166** A Complaint to Quiet Title was filed on the 18th day of August, 2022 by Attorney William
392 Griffin. Lincoln County was served on the 26th day of August, 2022, and filed its Answer to the
393 Complaint on the 26th day of September, 2022. The case is still pending.
394

395 12. **Rosarita Brady, et al v. The Board of County Commissioners of the County of**
396 **Lincoln, et al, Cause No. D-1226-CV-2022-00199** A Verified Complaint was filed by Attorneys
397 Alexandra Bobbit and McKenzie St. Denis on the 27th day of September, 2022. Lincoln County
398 was served on the 22nd day of November, 2022. Lincoln County Defendants filed their Motion to
399 Dismiss in Lieu of an Answer to the Complaint on the 6th day of January, 2023.
400

401 13. **Dennis Rich and Yvonne Rich, v. Walt Hill, et al, Cause No. D-1226-CV-2022-00230**
402 A Complaint to Quiet Title was filed on the 22nd day of November, 2022 by Attorney H. John
403 Underwood. The County of Lincoln has yet to be served.
404

405 **Tort Claims Notices Received or Threatened**

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2023

***Ramos, Heber** – Tort Claim Notice received on February 17, 2023, alleging Civil Rights Violations and injuries sustained while Mr. Ramos was incarcerated at the Lincoln County Detention Center.

Booth, Marcus – Tort Claim Notice received January 26, 2023, alleging injuries sustained by Claimants head due to the actions by staff of the Lincoln County Detention Center and staff's refusal to take Claimant for medical treatment.

Ornelas, Mark – Tort Claim Notice received on January 4, 2023, alleging injuries sustained on October 11, 2022, as a result of an automobile accident / rollover of the Detention Center Transport Van owned by Lincoln County while being transported from Eddy County Detention Center to Lincoln County Detention Center.

2022

Schwartz, Neil – Tort Claim Notice received on February 10, 2022 alleging malicious and/or tortious actions and/or omissions by the State of New Mexico, the Lincoln County Sheriff's Department, the New Mexico State Police, and the Twelfth Judicial District Attorney's Office resulting in damages to Claimant including, but not limited to, infliction of mental pain and suffering, injuries to Claimant's reputation, and current and future loss of earnings.

Downs, Barbara – Tort Claim Notice received May 6, 2022 alleging improper road and/or waterline maintenance resulting in a vehicle collision due to the icy road at the intersection of Sudderth Drive and Paradise Canyon in Ruidoso, New Mexico. A 2nd Tort Claim Notice was received on May 9, 2022 for a separate source with the same allegations as those set out in the May 6, 2022 notice.

McMinn, David – Tort Claim Notice received on July 6, 2022, alleging multiple, serious issues due to the use of excessive force by BIA law enforcement who may have been agents of or acting on behalf of the Village of Ruidoso, Ruidoso Police Department, Lincoln County, N.M. State Police and the State of New Mexico.

New Mexico Boys and Girls Ranches, Inc. and its Employee, Bridgman, Ted – Tort Claim Notice received on August 9, 2022, alleging violation of civil rights and tort claims act, including a demand to cease and desist and the return of promotional materials confiscated by County representatives at the Lincoln County Fair.

Villanueva, Leticia – Tort Claim Notice received on October 3, 2022, alleging negligent, malicious and/or tortious actions and/or omissions, and infliction of pain and suffering.

Estates of Wesley Clark and Linda Clark – Tort Claim Notice received on October 11, 2022 alleging wrongful deaths as a result of the McBride Fire due in part to faulty siren warning systems.

Snodgrass, Joshua – Tort Claim Notice received on November 2, 2022 concerning loss of employment with the Lincoln County Sheriff's Office commencing on June 23, 2022.

Grassie, Kurtis - Loss of employment with the Lincoln County Sheriff's Office commencing on June 23, 2022.

457 **2021**

458 **Cervantez, Adam** - Tort Claim Notice received on July 8, 2021 alleging the use of
459 excessive force and related constitutional claims during his arrest on April 22, 2021.

460
461 **Kieter, Dave; Jakubcewicz, Mark; Riddle, Jasper; Patton, Van** – Tort claim Noticed
462 received on July 27, 2021. Claimants each allege damages to personal and real property as a
463 result of the extraordinary flooding experienced throughout Lincoln County.

464
465 **Myers, Sylvia** – Tort Claim Notice received August 30, 2021 alleging that Lincoln County
466 Medical Center’s treatment fell below the standard of care.

467
468 **Siegel, Erik** – Tort Claim Notice received August 30, 2021 alleging deprivation of rights
469 involving tort, constitutional rights, and other claims.

470
471 **White, Lionel Glenn, Jr., and family members and tenants, Ralph Nosker and his**
472 **family members, Barbara Arthur and her family members, and Barlou, LLC** – Tort Claim
473 Notice received September 16, 2021 alleging inundation by water resulting in damages to existing
474 roadways and parking in the Gavilan Canyon Road area which are all located within the
475 municipality of the Village of Ruidoso.

476
477 **Smoley, Cinthia** – Ms. Smoley submitted to the Lincoln County Treasurer Department a
478 Statement dated 11/2/2021, for “Arbitration Award/monies due for default”.

479
480 **Vonderane, Glenn** – Tort Claim Notice received October 19, 2021 alleging personal injury
481 while using a staircase at the Village of Ruidoso public parking lot located at 151 Center Street.

482
483 Chair Proctor adjourned the Closed Session and reconvened the Special Meeting at 12:45 PM.

484
485 Commissioner Crunk attested matters discussed in the closed meeting were limited to those
486 specified in the motion for closure or in the notice of separate closed meeting and no action was
487 taken.

488
489 **16. Signing of Official Documents**

490
491 **17. Next meeting:**
492 a. Tuesday, March 21, 2023, Regular Commission Meeting

493
494 **18. Adjourn**

495
496 **Motion:** Adjourn, **Action:** Adjourn, **Moved by** Commissioner Crunk, **Seconded by**
497 Commissioner Fischer.

498 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

499 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
500 Chair Proctor.

501
502 There being no further business to come before the Board of County Commissioners, Chair
503 Proctor adjourned the meeting at 12:49 PM.

504
505 Respectfully submitted by,
506 Shannan Hemphill

DRAFT

COUNTY OF LINCOLN

New Mexico Regular Meeting Board of County Commissioners

Todd Proctor, Chair
Jon Crunk, Vice Chair

Samantha Serna, Member
Mark Fischer, Member
Pierre Pfeffer, Member

Minutes Tuesday March 21, 2023

Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on March 21, 2023, in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico. The meeting was also accessible via Zoom.

1. Call to Order

Chair Proctor called the Regular Meeting of the Board of County Commissioners to order at 8:30 AM.

2. Roll Call

Roll Call.

Present: Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

Others present included Ira Pearson, County Manager; Alan Morel, County Attorney; and Shannan Hemphill, County Clerk.

3. Invocation

The Invocation was presented by Commissioner Crunk.

4. Pledge of Allegiance

- a. Pledge – USA 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 Fischer, **Seconded by** Commissioner Serna.

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

Yes: Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

6. Approval of Minutes:

50 a. February 21, 2023, Regular Commission Meeting

51

52 **Motion:** Approve the minutes of February 21, 2023, Regular Commission Meeting, **Action:**
53 Approve, **Moved by** Commissioner Serna, **Seconded by** Commissioner Pfeffer.

54 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

55 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
56 Chair Proctor.

57

58 **7. Approval of Consent Agenda**

59 a. Payroll/Accounts Payable/Budget/ Expenditures

60 b. Treasurer's Financial Report for the Month ending February 28, 2023

61 c. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims

62 d. Approval of Procedures & Timeline for 2023-2024 Budget Preparation

63 e. Cooperative Law Enforcement Agreement Between the County of Lincoln and the
64 USDA, Forest Service, Lincoln National Forest

65 f. Approval of Prior Year Invoice Received 3/13/2023 – Presbyterian **-\$562.00**

66 g. Approval of Subaward Recipient Agreement Between the County of Lea and the
67 County of Lincoln

68 h. 2022 Volunteer Firefighters Annual Reporting

69 -Arabela Volunteer Fire Department

70 -Bonito Volunteer Fire Department

71 -Glencoe Palo Verde Volunteer Fire Department

72 -Hondo Valley Volunteer Fire Department

73 -Lincoln Volunteer Fire Department

74 -Nogal Volunteer Fire Department

75 -White Oaks Volunteer Fire Department

76

77 Chair Proctor questioned item 7f. and Manager Pearson stated it was for pre-employment
78 physicals and the bills would be sent sooner in the future.

79

80 Commissioner Serna requested item 7b. Treasurer's Financial Report be pulled out of the
81 Consent Agenda and be discussed separately.

82

83 **Motion:** Approve Consent Agenda excluding Item 7b., **Action:** Approve, **Moved by**
84 Commissioner Crunk, **Seconded by** Commissioner Serna.

85 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

86 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
87 Chair Proctor.

88

89 7b. Sherrie Huddleston, Treasurer, provided a brief overview of the Treasurer's Financial Report
90 for the Month ending February 28, 2023. Commissioner Fischer questioned the risks of the funds
91 deposited in banks right now. Treasurer Huddleston informed they were currently insured at
92 102%.

93

94 Commissioner Pfeffer questioned the long-term planning of Annual Budgets. Commissioner
95 Serna explained the County had a comprehensive plan however, it was last updated in 2008 and
96 may need to be revisited. Commissioner Pfeffer requested it be brought as an agenda item in the
97 next Regular Commission Meeting.

98

99 **Motion:** Approve Item 7b., **Action:** Approve, **Moved by** Commissioner Crunk, **Seconded by**
100 Commissioner Pfeffer.

101 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).
102 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
103 Chair Proctor.

104
105 **SEE EXHIBIT A:** Copies of the Consent Agenda items are attached hereto in reference thereto
106 made a part hereof.

107
108 **8. Approval of Budget Adjustment FY 22/23 by Resolution 2023-43**

109
110 Manager Pearson explained the Budget adjustments and detailed the changes in the line items.
111 Manager Pearson stated the increase in the road department was due to a match in the Local
112 Government Transportation Project Fund. Manager Pearson informed they moved the Colonias
113 to a separate line item and created its own fund. Manager Pearson stated the Indigent funds
114 Safety Net Care Pool would be \$68,000 short so a budget adjustment would be needed to cover
115 it.

116
117 **Motion:** Approve Budget Adjustment FY 22/23 by Resolution 2023-43, **Action:** Approve, **Moved**
118 **by** Commissioner Crunk, **Seconded by** Commissioner Serna.

119 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).
120 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
121 Chair Proctor.

122
123 **SEE EXHIBIT B:** Copy of Resolution 2023-43 is attached hereto in reference thereto made a part
124 hereof.

125
126 **9. Forest, Land & Natural Resources Matters:**

127 a. Smokey Bear Ranger District

128
129 Jennifer Thomas, Smokey Bear Ranger District, briefed on three projects; fence construction
130 around the blue lake area, McBride post fire vegetation treatment at Warrior Dr and Gavilan Rd,
131 and the OCEC power line replacement around FR117 and stated the comment period would be
132 open until April 20, 2023. Ms. Thomas stated the funding for the McBride fire restoration and
133 repair would be used to reseed areas not yet covered.

134
135 Ms. Thomas spoke about the Declaration of Fire Danger being considered by the County and
136 said she did not feel it was needed but if the Commissioners felt it necessary it should be
137 considered.

138
139 Commissioner Fischer questioned the work with the allotment owners and the reduction of the
140 cattle in the allotment areas. Ms. Thomas stated the District had not limited current permittees
141 and they work together with permittees when issues arise. Chair Proctor stated Bonito Lake was
142 full again and was questioning the work with the City of Alamogordo to refresh the entire area.

143
144 b. Lincoln County / NMSU Extension Services

145
146 Melody Gaines, Family Consumer Science Agent, detailed some of the happenings in the office
147 over the last month. Mrs. Gaines explained some upcoming events around the state which the
148 office and youth of the County would be participating in.

149
150 c. South Central Mountain RC & D

151

152 Robert Barber, Board of Directors RC&D, updated on the progress with the EWP and WUI
153 Projects and explained they were ongoing and would need to be maintained. Mr. Barber stated
154 Resolution 2017-25 Land Use Plan was being redone and they would need the County assistance
155 in approval and enforcement.

156
157 d. Upper Hondo Soil & Water Conservation District
158

159 Mr. Barber informed the EWP in the Hondo Valley was being hampered with the larger water flow,
160 however the EWP in Nogal Canyon was proceeding well, and they would start seeding soon and
161 using the waddles. Mr. Barber stated they were looking to hire an additional person.

162
163 e. Land and Natural Resources Advisory Committee-LANRAC
164

165 Mr. Barber explained they were monitoring the BLM grazing activity. Mr. Barber stated they had
166 only seen chapters 1-2 of the draft EIS so far. Mr. Barber discussed the need for them to support
167 the allotment owners.

168
169 Robert Shepperd, LANRAC, explained the Forrest Service owned the water rights and the mineral
170 rights and how that affected the allotment owners.

171
172 **12. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY**
173 **OFFICIALS (Items are for discussion only – no action will be taken)**
174

175 Commissioner Fischer discussed the allotment owners and his concerns with the Federal
176 Government having too much control.

177
178 Chair Proctor attended the Fire Station opening celebration along with fellow Commissioners.
179 Chair Proctor attended the onsite meeting with Pattern energy to look at the variance request.
180 Chair Proctor also attended the opening of the ballot boxes along with Commissioner Pfeffer.

181
182 Clerk Hemphill spoke about a couple of upcoming Special Elections which will be taking place in
183 the County. Clerk Hemphill thanked the Commissioners who attended the opening of the ballot
184 boxes and welcomed the Commissioners and the public to attend all election related activities in
185 her office.

186
187 Treasurer Huddleston stated her office was mailing out the notices letting everyone know the
188 second half of the taxes were due.

189
190 Sheriff Wood detailed statistics from his office over the last month.

191
192 George Vega, Chief Appraiser, stated the notice of values would be mailed from the Assessor's
193 Office at the end of the month.

194
195 Robert Shepperd, County resident, stated Elk were not native to area and they were brought into
196 the area in the 1960's. Mr. Shepperd questioned the UTV usage and the damage caused to
197 property and livestock. Mr. Shepperd would like to see the Forest Service better assist the
198 allotment owners with materials needed in the upkeep of their areas.

199
200 Steven Ochoa, Public Defender, stated he would be attending Commission meetings more often.
201 Mr. Ochoa requested an Agenda item for a game and fish expert to present before the

202 Commission. Mr. Ochoa detailed some of the Elk hunts in the area and the amount of Elk tags
203 which had been issued.

204
205 Gary Popplewell, resident, reviewed the discussion list he presented last month and requested
206 the items be reviewed, discussed and added to future agendas.

207
208 Cynthia Black, resident and business owner, spoke on the threats by the Federal Government on
209 the rights of the citizens as well as the attempted power grab from the State over the local
210 government's ability to regulate themselves. Ms. Black mirrored Mr. Popplewell's concerns.

211
212 Chair Proctor recessed the Commission meeting at 9:52 AM and reconvened the Regular
213 Commission meeting at 10:00 AM.

214
215 **10. Consideration of Variance Request for Pattern SC Holdings LLC, Ancho Wind LLC,**
216 **Cowboy Mesa LLC, and Mesa Canyon Wind, LLC (collectively the "SunZia South**
217 **Project"), Lincoln County WECS**

218
219 Jeremy Turner, Pattern Energy, introduced Mckenna Carrusso, Associate Business Analyst, and
220 detailed her extensive involvement in the wind farm process.

221
222 Mr. Turner explained the blade tip height and reviewed the variance requested. Mr. Turner
223 explained they meet the setback required on 3 of the 4 setback requirements, the only one not
224 meeting the setbacks is the road setback requirements. Mr. Turner discussed turbine collapses
225 and when and how they handle them and stated the Dutch handbook showed there were 1/17,000
226 collapses.

227
228 Commissioner Pfeffer questioned the icing and shut down procedures and verified the turbines
229 would be shut down in icy weather no matter the set-back.

230
231 Chair Proctor discussed the safety concerns and stated he was content after participating in the
232 on-site visit. Chair Proctor felt it important to continue with the placement of each of the turbines
233 as the property owners were expecting them to be placed.

234
235 **Motion:** Approve the Variance Request for Pattern Energy on the 4 sites as described, **Action:**
236 Approve, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Fischer.

237 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

238 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
239 Chair Proctor.

240
241 **11. Lincoln County Clerk:**

242 a. Board of Registration Update

243
244 Clerk Hemphill detailed the process her office went through in conjunction with the Secretary of
245 State's Office to ensure the accuracy of the voter rolls. Clerk Hemphill explained the 2023 Board
246 of Registration convened on March 7, 2023 and consisted of three members from both parties,
247 Charles Rick Preston, Jerry Maly and Margaret "Margo" J McKee, who reviewed the list of inactive
248 voters, the certificates of registration and the electronic voter registration records. Clerk Hemphill
249 stated there were no discrepancies found and the Board certified for removal, all 764 voters
250 presented on the list.

251

b. Review, Discussion and Direction of the Master Software License Agreement
Between the County of Lincoln and Pioneer Technology Group

Clerk Hemphill explained there was a contract signed by the previous County Clerk for a new software system which they were in the process of implementing. Clerk Hemphill stated the new system would not work well with the current system being used in the Assessor's Office as well as the rest of the County offices. Clerk Hemphill informed that the County may need to consider the option of switching County-wide to a new system which would work better for all offices involved.

Manager Pearson explained the current software company the County was using and the inadequacy of the software as it was an old IBM Dos system. Manager Pearson stated the previous Clerk requested quotes and found a company that would work for her office, which was a good idea, to get a new system with better functionality. The problem was the company chosen was specific to Clerk's offices and did not have modules for other County offices. Manager Pearson requested permission to go out to RFP for a County wide system.

Attorney Morel explained he had not reviewed the contract prior to signing and was unsure if the County would be able to get out of the contract or if they would have to continue with it, and he was unsure if the County Clerk even wanted out of the current contract. Clerk Hemphill stated they had already paid about \$9,000 to Pioneer for services so far and they ensured they would be able to work with the other offices if they moved to a non-IBM Dos based system.

Clerk Hemphill stated her office was only doing basic data entry in anticipation of switching software companies. Clerk Hemphill informed her office would be willing to wait on transitioning if they were able to get out of the current contract and the County as a whole would be going to another software provider, however, if that was not possible, she would continue the process to switch to Pioneer Technology Group.

Commissioner Crunk questioned the amount of time expected prior to a new system being implemented. Manager Pearson stated there would be a 90-day window in reviewing the RFP's before the implementation could even begin. Commissioner Crunk stated the County had outgrown the old binary system and he felt it best for the County as a whole to be on a new software if possible.

Commissioner Pfeffer stated since none of the offices were happy with the current software provider the County would have to find a new provider in the not too distant future and he didn't feel it appropriate to delay the search. Chair Proctor requested Attorney Morel reach out to Pioneer to determine what terms and conditions would be required to terminate the contract. Chair Proctor felt it best to have all departments on the same software. Manager Pearson stated he would prepare an RFP for approval at the next Commission meeting.

13. Lincoln County Detention Center Update- Warden, Ross Castleton

Manager Pearson provided an update on the detention center and informed BIA picked up the entire BIA population and took them for medical review and then housed them in Colorado and elsewhere. Manager Pearson stated a new contract was being worked on.

Mr. Ochoa, Public Defender, explained local holds were being held in another state. Mr. Ochoa informed they were unable to communicate with their clients and hoped the contract would be worked out soon.

303
304 Attorney Morel stated the County should contact Mescalero directly and make sure they were
305 aware it was not the County who removed them from the local Detention Center. Commissioner
306 Crunk questioned the ability to include the US Senators in working through the process
307 immediately.

308
309 **14. Lincoln County Medical Center:**

310 a. Update – Todd Oberheu

311
312 Todd Oberheu updated on the Hondo clinic and the security changes of the clinic. Mr. Oberheu
313 stated there was a potential solution found for the drainage at the Medical Center. Mr. Oberheu
314 informed the bridge exiting the back of the hospital was too rough and needed some changes.

315
316 Mr. Oberheu explained Heritage moved out of their space so Presbyterian was looking to move
317 Dr. Rath and Dr. Combs to that location to make a future Women’s Clinic and free up some space
318 in the medical complex.

319
320 Mr. Oberheu stated he was working with Sandy Nunnally to increase to 24-hour ambulance
321 stations in three locations, Carrizozo, Alto and Ruidoso.

322
323 Mr. Oberheu detailed the Unity Point and Presbyterian merger and stated until 2021 the President
324 of Unity was the COO of Presbyterian. Mr. Oberheu felt it would be a strong organization after the
325 merger was complete.

326
327 Commissioner Pfeffer requested County Attorney stay focused on the Merger to make sure the
328 County still had a say and easy working relationship with the organization after the merger was
329 complete.

330
331 b. Discussion and Direction Regarding the Medical Director Agreement for Volunteer
332 Fire Department and Emergency Medical Dispatch

333
334 Mr. Oberheu informed Dr. Otero oversees the process and is available to Dispatch and the Fire
335 Department for consultation on medical needs. Mr. Oberheu stated funding was available for
336 training of EMS and possible Fire Department and Emergency Medical Dispatch personnel to
337 become fully EMS trained.

338
339 **Motion:** Approve the Medical Director Agreement for the Volunteer Fire Department and
340 Emergency Medical Dispatch, **Action:** Approve, **Moved by** Commissioner Fischer, **Seconded**
341 **by** Commissioner Serna.

342 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

343 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
344 Chair Proctor.

345
346 c. Consideration and Approval of the Temporary Operating Agreement and Premises
347 License Between the County of Lincoln and Presbyterian Healthcare Services
348 (Hondo Valley Healthcare Clinic)

349
350 **Motion:** Approve the temporary operating agreement for the Hondo Valley Healthcare Clinic,
351 **Action:** Approve, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Fischer.

352 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

353 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
354 Chair Proctor.

355
356 **15. Manager's Report**
357

358 **1) New Mexico Counties (NMC) Hosts Harassment Prevention Training – 2/23/2023**
359

360 Mark Allen (NMC HR attorney) facilitates many trainings that are offered to our county at
361 no cost. Some trainings are designed for supervisors, while this training was geared for
362 all employees.

363 *This training will provide the participant an understanding of the behavior and*
364 *conduct which constitutes unlawful harassment on the basis of sex, sexual*
365 *orientation, gender identity, race, color, religion, national origin, age (40+), and*
366 *disability. Participants will learn the difference between quid pro quo sexual*
367 *harassment and hostile work environment, who can be considered harassers, and*
368 *that illegal harassment is not limited to the workplace.*
369

370 **2) Consolidated Dispatch Update**
371

372 The Village of Ruidoso is still working on the Horton Complex that will contain the dispatch
373 center. The County of Lincoln, Ruidoso and Ruidoso Downs are still working on finalizing
374 an agreement between the entities. Preliminary numbers show that the County of Lincoln
375 will be paying around \$500,000 per year based on charging per call volume. Current
376 County dispatchers will be offered a VOR dispatch job when the consolidation takes place.
377 Current budgeted FTE salary and benefit cost to the county is around \$417,000 – Seven
378 positions.
379

380 **3) Kick-off Meeting for the Lincoln County Multi-jurisdictional Hazard Mitigation Plan**
381

382 Wendy Blackwell - SWCA Environmental Consultants – Lead the meeting to introduce
383 and discuss the Planning Team role, planning process, timeline, and community
384 involvement approach. The VOR is the Lead for the Contract. VOR, Ruidoso Downs,
385 Village of Capitan and Lincoln County were all present (we discussed reaching out to
386 Village of Corona). This is a new project for me and will have to learn as we go. Joe
387 Kenmore and a few others have worked on Hazard Mitigation Plans in the past – We will
388 be leaning on them for support.
389

390 **4) Report a Road Concern is Up and Running on the Website.**
391

392 www.lincolncountynm.gov / How Do I / REPORT ROAD CONCERN
393

394 This form automatically emails Road Superintendent, Admin, me and the Road Foreman.
395 Provided phone numbers, pictures and email addresses help staff respond to concerns
396 and organize the work schedule.

397 Please ask residents, employees and elected officials to utilize this tool.
398

399 **5) Meeting with Penasco Valley Telephone – Mitch Hibbard**
400

401 Mitch Hibbard met with staff to update us on the Lincoln Fiber Project and the future plans
402 of installing fiber in Lincoln County. He will be able to present at the 4/18/23 BOCC
403 meeting.
404

405 **6) Sun Valley Fire Station – Open House 3/7/2023**

406
407 The open house was a great success. I want to thank everyone for attending and
408 welcoming this new building to our fire team.
409

410 **7) Lincoln County Recovery Coordination Meeting (DR-4652)**

411
412 Every two weeks we join the NMDHSEM team to discuss the latest progress on our
413 recovery efforts (McBride and Nogal Fires). FEMA NMDHS, County, VOR EDA and many
414 more teams give the latest update and try to set achievable goals before the next meeting.
415 Progress has been made with EDA (future funding opportunities). We still have NOT been
416 reimbursed for CAT A & B (debris clean up).
417

418 **8) Pre-Bid Conference for IFB 22-23-3 Lincoln County Courthouse Drainage**
419 **Improvements 3/10/23**

420
421 A virtual Pre-Bid conference was held for the courtyard drainage project. Only one
422 company attended the discussion. Bids are due 3/21/2023. BOCC will get updates as
423 soon as complete the IFB Process.
424

425 **9) Director's Reports**

426
427 **29. Discussion and Consideration of Purchasing a Back-Up Generator for Sheriff's**
428 **Dispatch Center**

429
430 Nicholas Losito, DFA Local Government Division E911 Bureau, explained the best approach
431 would be for the County to purchase the Generator, have it installed and be reimbursed through
432 the FY24 Grant. Mr. Losito stated they could reimburse for a temporary generator through the
433 FY23 Grant.
434

435 Joe Kenmore, OES, informed the electrician checked the location and they were currently running
436 about 15KW so the 25KW generator from New Horizons would be sufficient. Mr. Kenmore stated
437 it would cost about \$4,000 to pull the old generator, install and check the new one.
438

439 **Motion:** Approval of the purchase of a generator not to exceed \$75,000 and the purchase of the
440 UPS replacement using the Statewide Price Agreement as presented, **Action:** Approve, **Moved**
441 **by** Commissioner Pfeffer, **Seconded by** Commissioner Fischer.

442 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

443 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
444 Chair Proctor.
445

446 Chair Proctor recessed the Commission meeting at 12:27 PM and reconvened the Regular
447 Commission Meeting at 1:00 PM.
448

449 **16. Lincoln County Fairgrounds House Update – Road Superintendent, Jeffrey**
450 **Honeycutt**

451
452 Mr. Honeycutt stated they had an expected completion date of May 18, 2023, and they had spent
453 about 32% of the approved funds so far.

454
455 **17. Lincoln County Lodger's Tax:**

- 456 a. Obtain Board of County Commissioner's Approval to Select Two (2) Specific
457 Lodgers for Audit:
458 1. Condotel aka Vacation Rental Pros – NM
459 2. Caldwell Investment Holdings, LLC
460

461 Manager Pearson explained per the County Ordinance section 9(2) the County Manager may
462 choose to audit any vendor to verify the full amount of lodger's tax was collected.

463
464 **Motion:** Approve the two specific Lodgers for audit as presented, **Action:** Approve, **Moved by**
465 Commissioner Crunk, **Seconded by** Commissioner Serna.

466 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

467 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
468 Chair Proctor.

- 469
470 b. Obtain Board of County Commissioner's Random Selection of Two (2) Additional
471 Lodgers for FY 21/22 Annual Audit
472

473 The two additional Lodgers selected at random for audit were 111 (smaller size) and 14 (larger
474 size). The alternate, number 69, was selected at random from the larger size.

- 475
476 c. Approval of Lodger's Tax Funding Request:
477 1. Event: Ride Ruidoso – Spring Thunder Concerts
478 Amount Requested: \$20,000.00
479 Date(s) of Event(s): May 20, 2023
480 Presenter: Tim Roberts – Village of Ruidoso
481

482 Tim Roberts and Sydney Mallory, Village of Ruidoso, presented on the funding request and
483 detailed the Ride Ruidoso and Spring Thunder Concerts events. Mr. Roberts stated the overall
484 budget was about \$65,000 and they were looking for additional partners and businesses in the
485 County.

486
487 **Motion:** Approval of the Lodger's Tax Funding Request from the Village of Ruidoso in the amount
488 of \$20,000, **Action:** Approve, **Moved by** Commissioner Crunk, **Seconded by** Commissioner
489 Serna.

490 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

491 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
492 Chair Proctor.

- 493
494 d. Consideration and Approval to Appoint Ashley Roberts to Lodger's Tax Committee
495

496 **Motion:** Approve the appointment of Ashley Roberts to the Lodger's Tax Committee, **Action:**
497 Approve, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Serna.

498 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

499 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
500 Chair Proctor.

501

502 **18. Discussion and Consideration of Resolution 2023-45: Declaration of Fire Danger**
503 **Emergency**

504
505 Joe Kenmore, OES Director, explained the vegetation was extremely dry and the winds weren't
506 letting up. Mr. Kenmore stated it was important and the Ordinance required anyone who was
507 going to do any type of burning to call into the dispatch center.

508
509 Commissioner Crunk questioned the timing and length of the Resolution and if it would be long
510 enough to cover the entire season as needed. Manager Pearson stated per State Statute it could
511 only be in place for 30 days but could be renewed again for an additional 30 days as needed.

512
513 **Motion:** Adopt Resolution 2023-45: Declaration of Fire Danger Emergency, **Action:** Adopt,
514 **Moved by** Commissioner Crunk, **Seconded by** Commissioner Fischer.

515 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

516 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
517 Chair Proctor.

518
519 **SEE EXHIBIT C:** Copy of Resolution 2023-45 is attached hereto in reference thereto made a part
520 hereof.

521
522 **19. Consideration of Lincoln County Sheriff's Office Omnibus Crime Bill Act/HB68**
523 **Spending Guidelines and Spending Plan**

524
525 Geraldine Martinez, Undersheriff LCSO, explained they were awarded a grant with required
526 expenditures over a three-year period. Undersheriff Martinez stated they finally received
527 clarification on the funding ability of the grant and informed the first amount was to be spent by
528 June 30, 2023. Undersheriff Martinez explained the County would like to provide the stipend, as
529 presented, to each of the Sheriff's Deputies with the full amount from the first year and then each
530 quarter for the subsequent years.

531
532 Manager Pearson questioned the stipend and if it would affect their bargaining agreement. Sheriff
533 Wood stated he did not believe it would affect their bargaining agreement.

534
535 Attorney Morel recommended revising it to say they must be in good standing, be certified, stay
536 for at least a year, and it would be subject to applicable taxes.

537
538 **Motion:** Approve the Lincoln County Sheriff's Office Omnibus Crime Bill Act/HB68 spending
539 guidelines and spending plan as outlined with recommended changes, **Action:** Approve, **Moved**
540 **by** Commissioner Crunk, **Seconded by** Commissioner Serna.

541 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

542 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
543 Chair Proctor.

544
545 **20. Lincoln County Fairgrounds**

546 a. Consideration to Approve the Fairgrounds Phase 1A Construction
547 Contract/Purchase Order to Renegade Construction, LCC.

548
549 Eric Hamilton, Wilson & Company, detailed construction phase 1A and expected completion by
550 July 4 rodeo. Commissioner Fischer questioned the ability to get some milestone progress
551 reports. Mr. Hamilton stated the review would likely happen every 2 weeks. Commissioner Pfeffer
552 questioned the schedule to determine if the July 4 rodeo would be able to be held without a

553 problem if the construction phase was not able to be completed. Mr. Hamilton stated progress
554 would be monitored at 30 and 45 days out to ensure accessibility for the event and a contingency
555 plan would be in place.

556
557 Attorney Morel requested the addition to the contract with Renegade Construction there would be
558 no penalties to the County if the project was not complete by the July 4 rodeo and they had to
559 remobilize.

560
561 **Motion:** Approve the Fairgrounds Phase 1A Construction Contract/Purchase Order to Renegade
562 Construction, LLC, **Action:** Approve, **Moved by** Commissioner Crunk, **Seconded by**
563 Commissioner Serna.

564 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

565 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
566 Chair Proctor.

567
568 b. Consideration of a Professional Services Task Order for Part-Time Construction
569 Management Services for the Fairgrounds Phase 1A Project to Wilson & Company
570

571 **Motion:** Approve the Professional Services Task Order for Part-Time Construction Management
572 Services for the Fairgrounds Phase 1A Project to Wilson & Company, **Action:** Approve, **Moved**
573 **by** Commissioner Serna, **Seconded by** Commissioner Crunk.

574 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

575 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
576 Chair Proctor.

577
578 c. Discussion and Consideration of the Fairgrounds Phase 1B construction project,
579 costs, available funding and Contract/Purchase Order
580

581 Eric Hamilton, Wilson & Company, explained the budget shortfall of \$900,000. Mr. Hamilton
582 detailed Phase 1B of the construction project. Mr. Hamilton explained the drainage enhancements
583 and storm drain need to be done together and the wash racks would be good to keep on the list
584 for the present time; however, the sidewalk and the full perimeter fencing could be done in the
585 future if needed. Mr. Hamilton recommended to begin Phase 1B after the Fair was over in August.

586
587 Commissioner Proctor questioned Wilson & Companies ability to help find additional funding
588 opportunities. Mr. Hamilton stated they had a Grantsmanship and Funding Team actively looking
589 for additional funding streams.

590
591 **Motion:** Approve Fairgrounds Phase 1B Construction Project, costs, and available funding and
592 Contract/Purchase Order using Lodgers Tax and ARPA for the shortfall, **Action:** Approve, **Moved**
593 **by** Commissioner Crunk, **Seconded by** Commissioner Serna.

594 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

595 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
596 Chair Proctor.

597
598 **21. Lincoln Domestic Water Association**

599 a. State Water Trust Board Funding Update
600

601 Rory McMinn, president of the Lincoln consumer domestic water association, stated the process
602 started in 2018 after review of water tanks and needed upgrades. Mr. McMinn informed the initial
603 grant was for \$2,360,000 with a match of \$280,000 which they had requested from the County.

604 Mr. McMinn explained they had planned to request an additional \$80,000 however it was now
605 less, so they were requesting an additional \$74,000. Mr. McMinn stated the project should be
606 complete in the first quarter of 2025.

607
608 Commissioner Crunk questioned the number of households the area serviced. Mr. McMinn
609 explained they had 54 meters and were looking to add additional fire hydrants on the opposite
610 side of the road and possibly a separate tank for fire use only. Mr. McMinn stated 30 of the 54
611 meters were owned by the State. Mr. McMinn informed rates had been increased to help cover
612 the additional costs.

613
614 b. Consideration of Request for Additional Grant Match Dollars Using the American
615 Rescue Plan Act (ARPA) Fund

616
617 **Motion:** Approve the additional \$74,000 using ARPA funds, **Action:** Approve, **Moved by**
618 Commissioner Crunk, **Seconded by** Commissioner Fischer.

619 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).
620 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
621 Chair Proctor.

622
623 **22. Consideration of Resolution 2023-46 Opposing the Listing of the Lesser Prairie**
624 **Chicken as an Endangered Species**

625
626 Chair Proctor explained the resolution was the County's way of stating their opposition.
627

628 **Motion:** Adopt Resolution 2023-46 opposing the listing of the lesser prairie chicken as an
629 endangered species, **Action:** Adopt, **Moved by** Commissioner Fischer, **Seconded by**
630 Commissioner Crunk.

631 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).
632 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
633 Chair Proctor.

634
635 **SEE EXHIBIT D:** Copy of Resolution 2023-46 is attached hereto in reference thereto made a part
636 hereof.

637
638 **23. Discussion and Direction Regarding the Solid Waste Management Contract and the**
639 **Issuance of a Request for Proposal (RFP)**

640
641 Manager Pearson requested direction on the issuance of an RFP for solid waste. Attorney Morel
642 stated a special meeting may be an option as there were a large number of topics to be discussed.
643 Treasurer Huddleston explained there was no money transferred into the solid waste department
644 from the general fund. Francesca Herrera, public works director, stated the equipment purchased
645 8 years ago was out of date. Chair Proctor requested a workshop and then the agenda item be
646 brought back at the next meeting.

647
648 **24. Lincoln County Executive Session Pursuant to the Open Meetings Act: Discussion**
649 **of All Threatened and/or Pending Litigation, Section 10-15-1, Subparagraph (H)(7);**
650 **And Discussion Of the Purchase Acquisition or Disposal of Real Property or Water**
651 **Rights by the Public Body, Section 10-15-1, Subparagraph (H)(8); And Limited**
652 **Personnel Matters, Section 10-15-1, Subparagraph (H)(2)**

653

654 **Motion:** To close the meeting for the purposes of an Executive Session to discuss Threatened
655 and/or Pending Litigation, Section 10-15-1, Subparagraph (H)(7); And Discussion Of the
656 Purchase Acquisition or Disposal of Real Property or Water Rights by the Public Body, Section
657 10-15-1, Subparagraph (H)(8); And Limited Personnel Matters, Section 10-15-1, Subparagraph
658 (H)(2), **Action:** Approve, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Serna.
659 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).
660 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeiffer, Commissioner Crunk,
661 Chair Proctor.

662
663 Chair Proctor recessed the Regular Meeting and convened the Closed Session at 2:57 PM.

664
665 **New or Updated Matters since last report ***

666
667 1. **Board of County Commissioners of Lincoln County v. Roger Romero D-1226-CV-**
668 **2018-00055** Complaint for Foreclosure. Complaint was filed February 20, 2018. Defendant Roger
669 Romero filed an Answer to the Complaint asserting a Counterclaim to be filed in the U.S. District
670 Court on April 2, 2018. A Judicial Inquiry Hearing took place September 4, 2018. The case is
671 still pending.

672
673 2. **Roger Romero v. State of New Mexico – D-1226-CV-2018-00113 (Underlying Cases**
674 **are: Board of County Commissioners of Lincoln County v. Roger Romero, D-1226-CV-**
675 **2018-00055, and State of N.M. v. Roger Romero M-30-MR-2016-00142)** A Petition for Writ of
676 Habeas Corpus was filed requesting that the Judgment & Sentence entered by Judge Vega in
677 Cause No. M-30-MR-2016-00142 be vacated and set aside. George Romero's Answer to
678 Complaint and Counterclaim was filed April 30, 2018 in Cause No. D-1226-CV-2018-00055. On
679 February 26, 2019, an Order Setting Aside Conviction was entered by Judge Counts.

680 **On March 25, 2019, a Notice of Appeal was filed with the N.M. Supreme Court, Case**
681 **No. S-1-SC-37602** On January 8, 2021, the Supreme Court entered its Dispositional Order of
682 Transfer transferring the case to the Court of Appeals for consideration and review.

683
684 **On January 28, 2021, a Dispositional Order was entered transferring the case to the**
685 **NM Court of Appeals for consideration and review. Case No. A-1-CA-39446** On December
686 8, 2022, the case was submitted to a 3 Judge Panel for a decision.

687
688 3. **Romero, et al. v. Stone, et al, Cause No. D-1226-CV-2019-00271** Request for
689 Appointment of Guardian Ad Litem for Plaintiffs and Complaint for Violation of Civil and
690 Constitutional Rights, Negligence, Prima Facie Tort and Wrongful Taking was filed on October 9,
691 2019 along with a Jury Demand. Lisa B. Riley is the presiding Judge. The case is still pending.

692
693 4. **Brd. of County Commissioners of Lincoln County v. Amerisourcebergen Drug**
694 **Corp., et. al – U.S. Dist. Court Case No. 2:19-cv-00462** – Complaint for Public Nuisance,
695 Violations of Racketeer Influenced and Corrupt Organizations Act (RICO)... filed on May 20, 2019
696 by Attorneys Robles, Rail & Anaya, P.C., et. al. After receiving no oppositions to the transfer of
697 the case, on June 17, 2019, the case was transferred to the Northern District of Ohio noting that
698 as of December 5, 2017, 1,534 cases have been transferred to Ohio for further proceedings.
699 Settlement has been reached with some of the Defendants and, Lincoln County has begun to
700 receive payments from some of the settling Defendants. The case is still pending.

701
702 5. **Greentree Solid Waste Authority v. Lincoln County, Cause No. D-1226-CV-2014-**
703 **00095** – Compromise and Settlement Agreement and Release executed on December 17, 2015.

704

- 705 6. **Debra Wilcox v. Board of County Commissioners, Deputy Samuel C. Hanna,**
706 **Caroline McCoy and Former Sheriff Robert Shepperd, Cause No. D-1215-CV-2021-00574**
707 Complaint for Damages was filed on the 2nd day of September, 2021 by Steven Sanders alleging
708 personal injury resulting from an improper and grossly negligent investigation and for “malicious
709 abuse of process”. County Defendants were served on November 2, 2021. The case is still
710 pending.
711
- 712 7. **Eby Revocable Trust AND William R. Moser v. Lincoln County Assessor, et al,**
713 **Cause No. D-1226-CV-2021-0260** A Notice of Appeal of Decision of Tax Protest Board was filed
714 on the 14th day of December, 2021 by Attorney Zach Cook. On January 27, 2022, New Mexico
715 Counties assigned Attorney Daniel Macke to represent Lincoln County. The case is still pending.
716
- 717 8. **Crystal Buster v. Board of County Commissioners for Lincoln County, Correctional**
718 **Solutions Group, LLC, et al, Cause No. 2:21-cv-01208** A Complaint for Recovery of Damages
719 Caused by the Deprivation of Civil Rights with a Jury Demand was filed on the 12th day of
720 December, 2021, by Coyte Law P.C., and the Law Offices of Matthew Vance, P.C. The case is
721 still pending.
722
- 723 9. **Lionel Burns v. Lincoln County Sheriff’s Department; Deputy Daniel Brawley; in**
724 **their individual and official capacities, and Rhonda Burns, Cause No. D-1226-CV-2022-**
725 **00032** A Complaint for Damages was filed on the 4th day of March, 2022, by Clayton E. Crowley,
726 Esq. and Joseph J. Gribble, Esq.
727
- 728 **On April 22, 2022 the case was removed to the U.S. District Court for the District of**
729 **New Mexico, Cause No. 1:22-cv-000304.** The case is still pending.
730
- 731 10. **Potential Recovery of County of Lincoln Losses from the McBride / Nogal Fires**
732
- 733 11. **Butch’s Properties, LLC v. Vera Cruz Ranches, et al, Cause No. D-1226-CV-2022-**
734 **00166** A Complaint to Quiet Title was filed on the 18th day of August, 2022 by Attorney William
735 Griffin. Lincoln County was served on the 26th day of August, 2022, and filed its Answer to the
736 Complaint on the 26th day of September, 2022. The case is still pending.
737
- 738 12. **Rosarita Brady, et al v. The Board of County Commissioners of the County of**
739 **Lincoln, et al, Cause No. D-1226-CV-2022-00199** A Verified Complaint was filed by Attorneys
740 Alexandra Bobbit and McKenzie St. Denis on the 27th day of September, 2022. Lincoln County
741 was served on the 22nd day of November, 2022. Lincoln County Defendants filed their Motion to
742 Dismiss in Lieu of an Answer to the Complaint on the 6th day of January, 2023.
743
- 744 13. **Dennis Rich and Yvonne Rich, v. Walt Hill, et al, Cause No. D-1226-CV-2022-00230**
745 A Complaint to Quiet Title was filed on the 22nd day of November, 2022 by Attorney H. John
746 Underwood. The County of Lincoln has yet to be served.
747
- 748 14. ***State of New Mexico v. Richard Jeremy Moisa, Cause No. M-30-MR-2022-00087A** A
749 Complaint for Violation of Lincoln County’s Animal Control Ordinance was filed by LCSO Sgt.
750 Jesse Finley on the 29th day of August, 2022. A Final Pre-Trial Conference is scheduled to take
751 place on the 28th day of March, 2023, and a Bench Trial is scheduled to take place before Judge
752 Mickie Vega on the 4th day of April, 2023.
753
- 754 15. ***BB Lane, LLC / 137 Bluebelle Lane** Violation of Lincoln County’s Lodgers’ Tax
755 Ordinance.

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Tort Claims Notices Received or Threatened

2023

***Smoley, Cinthia** – Tort Claim Notice received February 24, 2023, [Claimant also sent the Tort Claim directly to New Mexico Counties Claims Department] alleging that beginning on November 28, 2022, she was subjected to a conspiracy of constitutional deprivations when she was unlawfully removed from her home at 105 Bluebird Lane, Ruidoso, NM. Her claims include that: she sustained injuries while being detained, she was abused during her incarceration at the Lincoln County Detention Center, she was assigned a Public Defender without her consent, and that all of her pets were immediately euthanized by the Lincoln County Humane Society the day of her arrest. Claimant has named the following agencies in her claim: Twelfth Judicial District Court, Lincoln county Sheriff’s Office, Ruidoso Police Department, New Mexico State Police, Ruidoso Animal Control, Lincoln County Animal Control, Humane Society, Lincoln County Magistrate Court Judge, Katie Lund.

***Smoley, Robert** – Tort Claim Notice received February 24, 2023, [Claimant also sent the Tort Claim directly to New Mexico Counties Claims Department] alleging that beginning on November 28, 2022, he was subjected to a conspiracy of constitutional deprivations when he was unlawfully removed from his sister’s home at 105 Bluebird Lane, Ruidoso, NM where is resided. His claims include that he was abused during his incarceration at the Lincoln County Detention Center, he was assigned a Public Defender without his consent, and that all of his pets were immediately euthanized by the Lincoln County Humane Society the day of his arrest. Claimant has named the following agencies in his claim: Twelfth Judicial District Court, Lincoln county Sheriff’s Office, Ruidoso Police Department, New Mexico State Police, Ruidoso Animal Control, Lincoln County Animal Control, Humane Society, Lincoln County Magistrate Court Judge, Katie Lund.

Ramos, Heber – Tort Claim Notice received on February 17, 2023, alleging Civil Rights Violations and injuries sustained while Mr. Ramos was incarcerated at the Lincoln County Detention Center.

Booth, Marcus – Tort Claim Notice received January 26, 2023, alleging injuries sustained by Claimants head due to the actions by staff of the Lincoln County Detention Center and staff’s refusal to take Claimant for medical treatment.

Ornelas, Mark – Tort Claim Notice received on January 4, 2023, alleging injuries sustained on October 11, 2022, as a result of an automobile accident / rollover of the Detention Center Transport Van owned by Lincoln County while being transported from Eddy County Detention Center to Lincoln County Detention Center.

2022

Schwartz, Neil – Tort Claim Notice received on February 10, 2022 alleging malicious and/or tortious actions and/or omissions by the State of New Mexico, the Lincoln County Sheriff’s Department, the New Mexico State Police, and the Twelfth Judicial District Attorney’s Office resulting in damages to Claimant including, but not limited to, infliction of mental pain and suffering, injuries to Claimant’s reputation, and current and future loss of earnings.

Downs, Barbara – Tort Claim Notice received May 6, 2022 alleging improper road and/or waterline maintenance resulting in a vehicle collision due to the icy road at the intersection of Sudderth Drive and Paradise Canyon in Ruidoso, New Mexico. A 2nd Tort Claim Notice was

807 received on May 9, 2022 for a separate source with the same allegations as those set out in the
808 May 6, 2022 notice.

809

810 **McMinn, David** – Tort Claim Notice received on July 6, 2022, alleging multiple, serious
811 issues due to the use of excessive force by BIA law enforcement who may have been agents of
812 or acting on behalf of the Village of Ruidoso, Ruidoso Police Department, Lincoln County, N.M.
813 State Police and the State of New Mexico.

814

815 **New Mexico Boys and Girls Ranches, Inc. and its Employee, Bridgman, Ted** – Tort
816 Claim Notice received on August 9, 2022, alleging violation of civil rights and tort claims act,
817 including a demand to cease and desist and the return of promotional materials confiscated by
818 County representatives at the Lincoln County Fair.

819

820 **Estates of Wesley Clark and Linda Clark** – Tort Claim Notice received on October 11,
821 2022 alleging wrongful deaths as a result of the McBride Fire due in part to faulty siren warning
822 systems.

823

824 **Snodgrass, Joshua** – Tort Claim Notice received on November 2, 2022 concerning loss
825 of employment with the Lincoln County Sheriff's Office commencing on June 23, 2022.

826

827 **Grassie, Kurtis** - Loss of employment with the Lincoln County Sheriff's Office
828 commencing on June 23, 2022.

829

830 **2021**

831 **Cervantez, Adam** - Tort Claim Notice received on July 8, 2021 alleging the use of
832 excessive force and related constitutional claims during his arrest on April 22, 2021.

833

834 **Kieter, Dave; Jakubcewicz, Mark; Riddle, Jasper; Patton, Van** – Tort claim Noticed
835 received on July 27, 2021. Claimants each allege damages to personal and real property as a
836 result of the extraordinary flooding experienced throughout Lincoln County.

837

838 **Myers, Sylvia** – Tort Claim Notice received August 30, 2021 alleging that Lincoln County
839 Medical Center's treatment fell below the standard of care.

840

841 **Siegel, Erik** – Tort Claim Notice received August 30, 2021 alleging deprivation of rights
842 involving tort, constitutional rights, and other claims.

843

844 **White, Lionel Glenn, Jr., and family members and tenants, Ralph Nosker and his**
845 **family members, Barbara Arthur and her family members, and Barlou, LLC** – Tort Claim
846 Notice received September 16, 2021 alleging inundation by water resulting in damages to existing
847 roadways and parking in the Gavilan Canyon Road area which are all located within the
848 municipality of the Village of Ruidoso.

849

850 **Smoley, Cinthia** – Ms. Smoley submitted to the Lincoln County Treasurer Department a
851 Statement dated 11/2/2021, for "Arbitration Award/monies due for default".

852

853 **Vonderane, Glenn** – Tort Claim Notice received October 19, 2021 alleging personal injury
854 while using a staircase at the Village of Ruidoso public parking lot located at 151 Center Street.

855

856 Chair Proctor adjourned the Closed Session and reconvened the Regular Meeting at 3:49 PM.

857

858 Commissioner Crunk attested matters discussed in the closed meeting were limited to those
859 specified in the motion for closure or in the notice of separate closed meeting and no action was
860 taken.

861
862 **25. Approval to Sign and Submit the Teva and Allergan Opioid Settlement Participation**
863 **Forms**

864
865 Chair Proctor confirmed this Agenda item was not needed at this time.

866
867 **26. Consideration of Entering an Opioid Remediation Collaborative Joint Powers**
868 **Agreement between the County of Lincoln and Other “Counties” or “Participating**
869 **Entities”**

870
871 Adren Nance, Law firm of Nance, Pato & Stout, explained seven Counties had joined together in
872 a Joint Powers Agreement to pool opioid remediation funds and other Counties were considering
873 joining as well. Mr. Nance stated the funds were only available for Opioid remediation and their
874 use was extremely limited. Mr. Nance spoke about the needs assessment and the plans to
875 collaborate and stated Valencia County would be Fiscal Agent. Mr. Nance explained an
876 assessment would be done in each County to determine the needs.

877
878 Manager Pearson questioned the ability to remove the County from the JPA if it did not fit the
879 County need. Commissioner Crunk questioned if the cost of running the facility was beyond the
880 prescribed amount, would the County be required to add additional funds. Commissioner Pfeffer
881 requested the Agenda Item be brought back in April for consideration.

882
883 **27. Discussion and Direction Regarding Construction Permitting, Oversight and**
884 **Enforcement of the Memorandum of Understanding Between the Village of Ruidoso**
885 **and the County of Lincoln for the Provision of Regulation Services of Residential**
886 **and Commercial Construction Within Certain Specified Areas of the County of**
887 **Lincoln.**

888
889 Attorney Morel detailed the Memorandum of Understanding and explained the lack of
890 enforcement. Francesca Herrera, Public Works Director, explained they would need to work with
891 the Sheriff’s department on code enforcement.

892
893 There was a lengthy discussion about code enforcement. Commissioner Pfeffer requested the
894 Agenda Item be brought back in April for consideration.

895
896 **28. Discussion and Direction Regarding Placing Cellular Towers on County of Lincoln**
897 **Property**

898
899 Manager Pearson requested permission to gather information, when the county is approached
900 about placing cell towers, and bringing the information to the Commission for approval.

901
902 **30. Signing of Official Documents**

903
904 **31. Next meeting:**

905 a. Tuesday, April 18, 2023, Regular Commission Meeting

906
907 **32. Adjourn**

908

909 **Motion:** Adjourn, **Action:** Adjourn, **Moved by** Commissioner Crunk, **Seconded by**
910 Commissioner Serna.

911 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

912 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
913 Chair Proctor.

914

915 There being no further business to come before the Board of County Commissioners, Chair
916 Proctor adjourned the meeting at 4:38 PM.

917

918 Respectfully submitted by,

919 Shannan Hemphill

920 Lincoln County Clerk

DRAFT



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

www.lincolncountynm.gov

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, 2023
- c. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims
- d. Restricted Housing Report - Quarter Ending March 2023
- e. Approval of Proclamation Declaring the Month of May as Motorcycle Awareness Month
- f. Approval of Resolution 2023-48 Disposition of Surplus Inventory
- g. Approval of Resolution 2023-49 a Resolution for a Variance from the Ordinance No. 2004-5, Allowing Temporary Vendors and Structures at Special Events in Lincoln, New Mexico

Tuesday, April 18, 2023



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

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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, 2023 through March 31, 2023 in the amount of \$ 2,120,828.49.

NOW, THEREFORE, the above bills are hereby approved.

ADOPTED, PASSED AND SIGNED the 18th of April, 2023.

BOARD OF COMMISSIONERS LINCOLN COUNTY, NEW MEXICO

Todd F. Proctor, Chairman Dist. 1

Jon F. Crunk, Vice Chairman, Dist. 3

Mark G. Fischer, Member Dist. 5

Pierre S. Pfeffer, Member Dist. 4

Samantha J. Serna, Member Dist. 2

ATTEST:

Shannan Hemphill, County Clerk



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

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AGENDA ITEM 7c

April 11, 2023

MEMORANDUM

TO: County Commissioners

FROM: Ira Pearson, Lincoln County Manager

SUBJECT: Safety Net Care Pool & Indigent Health Care Claims

Purpose: To obtain the approval from the IHC Board of Safety Net Care Pool Authorizations, and the Indigent Health Care (IHC) Payments.

Discussion:

Safety Net Care Pool Authorizations: This month our coordinator processed ten (10) claims, all of which are recommended for approval. If approved, the total recommended authorization this month is **\$1,929.14**.

Indigent Health Care Claims: This month our coordinator did not receive any claims to process. Enclosed is a year-to-date summary of total claims approved and denied. Also enclosed is a summary of total claims approved and denied, for the month of April.

Manager's Analysis – For the last two years, the average Indigent Health Care monthly payments were **\$3,775 and \$2,288** respectively. The FY 21-22 year-end total was **\$27,461.64**. To date, the total expenditure is **\$6,117.75** or a monthly average of **\$611.78**. At this pace we will spend **\$7,341.30** in the indigent claim line, for the year.

Similarly, for the last two fiscal years, the total Commission-approved Safety Net Care Pool Claims were **\$92,949 and \$49,213.39** respectively. The FY 21-22 monthly average was **\$4,101**. To date, the total authorization is **\$22,331.81**.

Special Note – 100% of these claims are from the current 22-23 fiscal year.

Recommendation: Approve the claims as indicated for the Safety Net Care Pool report and the Indigent Health Care Program report.

Approved: _____
Todd F Proctor

SCP / SAFETY NET CARE POOL CLAIMS FISCAL YEAR 2022 - 2023

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$20,402.67

ADJUSTMENTS

TOTAL ADJUSTMENTS: \$0.00 \$0.00

APRIL # CLAIMS FOR APPROVAL 10
CLAIMS FOR DENIAL 0
APRIL # TOTAL CLAIMS 10

APRIL TOTAL \$ AMOUNT APPROVED \$1,929.14

TOTAL # CLAIMS THIS FY APPROVED 64
TOTAL # CLAIMS THIS FY DENIED 6
TOTAL # CLAIMS FY 2022 - 2023 70

TOTAL APPROVED THIS FISCAL YEAR \$22,331.81

FACILITY: LINCOLN COUNTY MEDICAL CENTER 04/18/2023 THROUGH 04/18/2023

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID	
23170	03/08/2023	245.00	188.65	077%
23171	03/09/2023	431.00	331.87	077%
23172	12/09/2022	154.97	119.33	077%
23173	03/09/2023	445.00	342.65	077%
23174	03/08/2023	245.00	188.65	077%
23175	03/08/2023	245.00	188.65	077%
23176	03/03/2023	50.00	38.50	077%
23177	02/27/2023	354.40	272.89	077%
23178	03/14/2023	90.00	69.30	077%
23179	03/08/2023	245.00	188.65	077%

1929.14

APPROVED- 10 REJECTED-

INDIGENT HEALTH CARE CLAIMS FISCAL YEAR 2022 - 2023

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$6,117.75

ADJUSTMENTS

TOTAL ADJUSTMENTS:

APRIL # CLAIMS FOR APPROVAL	0
# CLAIMS FOR DENIAL	0
APRIL # TOTAL CLAIMS	0

APRIL TOTAL \$ AMOUNT APPROVED \$0.00

TOTAL # CLAIMS THIS FY APPROVED	4
TOTAL # CLAIMS THIS FY DENIED	1
TOTAL # CLAIMS FY 2022 - 2023	5

CURRENT TOTAL APPROVED THIS FISCAL YEAR

\$6,117.75

*Assuming the above is approved

YTD

INDIGENT FUND MEETING

APRIL 18, 2023

TOTAL APPLICATIONS	75	28,449.56
TOTAL APPROVED	68	
TOTAL DENIED	7	
ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		6,117.75
APPROVED-	4	
DENIED-	1	
RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		22,331.81
APPROVED-	64	
DENIED-	6	

INDIGENT FUND MEETING

APRIL 18, 2023

TOTAL APPLICATIONS	10	1,929.14
TOTAL APPROVED	10	
TOTAL DENIED		

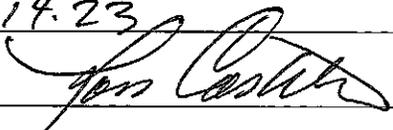
RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		1,929.14
APPROVED-	10	
DENIED-		

[Lincoln County] Detention Center
Restricted Housing Quarterly Report
Reporting Quarter: Jan thru March 2023

Age	Gender	Ethnicity	Reason for Placement	Date Placed	Date Released
21	1	5	3	12/28/2022	01/08/2023
48	1	5	3	12/27/2022	01/13/2023
21	1	5	3	12/27/2022	01/13/2023
20	1	5	3	12/27/2022	01/08/2023
21	1	5	3	12/27/2022	01/13/2023
18	1	6	3	12/27/2022	01/08/2023
21	1	5	3	01/11/2023	01/27/2023
33	1	9	3	01/12/2023	1/29/2023
29	1	9	3	01/20/2023	01/29/2023
38	1	5	3	01/23/2023	01/29/2023
30	1	6	3	01/23/2023	01/29/2023
25	1	6	3	02-12-2023	03-09-2023
21	1	5	3	02/15/2023	03-21-2023
29	1	5	3	02/15/2023	03/21/2023
20	1	5	3	02/16/2023	03/15/2023
21	1	5	3	03/23/2023	
22	1	5	3	03/23/2023	03/30/2023
28	1	6	3	03/27/2023	
34	1	9	3	03/27/2023	
41	1	5	3	03/27/2023	
29	1	9	3	03/28/2023	

Administrator's Name: Pauline Tope Assistant Warden

Date: 04.14.23

Signature: 

**PROCLAMATION
MAY IS MOTORCYCLE AWARENESS MONTH**

WHEREAS, motorcycles are used as a regular means of transportation for commuting, touring and recreation in and around Lincoln, New Mexico; and

WHEREAS, the Lincoln scenic roadways make motorcycling a very popular destination for riders from around the country; and

WHEREAS, the safe operation of a motorcycle requires the use of acquired skills developed through a combination of training and experience, the use of good judgment, and thorough knowledge of traffic laws and licensing requirements; and

WHEREAS, it is imperative that the residents of Lincoln County be aware, show consideration and share the road with motorcycles on the streets and highways and recognize the importance of motorcycle safety; and

WHEREAS, the National Highway Traffic Safety Administration has declared May as “Motorcycle Awareness Month”; it is the desire of this County Commission to join the NHTSA in raising awareness of the growing number of motorcyclists on Lincoln County’s roadways in order to help prevent accidents and most importantly, save lives.

NOW, THEREFORE, on behalf of the County Commission of Lincoln County, we do hereby proclaim the Month of May, 2023 to be: **MOTORCYCLE AWARENESS MONTH** in Lincoln County, and urge our citizens to be observant, courteous and knowledgeable about motorcycle usage in our community.

PASSED AND APPROVED THIS 18TH DAY OF APRIL, 2023.

LINCOLN COUNTY BOARD OF COMMISSIONERS:

Todd F Proctor, Chairman

Jon F Crunk, Vice-Chairman

Samantha J Serna, Member

Mark G Fischer, Member

Pierre S Pfeffer, Member

ATTEST:

Shannan Hemphill, County Clerk



County of Lincoln

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AGENDA NO. 7f

April 12, 2023

MEMORANDUM

TO: County Commissioners

FROM: Ira Pearson, Lincoln County Manager

SUBJECT: Resolution 2023-48: Disposition of County Inventory and Capital Assets.

PURPOSE: To obtain approval to dispose of surplus or obsolete assets by whichever means are applicable, including sale on public auction; transfer; destruction; or e-cycle by Resolution 2023-48.

DISCUSSION: Approval is sought to dispose of surplus, obsolete or damages County assets by whichever means are applicable, including sale on public auction; transfer; destruction; or e-cycle. Please see the attachments:

Exhibit 1 - Capital Assets that meet reporting criteria to DFA;

Exhibit 2 – Detail of Non-Capital Assets, County inventory, pursuant to §12-6-10 NMSA 1978;

Recommendation: Approve the listed property for disposition and reporting to the State Auditor and request approval from Department of Finance and Administration (DFA) to dispose of property by Resolution 2023-48.

**REQUEST FOR DISPOSITION
COUNTY OF LINCOLN - CAPITAL ASSETS
RESOLUTION 2023-48**

4/12/2023

RESOLUTION 2023-48									
LC INV #	DESCRIPTION/ MAKE	MODEL	SERIAL #	DEPT.	ORIGINATI NG GL	IN SERVICE DATE	PURCHASE PRICE	BOOK VALUE:	REASON FOR DISPOSAL
8705395	HP Designjet Map Plotter	HP Designjet	CN0562H06R	LCOES	499-68-2901	10/4/2010	\$6,630.00	\$0.00	Obsolete not feasible to fix.
8201155	1994 Becker Fas- Tak Resucue	Chevrolet	1GBJK34N3RE138836	Lincoln VFD	410-48-2925	1/13/1994	\$63,649.00	\$0.00	Old no longer runs and not feasible to repair. Has been replaced with new truck
8704781	Backup Generator	Generac 9805370100	2098131	Law Enforcement	999-99-9999	10/11/2008	\$81,446.00	\$0.00	Does not work. Water in the oil
8704030	Pheuton Ventilator	Model A	A1135	EMS	500-70-2921	6/6/2006	\$6,375.00	\$0.00	Not able to locate since 2016

REQUEST FOR DISPOSITION
COUNTY OF LINCOLN INVENTORY-PERSONAL PROPERTY
RESOLUTION 2023-48

4/12/2023

LC INV #	DESCRIPTION/ MAKE	MODEL	SERIAL #	DEPT.	GL #	IN SERVICE DATE	REASON FOR DISPOSAL
7600234	Gas Blower	920	1E2190050	Maintenance	999-99-9999	5/2/1988	Does not work
7800429	Buffer	Gloss Boss 1500	N/A	Maintenance	401-02-2560	8/29/1989	Does not work
8702372	13" Buffer	Pullman Holt	N/A	Maintenance	999-99-9999	12/22/1999	Does not work
8703281	Highback Chair	Super Alpha	104902	Maintenance	999-99-9999	1/17/2003	Broken
8703649	Buffer	Clark 2000	BI1393	Maintenance	401-09-2166	12/4/2003	Does not work
7900613	Cleaning Cart	Super	N/A	Maintenance	999-99-9999	10/16/1990	Broken
8703745	Transmission Jack	EOP-3310	403006147	Road Dept.	402-40-2132	6/28/2004	Broken
8702791	Desk	N/A	N/A	Corrections	401-02-2560	4/30/2001	Broken
8705684	Orbital Fan	SEDC-600AT205	29180	Corrections	450-62-2131	9/9/2011	Broken
8707393	2-way radio	BlackBox	K2111A00066	Corrections	450-62-2187	11/19/2016	Broken
8706461	Midback Chair	Hon	7823NT69T	Treasure	598-83-2909	7/25/2014	Old no longer needed
8301531	Chair	Hon	N/A	Clerk	999-99-9999	5/15/1995	Broken
6900363	3 Drawer file Cabinet	N/A	N/A	Corrections	999-99-9999	1/1/1980	Broken drawers do not work
8706298	Metal Cabinet	N/A	23-cc-240-rkg	Corrections	450-62-2108	1/16/2014	Broken
8702791	Desk	O'Sullivan	N/A	Corrections	401-02-2560	4/30/2001	Broken not repairable
N/A	HP Designjet	Z6200	SG1BH39001	LCOES	N/A	N/A	Not feasible to repair.
8708623	Hitachi Television	40" LED	MT9BF27461	Corrections	450-62-2553	10/28/2019	Broken can not be fixed
8702791	Executive Desk	O'Sullivan		Corrections	401-02-2560	4/30/2001	Old drawers broken
8702510	Air Compressor 12HP	Ingersoll Rand	30TC952950	Road Dept.	402-40-2921	6/6/2000	Does not Work not feasible to repair.
8704346	Flatbed	Bradford	BB84102	Road Dept.	414-91-2916	11/7/2007	No longer fits any of the Dept. Vehicles
N/A	2 Cattle Guards	N/A	N/a	Road Dept.	999-99-9999	6/30/1980	Damaged and old replaced with new cattle guards
8704990	Meyer Snow Plow	Meyer	N/A	Road Dept.	402-40-2921	3/5/2010	Does not Work not feasible to repair.
8707767	AO Smith Hot Water Heater	ENT-30-100	N/A	Road Dept.	402-40-2181	6/22/2017	Water Heater was leaking

RESOLUTION NO. 2023-48

APPROVAL OF DISPOSITION OF SURPLUS INVENTORY

WHEREAS, the Lincoln County Board of Commissioners meeting in regular session on April 18, 2023, has reviewed the listed surplus inventory that is recommended for disposal by whichever means are applicable to the item(s) including as sale; transfer; destruction; or e-cycle; and items to be removed from inventory due to loss; damage or theft.

WHEREAS, none of the items listed are expected to be valued at or sell for over \$5,000.

WHEREAS, the computer hard drives will be cleaned and/or removed and destroyed prior to sale, radios will be destroyed and

WHEREAS, all identifying graphics will be removed from all vehicles prior to sale.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Lincoln, approves the listed obsolete inventory be disposed of by proper means of disposal, pursuant to §12-6-10 and §13-6-1, NMSA 1978.

EXHIBITS:

Exhibit 1 - Capital Assets that meet reporting criteria to DFA;

Exhibit 2 – Detail of County Personal Property inventory, pursuant to §12-6-10 NMSA 1978;

PASSED, APPROVED AND ADOPTED this 18th day of April, 2023.

**BOARD OF COMMISSIONERS OF
LINCOLN COUNTY, NEW MEXICO**

Todd F Proctor, Chairman

Jon F Crunk, Vice-Chairman

Samantha J Serna, Member

Mark G Fischer, Member

Pierre S Pfeffer, Member

Attest:

Shannan Hemphill, County Clerk

COUNTY OF LINCOLN
RESOLUTION NO. 2023-49

**A RESOLUTION FOR A VARIANCE FROM ORDINANCE NO. 2004-5, ALLOWING
TEMPORARY VENDORS AND STRUCTURES AT SPECIAL EVENTS IN LINCOLN,
NEW MEXICO**

WHEREAS, the Lincoln Historic District was established by Lincoln County Ordinance No.1984-1, and is currently operating under Ordinance No. 2004-5; and

WHEREAS, the purpose of the Lincoln Historic Preservation Ordinance is to preserve, protect and enhance the Historic District and Landmarks lying within the Historic District of Lincoln, New Mexico; and

WHEREAS, the Lincoln Historic Preservation Ordinance prohibits the construction, alteration or demolition of structures within the Historic District unless the structure has received written approval from the Board and generally prohibits the placement of temporary structures within the Historic District; and

WHEREAS, the Historic Preservation Ordinance Section 10 provides for variances from the strict application of the Ordinance; and

WHEREAS, the Settlement of Lincoln holds numerous annual events which celebrate and promote the history of Lincoln, New Mexico and enhance the local economy; and

WHEREAS, the Lincoln Historic Preservation Board has determined that providing for a variance from the Ordinance for temporary structures for certain annual events to offer concessions and other vendor wares at these events, specifically: Market Days, Old Lincoln Days and the Day of the Dead, is in the best interest of the Historic District; and

WHEREAS, the Lincoln Historic Preservation Board has in the past specifically authorized the utilization of temporary vendors and temporary structures and shelters, including tents, wagons, carts and other temporary types of structures for the purpose of selling food, concessions and other wares, at special events.

NOW, THEREFORE, BE IT RESOLVED that temporary vendors and temporary structures, including tents, wagons, carts and other types of temporary structures for the purpose of selling food, concessions and other wares, shall be allowed at the following events: Market Days, Old Lincoln Days, and the Day of the Dead held in Lincoln, New Mexico; and

BE IT FURTHER RESOLVED that temporary structures shall be dismantled and removed immediately following each special event where they have been allowed and shall not be allowed to remain after the event in question has ended.

PASSED, APPROVED AND ADOPTED this 18th day of April, 2023.

**BOARD OF COUNTY COMMISSIONERS
LINCOLN COUNTY, NEW MEXICO**

**Todd F. Proctor, Chairman
District 1**

**Jon F. Crunk, Vice-Chairman
District III**

**Mark G. Fischer, Member
District V**

**Pierre S. Pfeffer, Member
District IV**

**Samantha J. Serna, Member
District II**

ATTEST:

Shannan Hemphill, County Clerk

RESOLUTION NO. 2023-51**A RESOLUTION CONFIRMING LINCOLN COUNTY TO PARTICIPATE IN
THE NEW MEXICO DEPARTMENT OF TRANSPORTATION PROJECT FUND
CALL FOR PROJECTS**

WHEREAS Lincoln County allocates from its General Fund, as its local 5% match to State Funds;

WHEREAS, Lincoln County will have available funds representing the 5% local match of \$100,000 for the proposed project, which will be available when the agreement becomes effective, and;

WHEREAS, Attachment "A" indicates the scope and locations of the proposed work.

NOW, THEREFORE, BE IT RESOLVED THAT The Governing Body of Lincoln County, New Mexico recommends filing an application with the New Mexico Department of Transportation for maintenance construction.

PASSED, APPROVED, AND ADOPTED THIS 18th day of April 2023.

Todd F. Proctor, Commissioner

ATTEST:

Shannan Hemphill, County Clerk

**Attachment A
Scope of Work**

Lincoln County NMDOT Transportation Project Fund FY 2024:

The project's scope includes the construction maintenance of five (5) County owned roadways to include chip seal and micro-surfacing, roadway blading and reshaping, and other miscellaneous construction as needed. The scope also includes professional services for bidding and construction management.

Roadway Identification Table:

Road Name	Length (Miles)
18 th Street	0.50
Airport Street	1.30
Dawson Street	2.15
Bancroft Road	2.05
High Mesa Road	2.00
Total	8 miles



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County of Lincoln

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AGENDA ITEM NO. 8

SUBJECT:

Approval of Budget Adjustment for FY 22/23 by Resolution 2023-47

Tuesday, April 18, 2023

**LINCOLN COUNTY COMMISSION
RESOLUTION NO. 2023-47
BUDGET ADJUSTMENT FY 2022-2023**

WHEREAS, the Lincoln County Board of Commissioners, meeting in a regular session on April 18, 2023 did review requests for adjustments to the 2022-23 Budget; and

WHEREAS, it was determined that the proposed budget adjustments would be beneficial for the citizens of Lincoln County;

NOW, THEREFORE, BE IT RESOLVED that the New Mexico Department of Finance and Administration is respectfully requested to approve this resolution with the following adjustments;

Fund	DFA Line #	Description	Revenues	Expenses	Transfer In	Transfer Out
HIDTA						
659-00-1602	21800-0001-47699	Grant Fund	\$ 2,500.00			
659-34-2003	21800-2002-51060	NM HIDTAPartnership/Overtime		\$ 2,500.00		
		Subtotal	\$ 2,500.00	\$ 2,500.00	\$ -	\$ -
America Rescue Plan						
680-55-2081	26000-2002-58040	Lincoln Domestic Water		\$ 74,000.00		
680-55-2920	26000-2002-55030	Capout-New Building		\$ 1,672,686.16	\$ -	
		Subtotal	\$ -	\$ 1,746,686.16	\$ -	\$ -
		TOTAL	\$ 2,500.00	\$ 1,749,186.16	\$ -	\$ -

PASSED, APPROVED AND ADOPTED this 18th of April 2023.

**BOARD OF COMMISSIONERS FOR
THE COUNTY OF LINCOLN,
STATE OF NEW MEXICO**

Todd F Proctor, Chairman
District I

Mark G Fischer, Member
District V

Pierre S Pfeffer, Member
District IV

Jon F Crunk, Vice Chairman
District III

Samantha J Serna, Member
District II

ATTEST:

Shannan Hemphill, County Clerk



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

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AGENDA ITEM NO. 9

SUBJECT:

Forest, Land & Natural Resources Matters:

- a. Smokey Bear Ranger District
- b. Lincoln County / NMSU Extension Services
- c. South Central Mountain RC & D
- d. Upper Hondo Soil & Water Conservation District
- e. Land and Natural Resources Advisory Committee-LANRAC

Tuesday, April 18, 2023

From: [Prather, Diane - FS, NM](#)
To: [Ira Pearson](#)
Subject: Commission meeting agenda?
Date: Wednesday, March 1, 2023 12:53:55 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon Mr. Pearson, the Lincoln National Forest would like to get on the April 18th commission meeting agenda.

And we'd like to know what you'd like to hear from us so we can better meet your needs?

Thank, Diane



Diane Prather
Forest Planner
Forest Service
Lincoln National Forest

p: 575-434-7200
c: 575-649-9405
diane.prather@usda.gov

3463 Las Palomas
Alamogordo, NM 88310
www.fs.fed.us



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County of Lincoln

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AGENDA ITEM NO. 10

SUBJECT:

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

Tuesday, April 18, 2023



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

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AGENDA ITEM NO. 11

SUBJECT:

Lincoln County Detention Center

- a. Update – Warden, Ross Castleton
- b. R.I.S.E (Reach, Intervene, Support and Engage) Program Application

Tuesday, April 18, 2023

Correctional Solutions Group, LLC
Profit & Loss Rise Program 2022
 January through December 2022

	Jan - Dec 22
Ordinary Income/Expense	
Income	
4000- Revenue	
4010 · Rise Program	334,448.13
Total 4000- Revenue	334,448.13
Total Income	334,448.13
Expense	
5300 Personnel Training Related	
5301-Personnel Gen. Training	18,975.78
Total 5300 Personnel Training Related	18,975.78
5400-Personnel Travel	
5401-Auto Mileage Reimbursement	4,304.84
5402-Meals and Entertainment	501.11
5403-Travel	14,133.78
Total 5400-Personnel Travel	18,939.73
5500-Equipment	
5502 Facility Equip. General	2,887.37
Total 5500-Equipment	2,887.37
5700- Consumables	
5702-Food Items	292.16
5703-Office Supplies	17,153.46
5705- Facility Postage	136.10
5706- Res. Equipment Clothing	2,262.38
5707-Auto Expense- Fuel-Repairs	45.00
5708- Medical Supplies-Software	5,249.49
5710 · Resident Bus Pass/Transportatio	200.00
5711 · Offender Education	992.40
Total 5700- Consumables	26,330.99
5900 Facility (Other Expense)	
5902b · 5902b Uniform Expense	1,141.19
5903 · 5903 Liability Insurance	142.00
5905 · 5905 Licenses and Permits	75.00
5911 · 5911 Advertisement Expense	150.00
5916 · 5916 Facility Utilities	530.85
Total 5900 Facility (Other Expense)	2,039.04
5200 · Facility Fringe Benefits	
5202- Health Insurance Expense	4,359.98
Total 5200 · Facility Fringe Benefits	4,359.98
5600 · Rise Program	
5602 · Per Diem	28.00
5603 · Rise Supplies	426.30
5606 · Books and Curriculum	70.02
5610 · Transition Care Fund	918.96
Total 5600 · Rise Program	1,443.28
64000 · Payroll TAX	
6203 FUTA	171.96
6204 FICA & Med Employer	15,211.17
Total 64000 · Payroll TAX	15,383.13
66000 · Payroll Expenses	202,605.50
Total Expense	292,964.80

1:11 PM

03/01/23

Accrual Basis

Correctional Solutions Group, LLC
Profit & Loss Rise Program 2022
January through December 2022

	<u>Jan - Dec 22</u>
Net Ordinary Income	<u>41,483.33</u>
Net Income	<u><u>41,483.33</u></u>

1. Signed RFA Cover Letter (Appendix B)

2. Table of Contents

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• Financial Statement and RISE P&L	
• Line Item Budget	
• Budget Justification	
f. Letters of Support	

3. Application Summary

The Lincoln County RISE Program was created three years ago with the understanding that there were two distinct populations in our community, Native American and non-Native American, with commonalities and diversities within both population groups. In reviewing jail bookings, we found that about half of all intakes were of the Native American population, and this trend has continued during the recent pandemic. These facts informed our program design, and we realized that we needed to serve both of our populations but to ensure that this time, in this place, we would recognize that the Native American jail population would need intervention and treatment programs that were culturally specific to our Native American peoples, mainly from the Mescalero Apache Tribe, and usually from the Mescalero Apache Reservation.

We hired an experienced Native American Program Manager and staffed our program with Native American and non-Native American staff. We found that many of our Native American interventional programs also appealed to the non-Native American detention center population and realized that most residents of Lincoln County share an overlapping cultural foundation and history with the Mescalero Apache Tribe. This drove us to program to the common denominator, the substance abusing and mental health inmates who had experienced high levels of Adverse Childhood Experiences (ACEs), grew up in a dysfunctional family system that relied on alcohol and other drugs, domestic violence, lacked healthy coping techniques and became institutionally and habitually accommodated to finding themselves incarcerated rather than rehabilitated. We planned separate programming for our Mescalero inmates and found that non-Native Americans volunteered for and requested participation in the Native American treatment groups. And so our philosophy matured.

Functionally we have a RISE Program and a collateral non-RISE Program in what we now call our *flashlight model*. The RISE Program participants, of which we currently have 109, with 12 to 20 of them in the detention center at any given time, receive the entire spectrum, or focused beam, of individual counseling, an individualized treatment plan, case management, post-release case management, and acudetox treatments for detoxification and anxiety management. But we also cast a wider beam of focus to accommodate the many requests for treatment that we have gotten from those who do not qualify for RISE but could benefit from some form of intervention. For example, when we do a psychoeducational group on Anger Management, we will have 12 to 14 RISE participants. Still, we will also have as many as 40 additional attendees who request participation because of their untreated anger issues.

Early in the program we discussed how we could refuse help to those who requested assistance merely because they didn't qualify for the complete RISE Program. We couldn't. So our philosophy became that as long as we provided the comprehensive RISE Program and every benefit to the RISE participant, we would make room for non-RISE participants when possible. Furthermore, no BHSD funds have been spent on non-RISE inmates. However, because of the unique training and skills of the CSG-RISE staff, we do check on the general population regularly to ascertain if any mental health issues require intervention or referral. We also have a suicide intervention plan to respond if the correctional staff have an inmate with suicidal ideation.

As we see it, the focused beam of the *Flashlight Model* that provides direct treatment services to up to 20 CSG-RISE participants is how we seek to reduce recidivism under the RISE Program Grant. The broader beam of the model that provides psychoeducational and interventional services to as many as 40 additional general detention center offenders is how we seek to change our community.

3. Application Summary (limited to one page)

4. Program Narrative

a. Organizational Structure and Competencies

i. Current and Previous Experience

In the two years since implementing the CSG-RISE Program in Lincoln County, the program has overcome some difficult obstacles and established itself as a gleaming bright light in the community. As we stated in our initial proposal, the work we proposed was process work and would take time because that is the nature of the process. And as we also stated in our proposal, we sought a Native American Therapist to lead our RISE Program as half of our 140-bed jail offender population consisted of members of the Mescalero Apache Tribe. It was important to us to do it right and to have an onsite leader who was *of the people* guiding the program.

Perhaps the two major obstacles we faced early on consisted of implementing RISE during a global pandemic and winning the trust of the Mescalero Tribal Council. The pandemic ravaged the Mescalero Reservation, and the Tribe went into a total lockdown, not even answering their phones. Slowly, with the help and support of the Lincoln County government, the CSG Detention Center Warden built relationships and trust within the community, especially with the governing body of the Mescalero Reservation. Now, with a Licensed Mental Health Counselor (LMHC) of Mescalero Apache heritage guiding the CSG-RISE Program, we enjoy the respect and cooperation of the communities within our county and the enthusiastic support of the county government. Amazingly, when offenders are booked into our County Detention Center, many request to be placed in the RISE Program!

The CSG-RISE Program operates with *a flashlight model*. While we focus our prime energy on RISE clients, the narrow beam of the flashlight, when it doesn't interfere with our RISE-directed services, we also allow non-RISE clients to participate in a more limited manner for many of the programs we offer, and that is the wider flashlight beam. Since there are less than 20 slots available at any given time for direct participation in the RISE Program, which includes mental health and substance abuse assessments, group therapy, individual counseling, assistance with treatment referrals, case management, employment assistance, and community referrals for reentry, when we engage in treatment activities which are not so direct and exclusively focused, we invite in as many as 40 additional Detention Center residents as participants. These wider psychoeducational opportunities include classes on Native American Culture and History, Wellness and Physical Education classes, College and GED classes to qualify for a High School Diploma or to obtain college credit, Anger Management classes and Substance Abuse education. We also provide Acudetox for RISE clients and make room for non-RISE clients who would benefit from this treatment and group therapy.

Another treatment program we provide is the 100-Hour Reentry Program which all RISE clients go through but is also offered to non-RISE clients who might benefit from these modules, which consist of 100 hours of psycho-education and life skills training targeted at reentry to the community. Direct psychotherapeutic programming within the Detention Center for RISE clients averages 12 hours a week, not counting homework assignments, mindfulness exercises, or Acudetox.

The 100-Hour Reentry Program is performed with *Eastern New Mexico University-Ruidoso* (ENMU-R). The college provides the 100-Hour booklets at no charge to CSG-RISE, which are focused on ten different topics, such as Anger Management, Reentry Support Services, Money Management, etc. Once the detainee has completed all ten books, ENMU-R awards Certificates of Completion to all participants.

The focused beam of the *Flashlight Model* that generally provides direct treatment services to up to 20 CSG-RISE participants is how we seek to reduce recidivism under the RISE Program Grant. The broader beam of the model that generally provides psychoeducational and interventional services to as many as 40 additional general detention center offenders is how we seek to change our community.

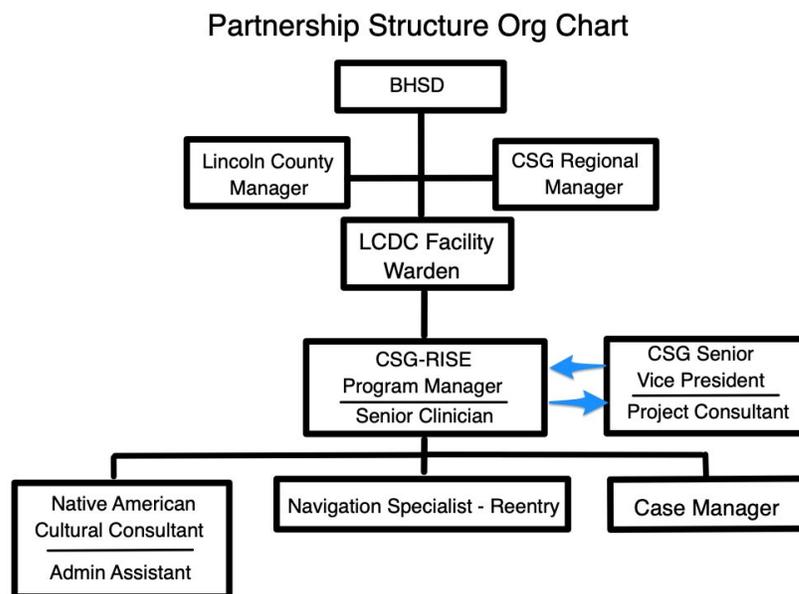
As RISE participants exit the detention center it opens a slot for the next potential RISE participant. For enrolled RISE participants (focused beam) and appropriate general detention center inmates (non-RISE or broader beam participants), the two years of the CSG-RISE project data has been:

	<u>RISE Participants</u>	<u>Non-RISE Participants</u>	<u>Total Participants</u>
First Year:	54 RISE	100 non-RISE	154
Second Year:	55 RISE	125 non-RISE	180
Grand Total:	109 RISE*	225 non-RISE*	334 Total Participants*

*Some overlap and duplication as inmates are released and then returned to custody later on.

For a typical weekly group, there may be 36 participants, of which 12 are RISE clients and 24 are non-RISE clients. RISE slots refill as existing clients recidivate or new clients are assessed and qualify for services.

ii. Organizational Chart



Roles and Responsibilities. The CSG-RISE Implementation Partners comprise the *County of Lincoln* Government, *Correctional Solutions Group, LLC* (CSG), and the *Lincoln County CSG-RISE Program*. Each of these three implementation partners is culturally, experientially, and professionally differing in their roles and responsibilities. That each Implementation Partner understands the perspectives and roles of the other Implementation Partners and cooperates effectively is evident in the success of the CSG-RISE program.

Lincoln County Government, acting as a fiscal entity for pass-through of funding from BHSD, has a duty to the residents of the County to spend funds wisely. To this end, County Government supports the goals of the CSG-RISE Program and facilitates connection and cooperation with county government and county institutions. Their cultural, experiential and professional orientation is that of business and accountability.

Correctional Solutions Group, LLC (CSG) is under contract with Lincoln County to operate its Detention Center safely, humanely and efficiently. CSG's Detention Center Warden provides local support and guidance to the RISE Program, providing space for program operations and facilitating contact and transport of inmates within the facility to participate in RISE programming. CSG's Regional Manager provides corporate support and connection to corporate resources that are available for the RISE Program. Corporate Support extends to fiscal management, accounting, corporate guidance, and psychotherapeutic and addiction consulting. A multicultural and veteran-owned company, CSG's cultural, experiential and professional orientation is correctional management with a rehabilitation focus.

CSG-RISE's mission is to treat and assist detention center inmates in dealing with their mental health and chemical dependency issues and in facilitating their successful transition back into the community with assistance to reduce the probability and frequency of their re-incarceration. The RISE Program operates under the legal authority of the Lincoln County Manager, the facilitation and supervision of CSG's Detention Center Warden, and the support of the CSG Regional Manager. CSG's Senior Vice President, with both psychotherapeutic and correctional backgrounds, provides consultations, programming design and direction clarification and assistance to RISE as Project Consultant. With a solid Native American and non-Native American focus, CSG-RISE's cultural, experiential and professional orientation is grassroots and speaks the language of the offender in their custody. In psychotherapeutic terms, "meeting the client where they are at!"

BHSD funds CSG-RISE through Lincoln County as the fiscal entity and provides evaluation and oversight through audits and regular communications. Consequently, CSG-RISE is ultimately responsible to BHSD.

iii. Ability to Begin the Project

The CSG-RISE Project has completed its implementation phases and is currently operating. We anticipate a smooth transition upon receipt of the contract, as we already provide reentry services.

iv. **Strength/Extent of Community Partnership**

Community Partnership Leveraging. CSG-RISE has built networking and partnership connections with anchor institutions and key players in Lincoln County who can help leverage RISE services for our clients and others housed in the Detention Center. This leveraging provides connections and services for clients that offer thousands of dollars in benefits for RISE clients and other detainees that would otherwise not be available to them or would be available only with additional red tape and a frustrating expenditure of time and money. The RISE Community Partnership represents critical participants from the following sectors:

- Criminal Justice System
- Educational Institutions
- Health and Medical Systems
- Governmental Contacts
- Community Businesses and Non-Profits

Organizationally, these key partners connect and interact with CSG-RISE before some offenders are placed in the Detention Center (such as the Drug Courts), during the offender's stay within the Center, upon release, and post-release from the Detention Center. Many are accessed through the Navigation Specialist or Case Manager but may also interact with the Lead Therapist/Program Director or the Detention Center Warden. The following describes our community partnerships:

CRIMINAL JUSTICE SYSTEM

- **Lincoln County Detention Center**
 - Warden Ross Castleton fully supports the CSG-RISE Program and looks forward to participating in the process to advance services within the Jail during the next contract year. During RISE's Implementation Phase, the CSG Warden was the primary mover and representative in initiating contact with the Mescalero Tribal Council and establishing relationships with federal and local law enforcement.
- **Lincoln County Drug Court**
 - The RISE program works closely with the drug court to assist LCDC/RISE clients to get into the program. Drug Court is an alternative sentencing for detainees struggling with substance use and criminal activity.
- **Otero County Drug Court**
 - Since the Mescalero Apache Reservation is located in Otero County, the RISE program has some interaction with Otero County Drug Court. Most clients with pending charges in Otero County benefit from this program, and the RISE program will assist them with paperwork from drug court.
- **Lincoln County Probation/Parole Office**
 - The RISE program occasionally receives requests to connect with detainees who are incarcerated because of probation/parole. This partnership is essential to the program, and the RISE program assists with paperwork; meeting probation

conditions, such as groups or individual counseling; and discussing treatment options for a RISE detainee.

- **Otero Probation/Parole Office**
 - With the Mescalero Reservation in Otero County, this partnership is also essential to assist detainees with probation requirements and how the RISE program can assist RISE clients.
- **Mescalero Tribal Court**
 - With Mescalero Tribal Court, the RISE program is actively connected to the court to gain information and assist with assessment and treatment placement.
- **Mescalero Public Defender's Office**
 - The RISE Navigator and Senior Counselor are the primary contacts to gain information on a detainee and to assist with court orders for assessments and treatment placements.
- **Mescalero Prosecutor's Office**
 - The prosecutor's connection to the RISE program is also a connection to assist with court orders and compliance. The Navigator is the primary contact for the RISE program.

EDUCATIONAL INSTITUTIONS

- **ENMU-R and NMSU-Alamogordo Online College Classes and G.E.D.**
 - Eastern New Mexico University - Ruidoso provides online instruction for Construction Trades Classes free of charge to LCDC detainees. The Construction Trades Classes provide training and help with job placement following release. Additionally, ENMU-R and NMSU-A offer LCDC detainees G.E.D. classes to the RISE program without charge. These programs empower LCDC detainees to challenge themselves educationally and to empower themselves.
- **Mescalero Prevention Program**
 - The Prevention Program is a grant-funded program to provide substance use education to children/adolescents and adults through increasing one's cultural knowledge by making dresses, drum making, teepee making classes, etc. The prevention program provided Historical Trauma Classes to the detainees at LCDC, free of charge. These activities supplement those of CSG-RISE's Native American Cultural Consultant, who offers classes and programs. The RISE program wants to continue this partnership in the next grant year.

HEALTH AND MEDICAL SYSTEMS

- **Lincoln County Health Board—Drug Classes**
 - The health board has provided online drug classes for all detainees of LCDC. The Health Board pays for this initiative to provide psychoeducational substance use classes to increase the knowledge of the harmful effects of drugs on the body.

- **Presbyterian Medical Services**
 - Presbyterian Medical Services (PMS) is an outpatient program to help released LCDC/RISE clients with assessments, psychotropic medications, individual counseling, and psychoeducational groups. Most reentry clients are referred to PMS for counseling services post-release.
- **Barefoot Acupuncture**
 - In the initial CSG-RISE grant, one of the goals was to obtain Certification as Auricular Detoxification Specialist (CADS). The RISE program has two CADS and one additional team member working on her certification. The certification process has enabled the RISE Program to provide acudetox in the detention center. Most RISE clients enjoy acudetox, it helps relieve detoxification symptoms and urges, and they report that acudetox relaxes them and helps them feel that they sleep better for the night. During the RISE Implementation Phase, CSG-RISE trained RISE staff and five medical and counseling professionals in the local Indian Health Services and Drug Court system to allow them to achieve their acudetox certifications, thus increasing community awareness and increasing the availability of this technique in the community. Dr. Ryan Bemis, OMD of Barefoot Acupuncture, provides monthly supervision and ongoing training to RISE staff.
- **Indian Health Services—Behavioral Health**
 - Indian Health Services (IHS)-Behavioral Health Department partners with the RISE program to gain information on treatment facilities. If a higher level of care is needed for Mescalero Apache detainees, IHS Behavioral Health will assist with acute care placement.

GOVERNMENT: COUNTY/STATE/FEDERAL/RESERVATION

- **Lincoln County Board of Commissioners and County Government**
 - CSG-RISE would not exist had not the Lincoln County Board of Commissioners asked CSG to write the initial proposal for them three years ago. The County Manager provided introductions within the County and the approval of the Board of Commissioners, the County Attorney provided communication with the Mescalero Tribal Council and opened the door for RISE to begin implementation. Since those days, the Board and the County Manager have been stout supporters of Lincoln County's RISE Program. Through the support of the Board of Commissioners and County Government, RISE established itself during the pandemic that shut down most services and devastated the Mescalero Apache Reservation, forcing them into a complete lockdown.
- **Workforce Solutions-Ruidoso**
 - Work Force Solutions-Ruidoso provides financial assistance and employment opportunities to LCDC RISE clients. Work Force-Solutions can financially pay

and cover all fees and tuition for RISE students to attend training classes. When a RISE client has completed their certificate, Workforce Solutions-Ruidoso will assist the graduate in connecting them to employment opportunities, provide stipends for G.E.D. classes, and buy tools for the graduating client.

- **Workforce Solutions—Otero County**
 - The navigator works closely with Workforce Solutions to assist post-detainees' employment in Otero County. Workforce Solutions knows the RISE program and is willing to work with RISE detainees for employment.
- **Mescalero Housing Authority—Rental Assistance**
 - The Mescalero Housing Authority (MAHA) program is in Mescalero. The program has financial assistance to place tribal members in apartments, and MAHA will provide either the first month's rent or a deposit. The remaining balance is the renter's responsibility.
- **Mescalero Tribal Council/Mescalero Tribal Administration**
 - The Mescalero Tribal Council has been a valued Community Partner since the inception of CSG-RISE, providing counseling space on the Reservation and helping to screen and refer potential staff members to RISE. Several Detention Center Correctional Staff members and RISE staff are members of the Mescalero Apache Tribe.

COMMUNITY BUSINESSES/NON-PROFITS

- **Inn of the Mountain Gods—Human Resources**
 - The Navigator works closely with the Inn of the Mountain Gods (IMG) Human Resources to connect post-release clients to employment. Human Resources knows the unique needs of post-release RISE clients and is willing to work with difficult job placements.
- **Mescalero Responsible Gaming Program**
 - The Mescalero Responsible Gaming Program (MRGP) provides Christmas gift bags, including t-shirts, socks, candy, and other non-perishable food, to all LCDC detainees. MRGP also assists with training opportunities for the RISE staff to attend training at no cost.

b. Population and Need

i. **Assessment of County's Current Needs.** While statistics always require context for clarity, sometimes they help provide a brief picture of a situation. For Lincoln County, here is a brief picture, roughly the same as we reported three years ago.

- **Physical Health.** The general condition of physical health for residents of Lincoln County is poor, with high rates of cancer, heart disease and stroke compared to other New Mexico counties. (New Mexico Primary Care Needs Assessment, New Mexico Department of Health (NMDOH), June 7, 2021).

- **Mental Health.** Clinically diagnosed depression is also at high rates. (ibid, 2021)
- **Suicide.** Considering the high rate of diagnosed depression in Lincoln County, the suicide rate is the sixth highest in New Mexico. (New Mexico Substance Use Epidemiology Profile, NMDOH, 2021).
- **Overall Alcohol Death Rate.** The alcohol-related death rate is the 11th-highest in New Mexico, 42.6% higher than the United States average (ibid, 2021).
- **Native American Alcohol Death Rate.** The Alcohol-Related death rate in Lincoln County for Native Americans is about 2.5 times that of either Hispanic or White categories (172.5 per 100,000 vs. 68.9 or 75.9, respectively; ibid, 2021).
- **Alcohol-Related Injuries.** Lincoln County also has the 6th highest rate of alcohol-related injury deaths in New Mexico (ibid, 2021).
- **Drug Overdose Rate.** The drug overdose death rate places Lincoln County at the fourth highest in New Mexico, mainly comprised of methamphetamine and opioid use (ibid, 2021).

Detention Center Housed. Over the most recent five-month period, data from bookings and transfers into the Lincoln County Detention Center present the current picture:

- 35% of all inmates housed at LCDC were there for alcohol or other drug arrests
- 19.68% were under the influence at the time of arrest.
- 46.7% of those housed at LCDC were identified as Native American
- 39.4% of those housed reported as living on the Mescalero Reservation.
- **National Jail Data.** *Bureau of Justice Statistics* (BJS, 2002) national data show that some 50% of offenders booked into jails are under the influence of alcohol or other drugs at the time of arrest, and perhaps another 30% reported committing their crimes to obtain money for drugs (cited in RISE Proposal Application, 2020).
- **National Alliance on Mental Illness** (NAMI). 44% of inmates held in local jails have a mental health issue (<https://nami.org/Advocacy/Policy-Priorities/Stopping-Harmful-Practices/Criminalization-of-People-with-Mental-Illness>)

Considering that our recent data report that 35% of LCDC inmates were arrested for alcohol or other drugs, we believe that perhaps our figure is too low. We will reevaluate our measurement procedures as the *National Center for Drug Abuse Statistics* states:

...an estimated 65% of the United States *prison* population has an active SUD(*). Another 20% percent did not meet the official criteria for a SUD but were under the influence of drugs or alcohol at the time of their crime.
(<https://drugabusestatistics.org/drug-related-crime-statistics/>)

*NOTE, SUD is Substance Use Disorder; italics added.

The 20% of arrestees being under the influence at the time of arrest is consistent with LCDC booking figures. NCDAS also reports a markedly profound drop in nationwide arrests

for alcohol and other drugs beginning in 2019, and this may be a pandemic-related artifact. Either way, drugs and alcohol are apparent issues to be dealt with in a detention center.

Taking into account the county resident health data and the inmate population makeup, we confirmed our initial assessment of three years ago that there is a need for Native American-oriented intervention and treatment programs in Lincoln County along with those for non-Native American populations. This, too, reconfirms the original needs assessments made in the CSG proposal three years ago.

Capacity to Provide Interventions

The CSG-RISE Team has built a network of supports to bolster their clinical interventions and provide assistance to potential and active program participants. The clinical team is led by a New Mexico-Licensed Mental Health Counselor (LMHC) who defines treatment protocols, trains the team to recognize clinical signs of potential or active behavioral problems, and is the interventionist at crisis points. The support network includes a clinical supervisor (LPCC) for backup consultation and a contract online psychiatrist for assessment, treatment planning and medications if necessary. The Senior Clinician also spearheads the facility suicide intervention team when any inmate in the detention center is assessed as at-risk. Utilizing the previously-described flashlight model, clinical services directly focus on RISE participants, while a broader beam encompasses all other inmates at the detention center. The CSG-RISE Team interacts with residents of all facility units every week and has an opportunity to assess specific needs that would benefit from additional attention.

Gaps and Areas of Opportunity

Major Barriers. Housing and transportation are two complex barriers for post-release RISE clients in transitioning back into the community. There are no simple, long-term solutions to this within our grasp. We coordinate with the network of local resources to assist when possible. The Detention Center is in Carrizozo, a small rural community with limited resources and no public transportation. There are three small motels in Ruidoso, a resort community with little affordable housing but ample employment opportunities that is 30 miles from the Detention Center, and most post-released clients are housed in Ruidoso for short-term temporary shelter; however, there are no public transportation services available from the Detention Center to Ruidoso, and they must provide their transportation.

The Mescalero Reservation is also located in a rural area, and housing is a huge barrier. There are no houses available, and a long waiting list exists. To offset this situation, the Housing Authority offers some financial assistance to tribally enrolled members seeking housing outside the community. The Mescalero Reservation provides transportation from the Detention Center to the Reservation. Public Transportation in the Ruidoso area is supplied by Z-Tran and has numerous routes to Ruidoso, Tularosa, Alamogordo, and Las Cruces.

One significant gap we still need to address is moving toward self-sustainability. We believe that this proposal and our BHSD audits show that we have leveraged existing resources to a degree equal to many thousands of dollars in in-kind services and to the great

benefit of RISE Program participants and general population participants, utilizing our *flashlight model*, but this has been staff and time intensive and leaves little room in our day to act upon seeking outside funding for continuing support. Therefore, we pledge to rededicate ourselves this next year to seeking adjunctive and supportive foundation, corporate and government grants and sponsorships to maintain CSG-RISE when BHSD funding is no longer available. To this goal, we will also seek outside grant writing assistance and request any assistance and guidance BHSD might offer to these ends.

Seizing Upon Opportunities. The RISE Team has been very active in targeting areas of opportunity that have arisen. In working collaboratively with our Community Partners (previously described), the Team has set up GED education for Detention Center inmates, employment and job development skills training, including a construction trades training program, temporary short-term shelter for releasing clients, and connection to community counseling and rehabilitation resources. In addition to placing RISE participants in outpatient counseling programs, we have placed several in inpatient long-term residential treatment.

One barrier we will more fully address in the RISE Budget and Budget Narrative is the large volume of work and effort it takes for such a small task force to accomplish without burnout, and we will ask for a .5 FTE increase in staffing at that point.

ii. Projected Number of Persons to be Served

The RISE program started offering Lincoln County Detention Center detainees services on February 5, 2021. Initially, the program began with 12 detainee slots in the RISE program. The program provided essential services like group counseling, individual counseling, assessments, and treatment referrals. Other non-RISE detainees became interested in the program and the program expanded services to include non-RISE detainees to participate in group counseling and treatment referrals. The first-year total was 54 RISE participants obtaining the complete RISE program and 100 non-RISE participants receiving group counseling, referrals, and psychoeducation for 154 participants. In the second year, the number of slots for RISE participants was increased to 15. The second-year total is 55 fully qualified RISE participants in the program and 125 non-RISE participants for 180 participants in the second year. In two years we have provided the complete RISE program to 109 participants and essential services to 225 non-RISE participants, for 334 participants since the program began. This can be described as our flashlight model wherein we maintain the sharpest focus on qualified RISE participants but do not deny basic service to other motivated offenders.

As we are projecting the new proposal, we intend for the RISE program to increase RISE participants from 15 to 20 detainees if we can improve the RISE Team by a one-half full-time equivalent staff person. The average number of group participants in a week's session is 48 detainees; of the 48, 15 will be RISE clients. The RISE program has plans to expand RISE services outside of the Detention Center to RISE families in partnership with a counseling agency in Ruidoso to offer SMART classes to families and friends of RISE participants. The effect will increase reentry success by increasing family knowledge of substance use and

encouraging post-release clients. Depending upon the number of enrolled RISE participants returning to custody and if we obtain our .5 FTE increase, we project to serve 70 RISE participants next year, 150 non-RISE participants, and 30 family members, for a total of 250 individuals obtaining RISE program benefits.

c. Service Description: Meeting Behavioral Health Needs

Overview And Introduction.

As the initial proposal stated, we intended the RISE program to be culturally competent and to meet the mental health and substance abuse treatment needs of the largest underserved population in our community, our Native American people, as well as our non-Native American population, by having a Licensed Native American Mental Health specialist adapt and manage the RISE Program. After an exhaustive national search during the pandemic, we successfully recruited Ms. Willymae Smith as our Program Director and Senior Therapist. An incredibly talented licensed therapist, Ms. Smith has woven evidence-based psychotherapeutic techniques into an entirely culturally competent treatment curriculum that our Native and non-Native American detention center residents welcome. The following presents an overview and details of how we meet the behavioral mental health and substance abuse needs of the Lincoln County Detention Center, both RISE and non-RISE inmates.

As previously described, the CSG-RISE Program operates with *a flashlight model*. While we focus our prime energy on RISE clients, the narrow beam of the flashlight when it doesn't interfere with our RISE-directed services, we also allow non-RISE clients to participate in a more limited manner for many of the programs we offer, and that is the wider flashlight beam.

Since there are less than 20 slots available at any given time for direct participation in the RISE Program, which includes mental health and substance abuse assessments, group therapy, individual counseling, assistance with treatment referrals, case management, employment assistance, and community referrals for reentry, when we engage in treatment activities which are not so direct and exclusively focused, we invite in as many as 40 additional Detention Center residents as participants. These wider psychoeducational opportunities include classes on Native American Culture and History, Wellness and Physical Education classes, College and G.E.D. classes to qualify for a High School Diploma or to obtain college credit, Anger Management classes and Substance Abuse education. We also provide Acudetox for RISE clients and make room for non-RISE clients who would benefit from this treatment and group therapy.

Focus Groups. In preparation for this proposal, the RISE Manager conducted focus groups to gather information from the detainees' perspective on what services they would like to see in the next phase of the RISE program. They also gave feedback on the current RISE program. Acudetox was an area most RISE clients enjoyed, and they responded that they would like to continue to receive acudetox services. Clients asked where they could receive acudetox once released from detention, and resources were provided. Clients reported that

acudetox provided a break from detention, and they felt relaxed after acudetox treatment. Additionally, clients said they slept well after acudetox.

Clients said they enjoyed group counseling since it offered a “time-out” from the pod, and the group allowed them to talk about their thoughts and feelings. They further reported that when they came to group counseling, they would think about the information offered and felt they gained new knowledge and understanding of themselves. Furthermore, they said they would like their families to receive educational groups and felt this would help the detainee feel understood and better connected to their families. Most groups offered over the past two years are psychoeducational groups; of the groups offered, two were evidence-based.

Self-paced programs include the Aztec 100-Hour Reentry Program, a series of booklets with tests to be scored by the instructor. The 100-Hour Reentry Program, which all RISE clients go through but is also offered to non-RISE clients who might benefit from these modules, consists of 100 hours of psycho-education and life skills training targeted at reentry to the community. These booklets are provided at no cost to RISE by *Eastern New Mexico University-Ruidoso* (ENMU-R).

The clients gave feedback on the Culture component of the RISE program. Clients reported that they enjoyed culture classes. However, they would like to have more types of these classes offered, such as conversational Apache and more smudging sessions. They would like to have a male traditionalist conduct group now and then and have some time to sing Apache songs.

Moral Recognition Therapy (MRT) is a new evidence-based group to be offered under the new contract. MRT is a systematic, cognitive-behavioral approach that treats various issues, including substance abuse, domestic violence, trauma, parenting, job skills, etc. The programs are implemented in groups utilizing workbooks directly targeting specific issues. The CSG-RISE Senior Therapist is MRT Certified.

All clients wanted more services, such as group counseling, psychoeducational groups, and cultural groups post-release. Clients reported that they felt alone and disconnected when they were released even with the extended case management RISE provided.

The Mandatory Elements.

i. Trauma-Informed Care (TIC).

The RISE groups in the detention center have been on Substance Use, Domestic Violence, Cognitive Behavioral Therapy, and Culture. All the groups incorporate trauma-informed care (TIC). Most detainees report various aspects of trauma, from domestic violence to childhood abuse. The counselor utilizes the trauma tree to increase the detainee’s knowledge of trauma. Furthermore, all RISE staff have completed Trauma-informed Care training. As the RISE program enters a new phase of the reentry program, the RISE program would like to offer Trauma-informed Care training to all correctional staff at LCDC for the

new funding cycle. Since the detention center purchased a new jail monitoring system (JMS) from Beacon, it has allowed the opportunity to obtain statistical information on the inmate population. JMS has reported that 46% of the total population who enter LCDC are Mescalero Apache. The RISE program already teaches culture as a preventive factor to LCDC detainees. We believe culture must continue to be a core educational component for Native American and local non-Native American detainees to provide a sense of connection and belonging. This coming year we intend to incorporate conversational Apache. This initiative will be implemented with the Language Preservation Program via Zoom meetings or in person. Additionally, we would like to include conversational Spanish for detainees who would like to learn Spanish. This will be accomplished by purchasing applicable computer software.

ii. Evidence-Based Behavioral Health (BH) Services.

The evidence-based behavioral health component of the RISE program consists of SMART Recovery and Moral Recognition Therapy (MRT), which a licensed behavioral health counselor leads. The program is offered to all detainees under the *flashlight model* and averages seven weekly groups with about sixty (60) detainees. The project expansion of the RISE program is to include evidence-based parenting classes and trauma-informed care, such as the Seeking Safety curriculum. Individuals are a part of the clinical portion of the program offered to RISE participants utilizing brief counseling. Another expansion is to provide group therapy to newly released RISE clients in Ruidoso. This process group will focus on post-released reentry clients to process their feelings and struggles with reentry. They will enable RISE staff to provide enhanced support services. Furthermore, the RISE program would like to partner with a provider or agency in Ruidoso to provide SMART Recovery Groups to families. There are a significant number of detainees who are asking for counseling for their families, and they feel family counseling or family group counseling would be beneficial.

iii. Utilization of a Navigation Specialist.

The RISE program employs a Navigator/Re-entry Case Manager who has experience coordinating resources for transitional detainees and utilizes community resources to assist with reentry. The Navigator is partially facility-based and partially community-based. Additionally, the RISE program has a dynamic information sheet of community resources ranging from food boxes to rental assistance and Alcoholics Anonymous meetings. We plan for the Navigator to make new connections incorporating families into the reentry process.

iv. Intensive Reentry Case Management.

The RISE Program has already established critical physical and outpatient behavioral healthcare resources. Community-based Case Management continues beyond the 14-day requirement and is provided by the Navigator/Re-entry Case Manager and continues as long as the client needs his services. The Navigator shares case management with the Facility-based Case Manager. The program has access to housing, transportation, and employment in the Village of Ruidoso, the Mescalero Tribal Community, and the City of Alamogordo.

Expansion of critical resources is an ongoing process to afford reentry clients more opportunities for successful reentry.

iv. Use of Peer Specialists.

The use of peer specialists has been problematic due to the involved certification process, though we did have a Peer Specialist on board for the first year of CSG-RISE. Recently the program manager connected with one peer specialist who has offered his services to the RISE program free of charge. The RISE program would like to have two peer specialists and will continue to seek to recruit another peer specialist. Released RISE clients will be referred to the peer support specialist and receive support from the navigation specialist/case manager.

d. Program Evaluation/Quality Assurance

i. System for Collecting Data.

Due to difficulties in programming the previous Jail Management System (JMS) for the Detention Center to be responsive to RISE needs, CSG purchased the Beacon Software JMS installed in September 2022 and is now reporting primary data. Beacon started the program on September 9, 2022, and has been collecting, managing, and sharing data since then. Lacking sophistication in software management, we hope BHSD will work with us to ensure this new system provides the evaluation data we need to track and evaluate the achievement of project outcomes. Earlier in this narrative, we reported on those basic statistics which are now available for the first time in the history of the Lincoln County Detention Center.

The Beacon JMS maintains all inmate information by inmate identification number and booking number and is set up to interface with any other vendor as the agency sees fit to share the appropriate inmate information to make information sharing easier. All data is encrypted using AES 256-bit encryption.

ii. Cross-site Evaluation.

The RISE program is open to participating in cross-site evaluation requests. Since the program has had two years of experience with reentry programs, we are prepared to share our knowledge with other programs.

e. Financial Forms/Narrative

Financial Manager. The County of Lincoln, New Mexico, contracts with *Correctional Solutions Group, LLC* (CSG), to manage the Lincoln County Detention Center. The CSG-RISE Program is a unit formed within the Lincoln County Detention Center by staff hired by *Correctional Solutions Group, LLC* (CSG) and operating in adherence to the established budget. The County disburses funding to CSG monthly for detention center operations according to documented receipts and contractual agreements. Within that disbursement is funding for CSG to operate the RISE Program according to the RISE line item budget. The Financial Manager for CSG-RISE in the CSG Corporate Office in Tyler, Texas, ensures compliance with the RISE budget. That person is Michelle Crane, the Corporate Administrative Service Coordinator for CSG. She has more than ten years of progressive experience in the financial industry with specialties in budgeting, financial and cost accounting and tax specialties.

Financial Statements. *Correctional Solutions Group, LLC* (CSG) is not required to have an audit by the federal government and utilizes internal financial monitoring as well as contracting with an outside corporate accounting firm to produce its financial statements and tax forms. This proposal includes a copy of the Financial Statement of Correctional Solutions Group, LLC (CSG) for FY 2022 and the Profit & Loss Statement for the CSG-RISE program for FY 2022. Please note that the “Net Income” reported for the RISE P&L is merely the Corporate Administrative Overhead line item.

Other Funding Sources. At this time the CSG-RISE Program has no other funding sources though, as the proposal demonstrates, the Program has generated thousands of dollars in matching funds in terms of client resources, services, and psychoeducational and interventional treatment supplies and programs. For example:

- The Aztec Company’s 100-Hour Reentry Program is a series of booklets with tests to be scored by the instructor. The 100-Hour Reentry Program, which all RISE clients go through but is also offered to non-RISE clients who might benefit from these modules, consists of 100 hours of psycho-education and life skills training targeted at reentry to the community. These booklets are provided at no cost to RISE by *Eastern New Mexico University-Ruidoso* (ENMU-R).
- The Apache Language Preservation Program will be provided at no cost to RISE via Zoom meetings or in person.
- College and GED classes are offered to RISE and non-RISE inmates to qualify for a High School Diploma or to obtain college credit are provided at no cost to RISE by ENMU-R and NMSU-Alamogordo.
- The Mescalero Prevention Program is a grant-funded program to provide substance use education to children/adolescents and adults through increasing one’s cultural knowledge by making dresses, drum making, teepee making classes, etc. The prevention program provided Historical Trauma Classes to the detainees at LCDC at no cost to RISE.

- The Lincoln County Health Board has provided online drug classes for all detainees of LCDC. The Health Board pays for this initiative to provide psychoeducational substance use classes to increase the knowledge of the harmful effects of drugs on the body at no cost to RISE.

Project Sustainability. As we described in the proposal narrative, a problem we have due to the large volume of work and effort it takes for such a small task force to accomplish all that the CSG-RISE Team does without burnout is moving toward self-sustainability. The RISE Program is staff and time intensive and leaves little room in our day to act upon seeking outside funding for continuing support. In this budget, we are requesting a .5 FTE increase in staff funding to increase the duties of the Administrative Assistant to take some burden off of the Program Manager/Senior Therapist so as to permit her to dedicate some of her time to fundraising activities to secure project sustainability. Therefore, we pledge to rededicate ourselves this next year to seeking adjunctive and supportive foundation, corporate and government grants and sponsorships to maintain CSG-RISE when BHSD funding is no longer available. To this goal, we will also seek outside grant writing assistance and request any assistance and guidance BHSD might offer to these ends.

Financial Feasibility. We believe that this proposal and our BHSD audits show that we have leveraged existing resources to a degree equal to many thousands of dollars of in-kind services to the great benefit of RISE Program participants and general population detainees. Though limited in scope, the Lincoln County Detention Center has a reentry program for the first time ever. While the complete RISE Program may offer some dozen slots for reentry, 109 offenders are now enrolled in the program and have received RISE reentry services. 225 general population offenders have participated in portions of the RISE Program, such as Domestic Violence education, Anger Management training, Meditation and Calming techniques and Acudetox treatment for substance abuse management and anxiety treatment. The impact of this program may not be truly known for many years but we can already see its impact on the community. When someone is arrested and requests entry into the RISE Program during the booking process, we know we are beginning to make a difference. While our RISE program is not easy, it is certainly worth doing for the reduction in human suffering it is having.

Line Item Budget and Budget Justification follow.

f. Letters of Support

County of Lincoln Commitment Letter

Lincoln County CSG-RISE
APPENDIX C
 BUDGET FORM
 (1 of 2)

The Budget Form must be completed by all Applicants specifying the amount of funds you are requesting under this RFA. Specify how funding will be allocated to achieve the performance outcomes using the budget form. Add additional lines as necessary. A narrative detailing and justifying each line item budget is required on the Budget Narrative Form.

BHSD BUDGET REQUEST	Part/ Full Time? (If part time include number of hours)	Total Salary (from all source s)	Hourl y Rate	% Time Devote d to this Project	Salary Requested for this Project	Fringe Benefits Requested for this project	Total Salary and Fringe Benefits Requested
Personnel Services							
Position Title: Program Manager/ Sr. Clinician	FULL	73,181.48		100	73,181.48	11,744.88	84,926.36
Position Title: Navigation Specialist/ Reentry	FULL	56,315.25		100	56,315.25	5,719.20	62,034.45
Position Title: Native American Cultural Consultant-Admin Assistant	FULL	40,000		100	40,000	5,310.13	45,310.13
Position Title: Case Manager/ Facility	FULL	54,000		100	54,000	5,610.13	59,610.13
Position Title:							
Position Title:							
Position Title:							
Position Title:							

Lincoln County CSG-RISE
APPENDIX C
 BUDGET FORM
 (2 of 2)

Mileage:							5,000.00
Per Diem:							1,500.00
Supplies:							12,000.00
Equipment:							5,000.00
Rest Art Therapist							5,500.00
Utilities Detox/MAT							5,500.00
Other: Books and Curriculumms							5,000.00
Other: Professional Training							13,000.00
Other: Professional Insurance							1,000.00
Other: Marketing							2,500.00
Other: Transition Care Fund							15,000.00
GRAND TOTAL Computer Software							1,000.00

APPENDIX D
BUDGET JUSTIFICATION
Lincoln County CSG-RISE

Personnel Services

Program Manager/Senior clinician

\$73,181.48 @ 100% Time Fringe \$11,744.88 Total \$84,926.36

This is a licensed professional position, and the salary must be competitive.

Fringe benefits consist of health insurance, disability and workers comp, 401(k)

Navigation Specialist/Reentry

\$56,315.25 @ 100% Time Fringe = \$5,719.20 Total \$62,034.45

This is a specialized position for a highly experienced case manager working within the Facility and in the Community, and the salary needs to be competitive.

Fringe benefits consist of health insurance, disability and workers comp, 401(k)

Native American Cultural Consultant – Administrative Assistant

\$40,000 @ 100% Time Fringe \$5,310.13 Total \$45,310.13

This is a specialized and unique position and the salary needs to be competitive. This is an increase in FTE from part-time to Full-Time to allow more attention to Administrative and Data Management responsibilities.

Fringe benefits consist of health insurance, disability and workers comp, 401(k)

Case Manager – Facility

\$54,000 @ 100% Fringe \$5,610.13 Total \$59,610.13

This is a specialized position for an experienced case manager working within the Facility and the salary must be competitive.

Fringe benefits consist of health insurance, disability and workers comp, 401(k)

Mileage: \$5,000 Extensive County-wide Travel by personal vehicle for community meetings and case management

Per Diem: \$1,500 Required attendance by BHSD at Quarterly Meetings and Training

Supplies: \$12,000 Office and Acudetox Supplies.

Equipment: \$5,000 Equipment replacement

Art Therapist – contract position, Part-time as needed \$5,500 for working with RISE mentally ill and/or substance abusing inmates on Sundays for one year, and as needed

Detox/MAT \$5,500 Required Acudetox Supervision and Medication Assisted Treatment.

Books and Curriculum \$5,000 for MRT Workbooks for Inmates and Curriculum licensing

Professional Training \$13,000 for training to maintain and upgrade professional competency

Professional Insurance \$1,000 mandatory insurance for Acudetox Staff

Marketing \$2,500 for promoting RISE in the community and seeking fiscal sponsorship

Transition Care Fund \$15,000 to provide short-term emergency housing and/or tools for RISE clients upon reentry to the community

Computer Software: \$1,000 For software changes in data tracking system according to Intake requirements and BHSD Evaluation Data

Overhead: \$40,426 Administrative Office staffing Costs for office overhead, accounting, and professional Supervision for program oversight and guidance.

Grand Total: \$364,307.07 Total of all project costs



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

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AGENDA ITEM NO. 12

SUBJECT:

Lincoln County Medical Center Update - Todd Oberheu

Tuesday, April 18, 2023



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

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AGENDA ITEM NO. 13

SUBJECT:

Opioid Settlement Proceeds:

- a. Discussion and Direction Regarding Distribution of Settlement Funds
- b. Consideration of Entering an Opioid Remediation Collaborative Joint Powers Agreement Between the County of Lincoln and Other “Counties” or “Participating Entities”

Tuesday, April 18, 2023

**AMENDMENT TO THE OPIOID REMEDIATION COLLABORATIVE
JOINT POWERS AGREEMENT**

THIS Amendment to the Joint Powers Agreement ("Agreement"), is made by and between the Counties of Catron, Cibola, Guadalupe, Hidalgo, Sierra, Socorro and Valencia, referred to collectively as “the Counties” or “Participating Entities,” and additional entities that wish to join the Opioid Remediation Collaborative.

RECITALS:

WHEREAS, the Counties are bodies corporate and politic existing by and under the Constitution and Laws of the State of New Mexico; and,

WHEREAS, the amendment to the Joint Powers Agreement is made under the authority of the Joint Powers Agreement Act, NMSA 1978, Sections 11-1-1 et seq. (“Joint Powers Act”),

WHEREAS, NMSA 1978, Section 4-37-1 (1995) provides that Counties have the power to, “provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of any county or its inhabitants”; and,

WHEREAS, both the State of New Mexico and the Counties were signatories to a New Mexico Opioid Allocation Agreement, in the amount of \$195,547,175.00, which proceeds must be utilized to remediate the opioid epidemic; and,

WHEREAS, under the agreement, the State of New Mexico will receive 45% of the opioid allocation, and the Counties and Municipalities will share in 55% of the opioid litigation proceeds; and,

WHEREAS, the Counties have commenced discussions to explore the feasibility of pooling their resources, and to explore participation with the State and other counties and municipalities to support the development of a treatment system to help those suffering from opioid use disorder within New Mexico; and,

WHEREAS, the Counties collectively lack the in-house expertise to develop of sustainable treatment system; and,

WHEREAS, pursuant to the Joint Powers Agreement approved by the Secretary of Finance and Administration on February 24, 2023, the Counties formed an Opioid Remediation Collaborative to pool their collective recoveries to fund a study with the opioid litigation proceeds, to develop and implement a sustainable opioid remediation

system in New Mexico, and to seek and secure additional funding to support this mission, and;

WHEREAS, additional local governments have expressed interest in joining the Opioid Remediation Collaborative, and pooling their recovery of the opioid litigation proceeds to develop and implement a sustainable opioid remediation system in New Mexico.

NOW, THEREFORE, the parties agree as follows:

1. **Incorporation of Recitals.** The foregoing recitals are incorporated by reference as a material part of this agreement as if the same were set out completely in this agreement.
2. **Amendment.** The Agreement shall be amended as set forth in this instrument, and, except as expressly amended by this instrument, shall remain in full force and effect as written.
3. Section 4.1 of the Agreement is hereby replaced in its entirety with the following (changes indicated in underline and ~~striketrough~~):

4.1 Each participating entity shall appoint one (1) representative to govern the activities of the ORC. ~~The activities of the ORC shall be governed by a six (6) member Board consisting of a representative appointed by each of the participating entities.~~ The Chair of the ORC Board shall have the same voting rights as any other member of the Board. Upon request or invitation, and pursuant to an affirmative vote, additional parties may be added as participating entities to the Opioid Remediation Collaborative. Such participating entities shall be permitted to appoint a representative to the ORC Board. A representative of the New Mexico Department of Health shall serve as ex-officio member of the ORC Board. Ex-officio members shall have no voting powers, and their presence does not bear on the existence of a quorum.

4. Section 12.0 of the Agreement is hereby replaced in its entirety with the following (changes indicated in underline and ~~striketrough~~):

12.0 CONTACT AND NOTICES

The parties may, from time to time, change their contact person and shall provide prompt notice of such change to the other party. Any notice required under this JPA shall be deemed given and delivered to, and received by, the receiving party three (3) days after deposit in the U.S. mail, certified mail, return receipt requested, postage prepaid, addressed to the receiving party at the mailing address set forth below:

Catron County

~~Stan Brown~~ Loren Cushman

County Manager
100 Main Street
Reserve, NM 87830

Cibola County

Kate Fletcher
County Manager
700 E. Roosevelt Street
Grants, NM 87020

Guadalupe County

Diana Urban
County Manager
130 S. 4th Street
Santa Rosa, NM 88435

Hidalgo County

Tisha Green
County Manager
305 Pyramid Street
Lordsburg, NM 88045

Socorro County

~~Daniel~~ Michael Hawkes
County Manager
PO Box I
Socorro, NM 87801

Sierra County

Amber Vaughn
County Manager
1712 N. Date
Truth or Consequences, NM 87901

Valencia County

Danny Monette
County Manager
PO Box 1119

Los Lunas, NM 87030

Lincoln County
Ira Pearson
County Manager
P.O. Box 711
Carrizozo, NM 88301

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of signature by the Secretary of the Department of Finance and Administration, or his designee, as set forth below.

**BOARD OF COUNTY COMMISSIONERS
OF CATRON COUNTY**

Buster Green, Commissioner

Audrey McQueen, Commissioner

Haydn Forward, Commissioner

(SEAL)

ATTEST:

Sharon Armijo, County Clerk

Date

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF CIBOLA**

Daniel J. Torrez, Chair

Martha Garcia, 1st Vice-Chair

Christine Lowery, 2nd Vice Chair

Ralph Lucero, Member

Robert S. Windhorst, Member

ATTEST BY:

Michelle E. Dominguez, Cibola County Clerk

Date

**BOARD OF COUNTY COMMISSIONERS
OF GUADALUPE COUNTY**

Dr. Randall Brown, Chairman

Ricky Chavez, Commissioner

Ernest E. Chavez, Commissioner

ATTEST BY:

Robert Serrano III, County Clerk

**BOARD OF COUNTY COMMISSIONERS
OF HIDALGO COUNTY**

Joel Edwards, Chairman

Kelly Peterson, Commissioner

Art Malott, Commissioner

ATTEST

Melissa Delagarza, County Clerk

Date

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF SOCORRO**

Antonio "Ray" Martinez, Chair
District V

Craig D. Secatero, Vice-Chair
District II

Joe R. Gonzales, Member
District I

John Aguilar, Member
District III

Glen Duggins, Member
District IV

ATTEST BY:

Betty Saavedra, County Clerk

Date

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF SIERRA**

Jim Paxon, Chair

Travis Day, Vice- Chair

Hank Hopkins, Commissioner

ATTEST BY:

SHELLY TRUJILLO, COUNTY CLERK

DATE

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF VALENCIA**

Gerard Saiz
Commissioner, District I

Troy Richardson
Commissioner, District II

Morris Sparkman
Commissioner, District III

Joseph Bizzell
Commissioner, District IV

Jhonathan Aragon
Commissioner, District V

Attest:

Michael Milam, County Clerk

Date

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LINCOLN**

Todd F. Proctor, Chairman
Commissioner, District I

Samantha J. Serna
Commissioner, District II

Jon F. Crunk, Vice-Chairman
Commissioner, District III

Pierre S. Pfeffer
Commissioner, District IV

Mark G. Fischer,
Commissioner, District V

Attest:

Shannan Hemphill, County Clerk

Date

APPROVED

DEPARTMENT OF FINANCE AND ADMINISTRATION

By: _____
Cabinet Secretary

Date: _____



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

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AGENDA ITEM NO. 14

SUBJECT:

Lincoln County Community Health Council Update and Presentation Given by Sergio Castro, LCCHC Chairman

Tuesday, April 18, 2023



2022

The Lincoln County Community Health Council is a collaborative effort by service providers and community members to promote cooperation and networking among agencies providing community health related services within Lincoln County.

MISSION: To promote and strengthen the health, well being, and quality of life of Lincoln County and Mescalero residents.

HIGHLIGHTS



Health & Lifestyle:

6th Annual Fitness Challenge offered designated walks where participants could earn prizes. We had 32 participants in this program. **Adopt-A-Highway Program** allows citizens to take a responsible part in keeping our roadways neat.

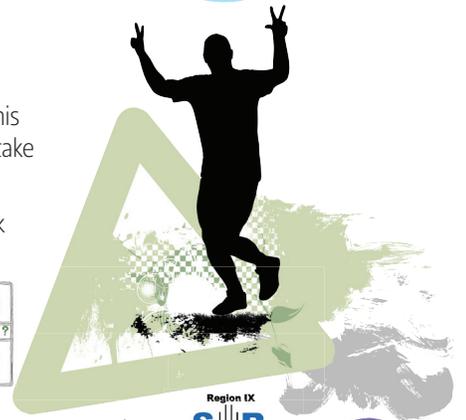
The Health & Wellness Guide was distributed to over 13k households between Lincoln County and Mescalero NM.

Vaping Education Booths:

Displays, literature, infographic stats and actual-visual of lungs w/ lung damage are displayed during community presentations

Youth Engagement:

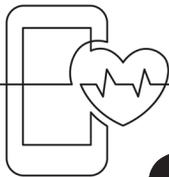
Maze of Life program had 72 students, with 15 sponsors supporting. (Unfortunately, the 2nd day was snowed out). **Natural Helpers** is a peer-to-peer helping program for high school students in Lincoln County and Mescalero. The students are identified by their peers as someone they can trust, someone who cares, and someone who likes to help others.



Access to Care

In-person and tele-health Counseling w/Peoples Works Mental Wellness Services & Caregiver Support Group

Transportation passes / punch cards (40) for passengers donated by **ZiaTrans** and **Shuttle Ruidoso**



Suicide Prevention:

- Over 700 gun locks were given out
- distributed gun safety literature
- 4 Biometric gun safes were given away

• **A large billboard** located on Mechem Drive in Ruidoso promotes gun lock use and suicide awareness

• **Held 2 QPR training sessions** for 50 community members (mostly school teachers)

• **Hosted the community Glow Walk (An Annual Suicide Prevention Event)** in Mescalero on June 9, 2022

• **881 Middle and Highschool Students** attended the **Signs of Suicide training** course

Hunger Initiatives:

Mescalero Mobile Food Pantry provided over 3600 lbs of food to families in

Mescalero:
748 Seniors,
1309 Adults,
869 Children
(862 households filled)



The LCCHC had our **2nd Annual Community Garden Program** where community members attended a workshop once a month to learn how to start their own gardens at home, as well as grow some food together in the community garden.



CHANGE (Community Healing Addictions through Networking Guidance and Education)

• **Awarded 4 - \$500 scholarships** to deserving students in Lincoln County and Mescalero

• Distributed lock boxes, Deterra bags and overdose prevention information at the Stepping Into a Better You Health Fair

• Assisted in the development of a mental health/substance use disorder indigent program

• Partnered with law enforcement agencies to obtain training and Narcan for officers





2022

The Lincoln County Community Health Council is a collaborative effort by service providers and community members to promote cooperation and networking among agencies providing community health related services within Lincoln County.

MISSION: To promote and strengthen the health, well being, and quality of life of Lincoln County and Mescalero residents.



ACTIVITIES

Grant Funding Provided by:



- Maze Of Life
- Suicide Prevention Billboard & Suicide Prevention Glow Walk
- QPR Trainings For Educators (Question, Persuade, Refer) Ask A Question- Could Save A Life
- SOS Program Training For Students (Signs Of Suicide)
- Health & Wellness Guide
- Fitness Challenge
- Adopt-The-Mile Clean-Up
- Provided total of \$250 area transportation vouchers for Zia and Shuttle Ruidoso
- Educated Families on Growing Food in home gardens
- Supported Natural Helpers in schools
- Promoted Breast Cancer Awareness in Schools
- Gave out student "summer survival kits" thru the Youth Advisory Council @ Ruidoso High School
- Produced the annual Health and Wellness Guide
- 10th Annual Stepping Into a Better You Health Fair at the Inn of the Mountain Gods
- Mescalero Mobile Food Pantry
- COVID-19 Test Kit give-a-ways

Special Thanks to Our Members:



FOR MORE INFO, CONTACT:



lincolncountychc@lincolncountyhc.org

PO Box 2585
Ruidoso NM 88355
(575)686-2066



lincolncountyhealthcouncil.org



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

www.lincolncountynm.gov

AGENDA ITEM NO. 15

SUBJECT:

Peñasco Valley Telephone Company Fiber and Broadband Presentation – Mitch Hibbard

Tuesday, April 18, 2023

Lincoln County

Broadband Opportunities



 **INTERNET**  **SECURITY**  **PHONE**  **BUSINESS**

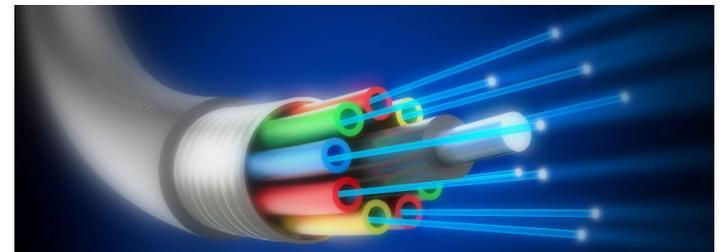
History and Background



- 1905 AW Board started Home Telephone System in Hope, New Mexico
- 1949 75 people in Hope invested in a local telephone cooperative to connect rural residents.
- 1950 PVT purchased Hope Telephone System from Altman's
- 1993 PVT Buried their first Fiber Optic Cable

Today at PVT:

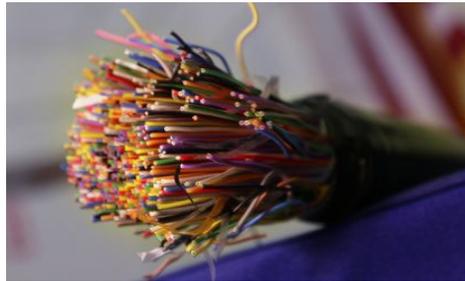
- Covers approximately 5,000 square miles of rugged NM Terrain
- Approximately 2,500 Cooperative Members and additional services to adjacent areas
- Population Density = 1 person per 2 square miles
- Major employer in SE New Mexico



Accomplishments



- PVT has installed over 1,100 miles of fiber optic cable
- PVT utilizes multiple technologies to serve its members
 - Fiber, Copper, Coaxial Cable, Wireless Solutions
- PVT provides quality telecommunications services in extremely remote areas with high customer satisfaction

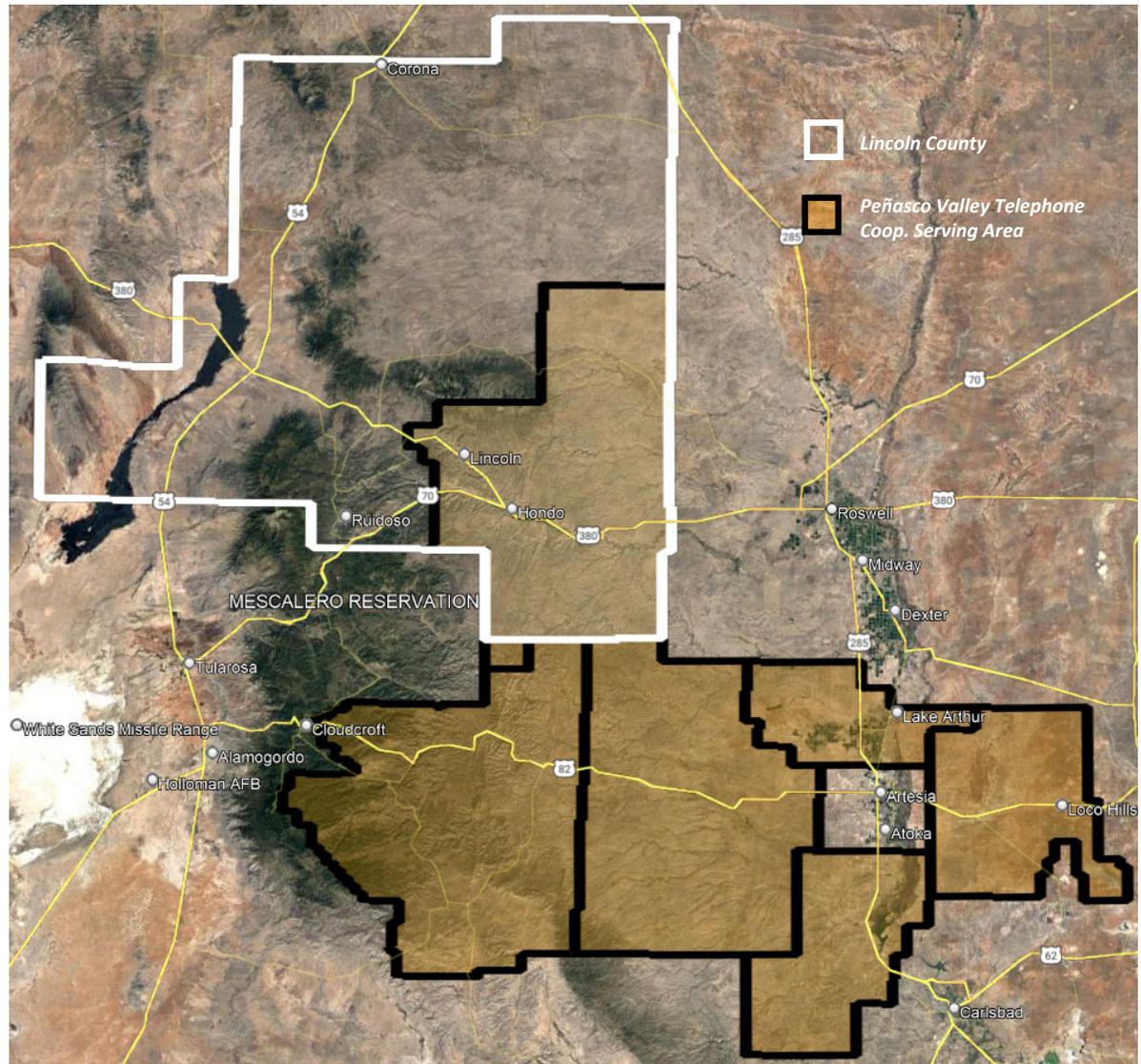
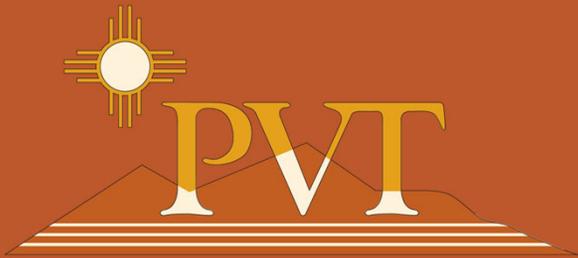


PVT In Lincoln Co.

Approximately 1200 square miles
(25% of the Coop. serving area and
25% of Lincoln County)

900+ Service drops

Approx. 500 current Coop.
members



Need for Broadband – Post Pandemic



- Working from home continues and expected to increase
- Federal Affordable Connectivity Program allows for free or reduced internet service
- Telemedicine established as common practice
- Online education demands increase
- Property value increases with fiber connectivity
- All dependent on broadband
 - Education
 - Employment
 - Medical
 - Security
 - Emergency Services
 - Commerce
 - Entertainment



24 million
Number of Americans who lack
broadband internet access



Why Fiber instead of a Wireless or Satellite Option?



“Nothing is truly wireless. It is only less wired. Everything connects to a fiber optic cable eventually and the closer you are to fiber, the better the service”

- *Wireless is not future proof – band-aid until fiber is available*
- *Wireless dependent on ideal terrain and vegetation*
- *Fiber is a one-time investment – Longest Estimated Life – 50+ years*
- *Reliability – without it, internet connection is worthless*

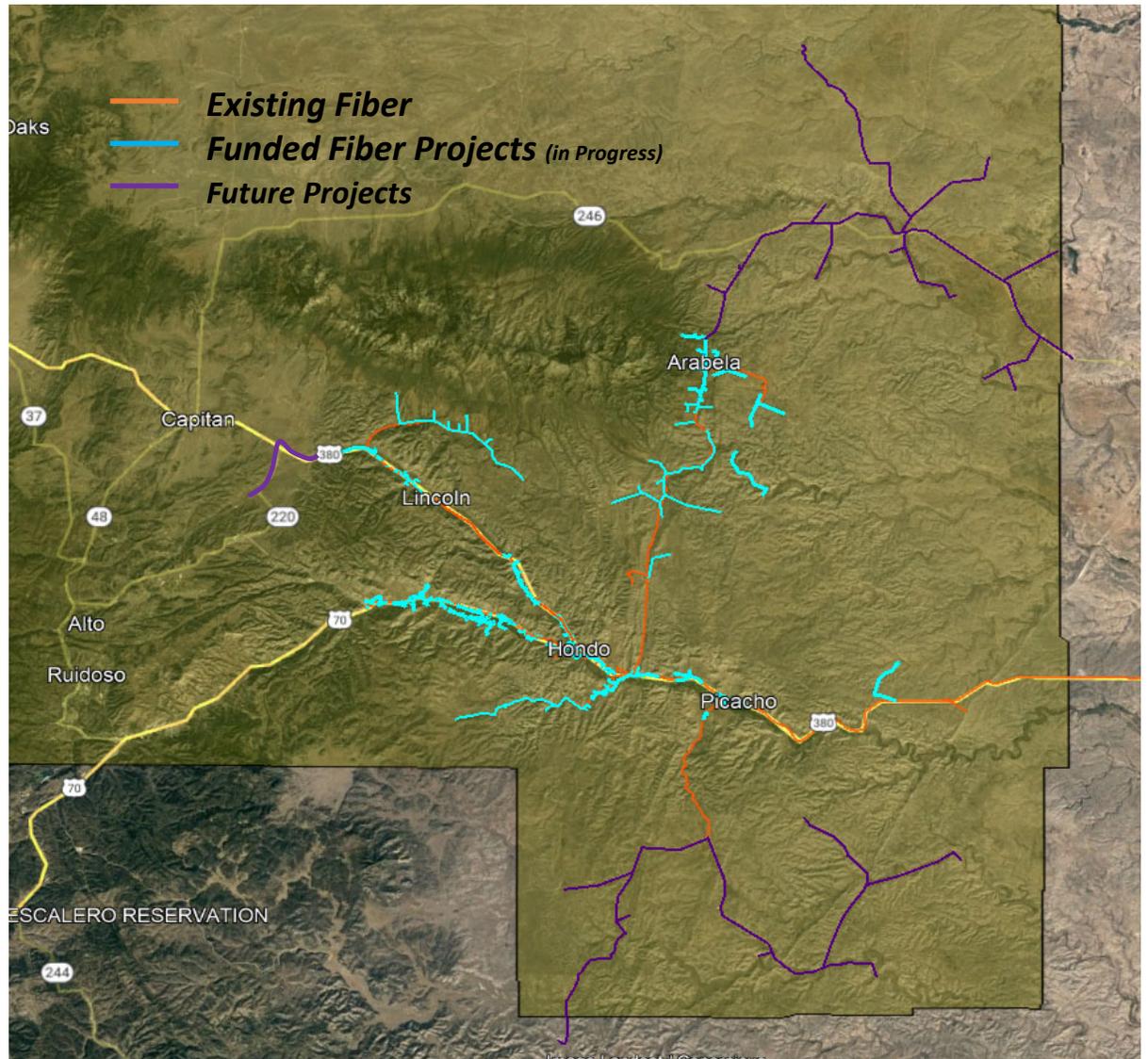


Funded Projects

\$9,067,695 Investment

**116 miles of Fiber Optic
Cable**

**841 Locations with High-
Speed Internet**



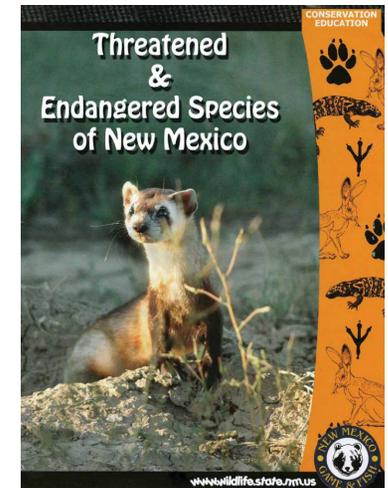
Challenges



- Cost of rural construction averages \$45,000-\$120,000 per mile
- Pole attachment costs
 - Make-ready and yearly rental
- Funding opportunity speed parameters
- Supply chain and contractor shortages
- Public Land permitting and environmental clearance costs
 - 35% or 27 million acres – Federal control
- Completion Timeframes



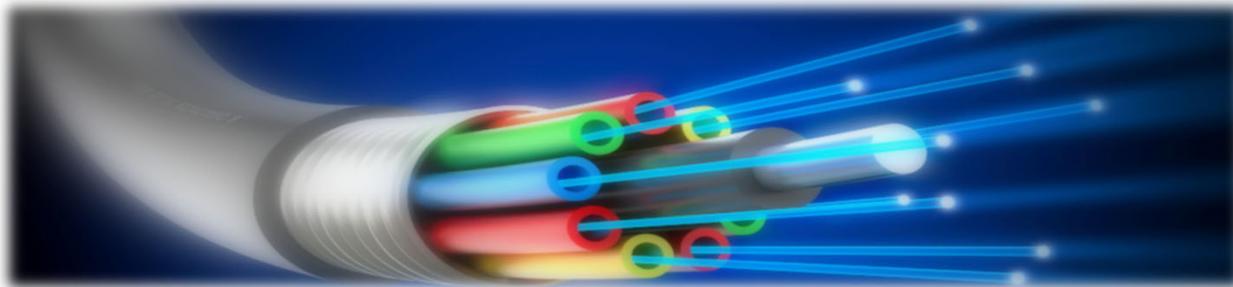
Federal
Communications
Commission



Funding Shortfall



Lincoln County	Poles	50% Replacement	Average Cost - \$4,200 per pole	Budgeted	Shortfall
ReConnect 1	0	0	\$0	\$0	\$0
ReConnect 2	100	50	\$210,000	\$12,000	\$198,000
ReConnect 3	1041	520.5	\$2,186,100	\$111,000	\$2,075,100
ReConnect 4	772	386	\$1,621,200	\$1,029,600	\$591,600
Total	1913	956.5	\$4,017,300	\$1,152,600	\$2,864,700





County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

www.lincolncountynm.gov

AGENDA ITEM NO. 16

SUBJECT:

Consideration of Award of Contract to RY Construction LLC for the Lincoln County Courthouse Drainage Improvements in the Amount of \$105,044.07

Tuesday, April 18, 2023

LINCOLN COUNTY, NEW MEXICO
 LINCOLN COUNTY COURTHOUSE DRAINAGE IMPROVEMENTS
 NIGP COMMODITY CODE # 91347
 BID NO.: IFB 22-23-3
 BID DATE: MARCH 21, 2023 NO LATER THAN 2:00 P.M. (LOCAL TIME)

BASE BID				ENGINEER'S ESTIMATE		RY Construction LLC	
ITEM NO.	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	CONCRETE SIDEWALK	SQ. YD.	110.00	\$ 80.00	\$ 8,800.00	\$ 94.99	\$ 10,448.90
2	5' VALLEY GUTTER	LINEAR FT.	60.00	\$ 85.00	\$ 5,100.00	\$ 145.63	\$ 8,737.80
3	CONCRETE REMOVAL AND DISPOSAL	SQ. YD.	120.00	\$ 50.00	\$ 6,000.00	\$ 245.83	\$ 29,499.60
4	SAW CUT	LINEAR FT.	180.00	\$ 5.00	\$ 900.00	\$ 9.84	\$ 1,771.20
5	HEADER CURB	LINEAR FT.	50.00	\$ 60.00	\$ 3,000.00	\$ 82.14	\$ 12,321.00
6	REINFORCED CONCRETE, CLASS A	CU. YD	10.00	\$ 3,200.00	\$ 32,000.00	\$ 1,034.31	\$ 10,343.10
7	BORROW	CU. YD	20.00	\$ 60.00	\$ 1,200.00	\$ 413.94	\$ 8,278.80
8	DOWNSPOUT ADJUSTMENT	EACH	3.00	\$ 1,500.00	\$ 4,500.00	\$ 769.59	\$ 2,308.77
9	PEDESTRIAN TRAFFIC CONTROL	LUMP SUM	1.00	\$ 7,000.00	\$ 7,000.00	\$ 4,677.15	\$ 4,677.15
10	CONSTRUCTION STAKING	LUMP SUM	1.00	\$ 8,500.00	\$ 8,500.00	\$ 16,657.75	\$ 16,657.75
N/A	CONSTRUCITON RESERVE FOR INCREASED PRICING	N/A	1.00	\$ 19,250.00	\$ 19,250.00	-	-
	TOTAL BASE BID				\$96,250.00		\$ 105,044.07

LINCOLN COUNTY, NEW MEXICO
 LINCOLN COUNTY COURTHOUSE DRAINAGE IMPROVEMENTS
 NIGP COMMODITY CODE # 91347
 BID NO.: IFB 22-23-3
 BID DATE: MARCH 21, 2023 NO LATER THAN 2:00 P.M. (LOCAL TIME)

SECTION / PAGE(S)	BID SUBMISSION CHECKLIST	RY Construction LLC
3.3 - 3.6	Section 3 - Bid Form	YES
3.2	Addendum 1 Acknowledgement - issued on March 7, 2023	YES
	Addendum 2 Acknowledgement - issued on March 7, 2023	YES
	Addendum 3 Acknowledgement - issued on March 17, 2023	YES
3.7	NM Contractor's License No.	393807
	NM Contractor's License Classification(s)	GA03, GB98
	NM Dept. of Workforce Solutions Dept. Registration No. (NM DWS#)	28234563002022
	NM Resident Contractor's Preference No.	L1317807216
	Resident Veteran Contractor Preference No.	N/A
	Federal Employer Tax ID No. (FEIN)	82-3456300
	State of New Mexico Tax ID No.	03-3930775-00-9
3.9	Certificate as to Corporate Principal	YES
3.10	List of Subcontractors	NONE
3.13	Campaign Contribution Disclosure Form	YES
3.14	NM Preference Resident Veteran Certification Form	N/A
3.15	Related Party Disclosure Form	YES
3.16	Certification Regarding Debarment, Suspension, and Other Responsibility Matters	YES
3.17	Non-Collusion Affidavit	YES
4.1	Section 4 - Bid Guaranty	YES
-	Agent's Affidavit / Power of Attorney	YES

ENGINEER'S CERTIFICATE:

I hereby Certify that this TABULATION is True and Correct.


 David Roybal, PE NM#23576
 July 18, 2022





ENGINEERING | SURVEYING | CONSTRUCTION SERVICES
 DEFINING QUALITY SINCE 1965



LETTER FEE PROPOSAL

To: Lincoln County, Attn: Ira Pearson
From: David Roybal, PE
Date: September 18, 2022
Subject: Lincoln County Courthouse Courtyard Bidding and Construction Services, Carrizozo, NM

Thank you for the opportunity to submit a fee proposal on this project. We can confidently provide excellent service to you. For over 55 years **Pettigrew & Associates, P.A.** has been a leader in fully integrated Surveying, Engineering, Construction Management, Materials Engineering and Testing serving New Mexico, Texas, Kansas and Oklahoma. Pettigrew & Associates is a registered Women-Owned Business (WBENC National #232933).

Engineering

- Site Design
- Geotechnical
- Foundation/Earthwork Investigations
- Storm Water Pollution Prevention Plans
- Pavement, Roadway & Infrastructure Design
- Traffic Engineering
- Permit Analysis
- Fatal Flaw Analysis
- Drainage Studies
- Spill Prevention

Aerial Services

- Topographic, Mapping, Photogrammetry
- Volume/Quantity Calcs
- Pipeline Surveying & Monitoring
- Spill/Environmental Monitoring
- Project Monitoring

Surveying

- ALTA/Boundary
- Route, Construction, Utility
- Easement, ROW
- GPR Services
- Topographic/Design
- Control for Aerial/Lidar
- Plant Site Monumentation
- Subsidence Surveys
- Annexation, As-Built
- Geodetic

GIS Services

- Mapping Services for Utilities, Powerlines, Pipelines, Infrastructure, Roads, Parcel Data
- Asset Monitoring
- Spatial Database Management
- Imagery Analysis and Remote Sensing

Construction Services

- Site Development
- Construction Inspection
- Daily Progress Reports
- Non-Conformance Reports
- Test Reports
- Approval/Variation Request Documentation
- Deficiency Log
- As-Built Drawings/Record Documents
- Project Closeout/Testing Log Books
- Special Inspections
- Source Feasibility Studies & Evaluations
- Material Pit Sourcing
- Design & Analysis of Superpave Asphaltic Mixtures
- Design and Analysis of Portland Cement, Concrete, Grout, Masonry
- Construction Materials Testing



SCOPE OF SERVICES

1. Project Bidding

Lump Sum \$3,560

This proposal includes Project Bidding and construction phase services. Pettigrew shall prepare bidding documents to solicit competitive public bids based on a scope of work to be defined by the construction documents for the proposed courtyard improvements for Lincoln County Courthouse located in Carrizozo, NM. See attached manhours and fee schedule for pricing details.

A. Bidding Requirements

- ✔ Bid Documents
- ✔ Bid Management
 - State Minimum Wage Rate Determination Application
 - Bid Advertisement
 - Bid Document Distribution and Bidder's List
 - Pre-bid Conference (remote if applicable)
 - Addendum (if applicable)
 - Bid Opening (remote)
 - Bid Evaluation/Verification
 - Certified Bid Tabulation
 - Recommendation of Award
- ✔ Coordinate with Owner as needed.
- ✔ Correspondence

2. Construction Services

This proposal includes Construction services for the proposed courtyard improvements for Lincoln County Courthouse located in Carrizozo, NM. See attached manhours and fee schedule for pricing details.

A. Construction Administration

Lump Sum \$2,960

- ✔ Review and respond to project submittals for civil design.
- ✔ Review and respond to project RFI's and change order requests.
- ✔ Review submitted application of payments.
- ✔ Conduct one (1) field reviews during construction.

B. Project Closeout and Certification

Lump Sum \$2,036

- ✔ Review materials testing reports and field inspection data.
- ✔ Conduct a final inspection upon substantial completion of proposed work.
- ✔ Issue project certification of proposed improvements on the basis of the aforementioned information/observation. Certification shall only be issued if constructed improvements are found to be in compliance with the approved construction documents.

- 
- ❖ Fee assumes one (1) final inspection by engineer or designated representative. Any additional inspections will be billed as Additional Services.

C. Construction Testing/Observation

Lump Sum \$9,942

- ❖ 2 soil materials for Lab Soils Testing (proctor/gradation/PI)
- ❖ 2 days of field Soils Testing (Densities)
- ❖ 4 days/pours of concrete Testing (air/slump/cylinders)
- ❖ Assumed construction period of 30 days

3. Additional Services

Time & Materials

Client generated changes to planning and work efforts once work is in progress including consideration of areas outside of the project limits or additions to the project scope or budget causing Additional Work will be billed at current hourly rates or negotiated lump sum per change-order proposals approved by the Client or the Client's Representative. Additional Work will continue until the work is at the same level of completion as it was prior to the change. Any Additional Work not specifically included in the above scope of services will be accomplished as Additional Services.

4. Excluded Services

- A.** Cost of permits or filing fees required by regulatory agencies or departments obtained for this project shall be paid by the owner.
- B.** Design of areas or improvements outside the limits of the project site.
- C.** Meetings beyond those identified in the project scope.

All fees are presented without New Mexico Gross Receipts Tax (NMGRT). NMGRT will be billed at current rates. Retainage shall not be held.

The following is a summary of standard insurance coverage for **Pettigrew & Associates, P.A.**

Commercial General Liability:	\$2,000,000 aggregate, \$1,000,000 per occurrence
Automobile:	\$1,000,000 combined single limit (any Auto)
Worker's Compensation:	Statutory: \$500,000
Employer's Liability:	\$500,000 each accident, \$500,000 each employee (disease), \$500,000 policy limit (disease)
Professional Liability:	\$2,000,000 per claim, \$2,000,000 annual aggregate
Umbrella Liability:	\$5,000,000 per occurrence, \$5,000,000 aggregate

We appreciate the opportunity to present this proposal and look forward to hearing from you.

Sincerely,

Pettigrew & Associates, P.A.



David Roybal, PE
Engineering Manager

TERMS, CONDITIONS and STANDARD OF CARE

1. The standard of care for all professional engineering, surveying and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. The Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services. Interpretations and recommendations by Engineer will be based on information available to or developed by Engineer. Client recognizes that subsurface conditions may vary from those observed at specific locations where surveys, sampling, testing, or other Site explorations are made, and that conditions may change with time.
2. Neither Client nor Engineer shall be responsible for discovering deficiencies in the technical accuracy of Engineer's services. Engineer shall correct any such deficiencies in technical accuracy without additional compensation except to the extent such corrective action is directly attributable to deficiencies in Client/Owner-furnished information. Engineer will not be responsible for (1) inaccuracies, errors, or omissions in data other than its own or its Consultants', or (2) improper interpretations or use by others of any data.
3. Subject to the standard of care set forth in Item 1, Engineer and its Consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.
4. Engineer and Client shall comply with applicable Laws and Regulations. Engineer shall comply with standards mandated by Client and provided to Engineer in writing. This Agreement is based on these requirements as of the Effective Date. Changes to these requirements after the Effective Date of this Agreement may be the basis for modifications to Client's responsibilities or to Engineer's scope of services, times of performance, or compensation.
5. Engineer shall not be required to sign any document, no matter by whom requested, that would result in Engineer having to certify, guarantee, or warrant the existence of conditions whose existence Engineer cannot ascertain. Client agrees not to make resolution of any dispute with Engineer or payment of any amount due to Engineer in any way contingent upon Engineer signing any such document.
6. Engineer neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform the Work.
7. Engineer shall not be responsible for the acts or omissions of any Contractor, subcontractor, or supplier, or of any of their agents or employees, or of any other persons (except Engineer's own agents, employees, and Consultants) at the Site or otherwise furnishing or performing any of the Work.
8. In the event of any termination, Engineer will be entitled to invoice Client and to receive full payment for all services performed or furnished and all Reimbursable Expenses incurred through the effective date of termination. Upon making such payment, Client shall have the limited right to the use of Documents, at Client's sole risk.
9. Required increases to standard policy limits may result in additional fees to the client.
10. Professional Liability and E&O Conditions are explicitly limited to "Professional Standard of Care".
11. Client signed copy of Fee Proposal is required.
12. Contractual verbiage of indemnification and warranty may negate client's rights to insurance.

LETTER OF INTENT

In order to proceed, please sign and return this Letter of Intent acknowledging the terms of the business as detailed along with the New Client information.

Attention: David Roybal, PE droybal@pettigrew.us
accountsreceivable@pettigrew.us or (fax) 575-393-1543

Project: Lincoln County Courthouse Courtyard Bidding and Construction Services

Project Location: Carrizozo, NM

Description of Work: Bidding and Construction Services

Fees:

Project Bidding	\$3,560
Construction Admin	\$2,960
Project Closeout and Certification	\$2,036
Construction Testing/Observation	\$9,942

PROPOSAL TOTAL **\$18,498 + NMGRT (6.6875%)**

This proposal is valid for 60 days from the date of issue, as outlined on the cover page.

By signing below, we accept the terms and conditions of the Letter of Intent.

Signature: _____ Date: _____

Company Information					
Client Name:					
Owner Name/Title:					
Street Address:					
City:		State:	NM	Zip:	
Phone:		Fax:			
E-mail Address:					
Company Website:					
Billing Information (If different than above)					
A/P Contact Name:					
Billing Address:					
City:		State:		Zip:	
Phone:		Fax:			
Email Address:					
P.O. Number:		NTTC:	If yes attach copy		
Project Contact					
Contact Name/Title:					
Phone:		Fax:			
Email Address:					



March 23, 2023

Commission Chambers
300 Central Avenue
P.O. Box 711
Carrizozo, NM 88301

RE: COUNTY OF LINCOLN
LINCOLN COUNTY COURTHOUSE DRAINAGE IMPROVEMENTS
NIGP COMMODITY CODE # 91347
BID NUMBER: IFB 22-23-3

Dear Commissioners,

Contractor's Bids for construction of work associated with the above-referred project were received before Tuesday, March 21, 2023, 2:00 p.m. (MDT) and publicly opened at 2:00 p.m. on the same day via teleconference in accordance with the Specifications and Contract Documents. Mr. David Roybal, Pettigrew & Associates, P.A. Engineering Manager, opened the Bids and read aloud *in words* the Total Lump Sum Price:

I. One (1) bid was received:

1.	RY Construction LLC Truth or Consequences, NM	TOTAL LUMP SUM PRICE BASE BID + NMGRY NOT INCLUDED	\$105,044.07
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March 23, 2023
Page 2 of 2

Commission Chambers
300 Central Avenue
P.O. Box 711
Carrizozo, NM 88301

COUNTY OF LINCOLN
LINCOLN COUNTY COURTHOUSE DRAINAGE IMPROVEMENTS
NIGP COMMODITY CODE # 91347
BID NUMBER: IFB 22-23-3

It is recommended that the Total (Lump Sum Price Base Bid + NMGR) be awarded to RY Construction LLC at the unit price bid per item of work in the total amount of \$105,044.07. The amount is inclusive of gross receipts tax at 7.3%.

A Certified Bid Tabulation is attached for your review.

Sincerely,

Pettigrew & Associates, P.A.



David Roybal, PE

NM # 23576





County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

www.lincolncountynm.gov

AGENDA ITEM NO. 17

SUBJECT:

Discussion and Direction Regarding Carrizozo Courthouse Complex Renovations and Security Upgrades

Tuesday, April 18, 2023

Building Tomorrows Future Today....



PHONE: 575-437-7816

FAX: 575-437-0984

PO BOX 1745, ALAMOGORDO, NM 88311

LIC. 50235

February 13, 2023

Ira Pearson - County Manager
County of Lincoln
IPearson@lincolncountynm.gov

Lincoln County - 1940 Building - Stucco and Windows
300 Central Ave, Carrizozo, NM 88301

Prices Below are to be honored from Statewide Price Agreement #00-00000-20-00110

Zone 4 Contractor (BQ) 0000050416

As Per Scope of Work Below: Lincoln County - 1940 Building - Stucco and Windows

001 - GC Superintendent Regular Hours Worked, projects under \$60,000 - \$100.00 x 110 =	\$11,000.00
003 - Journeyman or Experienced Worker Regular Hours Worked, projects under \$60,000- \$60.00 x 50 =	\$3,000.00
005 - Laborer Regular Hours Worked, projects under \$60,000 - \$45.00 x 50 =	\$2,250.00
013 - Diagnosis, Project Estimates, Troubleshooting, Other - \$110.00 x 2 =	\$220.00
016 - Mileage - \$0.57 x 58 miles 1 way x 10 Trips = 580 miles - 50 Miles per Trip = 80 Miles =	\$45.60
Materials	\$2,900.00
<u>Sub-Contractors:</u>	
White Mountain Glass	\$14,400.00
Ochoa Stucco	\$20,500.00
Sub-Total =	\$54,315.60
Bond =	\$1,086.31
NMGRT as of January 1, 2023 @ 7.3% =	<u>\$4,044.34</u>
<u>Grand Total with NMGRT =</u>	<u>\$59,446.25</u>

The above price includes the following:

1. Payment/Performance Bond
2. Re-stucco front of existing building
3. Install new windows on front of building: 5 total (Match exiting fire rated windows (to remain): 3 total)

The following is not included:

1. 2023 Wage Rates
2. Builders Risk Insurance
3. Permits of any Kind
4. NMGRT Increases
5. Repairs or Fixing of Existing Code Violations at Existing Spaces
6. Allowances of any Kind
7. Anything Not Mentioned Above
8. Utilize Existing Power & Water at No Costs
9. Cleaning, Prepping, and/or Painting Existing Pre-Finished Parapet Caps
10. Cleaning, Prepping, and/or Painting Existing Mechanical Piping and/or Covers
11. Painting of Any Kind

This quote is valid for 15 days from today's date.

Thank you for this opportunity. We look forward to working with you in the near future. Please do not hesitate to contact White Sands Construction, Inc. for all of your future construction requirements.

Sincerely,

White Sands Construction, Inc.



Catlin Curry

Executive V.P./ Estimator

(575) 437-7816 ext. 1 or Cell - 575-430-4146

Sign and Date to Accept Below:

Building Tomorrows Future Today....



PHONE: 575-437-7816

FAX: 575-437-0984

PO BOX 1745, ALAMOGORDO, NM 88311

LIC. 50235

February 13, 2023

Ira Pearson - County Manager
County of Lincoln
IPearson@lincolncountynm.gov

Lincoln County - 1960 Building - Stucco Columns, Rock Facade, and Reseal Existing Windows
300 Central Ave, Carrizozo, NM 88301

Prices Below are to be honored from Statewide Price Agreement #00-00000-20-00110

Zone 4 Contractor (BQ) 0000050416

As Per Scope of Work Below: 1960 Building - Stucco Columns, Rock Facade, & Reseal Existing Windows

007 - GC Superintendent Regular Hours Worked, projects over \$60,000 - \$100.00 x 204 =	\$20,400.00
009 - Journeyman or Experienced Worker Regular Hours Worked, projects over \$60,000- \$60.00 x 40 =	\$2,400.00
011 - Laborer Regular Hours Worked, projects over \$60,000 - \$45.00 x 40 =	\$1,800.00
013 - Diagnosis, Project Estimates, Troubleshooting, Other - \$110.00 x 2 =	\$220.00
016 - Mileage - \$0.57 x 58 miles 1 way x 10 Trips = 580 miles - 50 Miles per Trip = 80 Miles =	\$45.60
Materials	\$2,450.00
Sub-Contractors:	
White Mountain Glass	\$1,800.00
Ochoa Stucco	\$57,000.00
Sub-Total =	\$86,115.60
Bond =	\$1,722.31
NMGRT as of January 1, 2023 @ 7.3% =	<u>\$6,412.17</u>
Grand Total with NMGRT =	<u>\$94,250.08</u>

Deduct \$48,285.00 Including NMGRT to Delete Stucco at Rack Façade Parapets and Leave as is

The above price includes the following:

1. 2023 Wage Rates & Payment/Performance Bond
2. Stucco existing concrete columns - 10 total
3. Stucco top of existing rock façade parapet wall - **See Deduct**
4. Reseal existing aluminum frame windows
5. Remove & Reinstall Wall Mounted Signage as Required

The following is not included:

1. Builders Risk Insurance
2. Permits of any Kind
3. NMGRT Increases
4. Repairs or Fixing of Existing Code Violations at Existing Spaces
5. Allowances of any Kind
6. Anything Not Mentioned Above
7. Utilize Existing Power & Water at No Costs
8. Cleaning, Prepping, and/or Painting Existing Pre-Finished Parapet Caps
9. Cleaning, Prepping, and/or Painting Existing Mechanical Piping and/or Covers
10. Painting of Any Kind

This quote is valid for 15 days from today's date.

Thank you for this opportunity. We look forward to working with you in the near future. Please do not hesitate to contact White Sands Construction, Inc. for all of your future construction requirements.

Sincerely,

White Sands Construction, Inc.

Catlin Curry

Catlin Curry

Executive V.P./ Estimator

(575) 437-7816 ext. 1 or Cell - 575-430-4146

Sign and Date to Accept Below:

Building Tomorrows Future Today....



PHONE: 575-437-7816

FAX: 575-437-0984

PO BOX 1745, ALAMOGORDO, NM 88311

LIC. 50235

February 13, 2023

Ira Pearson - County Manager
County of Lincoln
IPearson@lincolncountynm.gov

Lincoln County - Commission Chamber Bldg. - Paint, Flooring, and Lighting
300 Central Ave, Carrizozo, NM 88301

Prices Below are to be honored from Statewide Price Agreement #00-00000-20-00110

Zone 4 Contractor (BQ) 0000050416

As Per Scope of Work Below: Lincoln County - Commission Chamber Bldg. - Paint, Flooring, and Lighting

007 - GC Superintendent Regular Hours Worked, projects over \$60,000 - \$100.00 x 200 =	\$20,000.00
009 - Journeyman or Experienced Worker Regular Hours Worked, projects over \$60,000- \$60.00 x 200 =	\$12,000.00
011 - Laborer Regular Hours Worked, projects over \$60,000 - \$45.00 x 200 =	\$9,000.00
013 - Diagnosis, Project Estimates, Troubleshooting, Other - \$110.00 x 2 =	\$220.00
016 - Mileage - \$0.57 x 58 miles 1 way x 40 Trips = 2320miles - 50 Miles per Trip = 320 Miles =	\$182.40
Materials	\$9,550.00
<u>Sub-Contractors:</u>	
SW Flooring	\$13,375.00
Alamo Electric	\$6,700.00
Sub-Total =	\$71,027.40
Bond =	\$1,420.55
NMGRT as of January 1, 2023 @ 7.3% =	<u>\$5,288.70</u>
<u>Grand Total with NMGRT =</u>	<u>\$77,736.65</u>

The above price includes the following:

1. 2023 Wage Rates & Payment/Performance Bond
2. Prep & Paint all Walls in Offices (Floor to Ceiling and Corner to Corner) - 4 total
3. Prep & Paint all Walls in Lobby (Floor to Ceiling and Corner to Corner)
4. New Flooring in offices: 4 total
 - Remove exiting carpet
 - New LVP flooring
 - New 4" vinyl cove base
5. New Flooring in breakroom
 - Remove existing click together flooring
 - Floor leveling as needed
 - Remove tile base
 - Install new LVP and vinyl cove base
6. Remove existing tile base in lobby and Install new vinyl cove base
7. Replace bulbs with LED in offices, lobby, entry vestibule and commission chambers (No new light fixtures)

The following is not included:

1. Builders Risk Insurance
2. Permits of any Kind
3. NMGRT Increases
4. Repairs or Fixing of Existing Code Violations at Existing Spaces
5. Allowances of any Kind
6. Anything Not Mentioned Above
7. Utilize Existing Power & Water at No Costs
8. Removing & Reinstall any FFE and/or Wall Mounted Items for Flooring & Painting

This quote is valid for 15 days from today's date.

Thank you for this opportunity. We look forward to working with you in the near future. Please do not hesitate to contact White Sands Construction, Inc. for all of your future construction requirements.

Sincerely,

White Sands Construction, Inc.



Catlin Curry

Executive V.P./ Estimator

(575) 437-7816 ext. 1 or Cell - 575-430-4146

Sign and Date to Accept Below:

Building Tomorrows Future Today....



PHONE: 575-437-7816

FAX: 575-437-0984

PO BOX 1745, ALAMOGORDO, NM 88311

LIC. 50235

February 13, 2023

Ira Pearson - County Manager
County of Lincoln
IPearson@lincolncountynm.gov

Lincoln County - Commission Chamber Bldg. - Restrooms Remodel
300 Central Ave, Carrizozo, NM 88301

Prices Below are to be honored from Statewide Price Agreement #00-00000-20-00110

Zone 4 Contractor (BQ) 0000050416

As Per Scope of Work Below: Lincoln County - Commission Chamber Bldg. - Restrooms Remodel

001 - GC Superintendent Regular Hours Worked, projects under \$60,000 - \$100.00 x 141 =	\$14,100.00
003 - Journeyman or Experienced Worker Regular Hours Worked, projects under \$60,000- \$60.00 x 141 =	\$8,460.00
005 - Laborer Regular Hours Worked, projects under \$60,000 - \$45.00 x 141 =	\$6,345.00
013 - Diagnosis, Project Estimates, Troubleshooting, Other - \$110.00 x 2 =	\$220.00
016 - Mileage - \$0.57 x 58 miles 1 way x 40 Trips = 2320miles - 50 Miles per Trip = 320 Miles =	\$182.40
Materials	\$9,260.00
<u>Sub-Contractors:</u>	
SW Flooring	\$2,885.00
Darnold Plumbing	\$12,061.67
Alamo Electric	\$800.00
Sub-Total =	\$54,314.07
Bond =	\$1,086.28
NMGRT as of January 1, 2023 @ 7.3% =	<u>\$4,044.23</u>
<u>Grand Total with NMGRT =</u>	<u>\$59,444.58</u>

The above price includes the following:

1. Payment/Performance Bond
2. Remodel existing men's and woman's restrooms to include:
 - Demo Including existing drinking fountain
 - New LVP Flooring & 4" vinyl cove base
 - New LED Lighting in Restrooms and Can Light In Vestibule
 - New Plumbing Fixtures Including Wall Hung Sinks (Two Sinks to be Installed in Each Restroom)
 - New Painted Steel Partitions
 - New Toilet Accessories Excluding In-Wall Trash Receptacles & Air Fresheners
 - New plugs and switches
 - Prep & Paint All Walls, Ceilings, and Door Frames in Both Restrooms (Doors to Remain as-is)
 - New ADA Signage at Each Door

The following is not included:

1. 2023 Wage Rates
2. Builders Risk Insurance
3. Permits of any Kind
4. NMGRT Increases
5. Repairs or Fixing of Existing Code Violations at Existing Spaces
6. Allowances of any Kind
7. Anything Not Mentioned Above
8. Utilize Existing Power & Water at No Costs
9. Countertops of Any Kind

This quote is valid for 15 days from today's date.

Thank you for this opportunity. We look forward to working with you in the near future. Please do not hesitate to contact White Sands Construction, Inc. for all of your future construction requirements.

Sincerely,

White Sands Construction, Inc.

Catlin Curry

Catlin Curry

Executive V.P./ Estimator

(575) 437-7816 ext. 1 or Cell - 575-430-4146

Sign and Date to Accept Below:

Building Tomorrows Future Today....



PHONE: 575-437-7816

FAX: 575-437-0984

PO BOX 1745, ALAMOGORDO, NM 88311

LIC. 50235

February 13, 2023

Ira Pearson - County Manager
County of Lincoln
IPearson@lincolncountynm.gov

Lincoln County - Commission Chamber Bldg. - Vestibule and Misc. Doors
300 Central Ave, Carrizozo, NM 88301

Prices Below are to be honored from Statewide Price Agreement #00-00000-20-00110

Zone 4 Contractor (BQ) 0000050416

As Per Scope of Work Below: Lincoln County - Commission Chamber Bldg. - Vestibule and Misc. Doors

007 - GC Superintendent Regular Hours Worked, projects over \$60,000 - \$100.00 x 240 =	\$24,000.00
009 - Journeyman or Experienced Worker Regular Hours Worked, projects over \$60,000- \$60.00 x 240 =	\$14,400.00
011 - Laborer Regular Hours Worked, projects over \$60,000 - \$45.00 x 240 =	\$10,800.00
013 - Diagnosis, Project Estimates, Troubleshooting, Other - \$110.00 x 2 =	\$220.00
016 - Mileage - \$0.57 x 58 miles 1 way x 60 Trips = 3480 miles - 50 Miles per Trip = 480 Miles =	\$273.60
Materials	\$8,779.00

Sub-Contractors:

White Mountain Glass	\$54,690.00
Santa Fe Awning	\$2,780.00
Alamo Electric	\$544.36
Sub-Total =	\$116,486.96
Bond =	\$2,329.74
NMGRT as of January 1, 2023 @ 7.3% =	\$8,673.62

Grand Total with NMGRT = **\$127,490.32**

1

Lincoln County - Commission Chamber Bldg. - Vestibule and Misc. Doors
White Sands Construction Inc.
February 13, 2023

The above price includes the following:

1. 2023 Wage Rates & Payment/Performance Bond
2. Remove and replace existing doors and hardware:
 - a. Commission Chamber Building - Vestibule: Exterior door (existing wood) and frame including side lite and top lite (**new aluminum store front door and frame**)
 - b. Commission Chamber Building - Vestibule Interior door and frame including side lite and top lite (**new aluminum store front door and frame**)
 - c. Commission Chamber Building - Rear Hollow Metal Door and Exterior Hardware Only: Existing frame to remain (**new hollow metal door - Prep & Paint New Door & Existing Frame**)
 - d. Main Building (1960) – South Vestibule Exterior Door (existing wood) including top lite (**new aluminum store front door and frame**)
 - e. Annex Building (1940) – (Ira) Door (existing wood) including side lite (**new aluminum store front door and frame**)
 - f. Main Building (1960) – Main Door (existing wood) to Court including top lite (**new aluminum store front door and frame**) (**Modify Existing Storefront Frame to Accommodate ADA Compliant Storefront Doors - Rest of Frame Remains**)
 - g. Main Building (1960) – NE courtyard door (existing wood) to Court including top lite (**new aluminum store front door and frame**)
3. Provide and install new 24x36 service/transaction window from vestibule to Managers office
4. Build insulated partition wall in Managers office including new pre-hung wood door and 24"x24" operational window (Prep & Paint Walls to Remain so All will Blend in properly)
5. Install new pre-hung wood door in between Managers office and Brianna's office (Prep & paint Brianna's Office Wall at New Door Location Corner to Corner - Remainder of Walls to Remain as-is)
6. Build & Install Painted 5'x5' awning at Commission Chamber building - rear door at 8' AFF

The following is not included:

1. Builders Risk Insurance
2. Permits of any Kind
3. NMGRT Increases
4. Repairs or Fixing of Existing Code Violations at Existing Spaces
5. Allowances of any Kind
6. Anything Not Mentioned Above
7. Utilize Existing Power & Water at No Costs
8. Access Control for Doors
9. Flooring of Any Kind
10. Removing & Reinstall Existing FFE and/or Wall Mounted Items for New Work

This quote is valid for 15 days from today's date.

Thank you for this opportunity. We look forward to working with you in the near future. Please do not hesitate to contact White Sands Construction, Inc. for all of your future construction requirements.

Sincerely,

White Sands Construction, Inc.



Catlin Curry

Executive V.P./ Estimator

(575) 437-7816 ext. 1 or Cell - 575-430-4146

Sign and Date to Accept Below:

Building Tomorrows Future Today....



PHONE: 575-437-7816

FAX: 575-437-0984

PO BOX 1745, ALAMOGORDO, NM 88311

LIC. 50235

February 13, 2023

Ira Pearson - County Manager
County of Lincoln
IPearson@lincolncountynm.gov

Lincoln County - Commission Chamber Bldg. - Windows, Stucco, and Lighting
300 Central Ave, Carrizozo, NM 88301

Prices Below are to be honored from Statewide Price Agreement #00-00000-20-00110

Zone 4 Contractor (BQ) 0000050416

As Per Scope of Work Below: Lincoln County - Commission Chamber Bldg. - Windows, Stucco, and Lighting

001 - GC Superintendent Regular Hours Worked, projects under \$60,000 - \$100.00 x 320 =	\$32,000.00
003 - Journeyman or Experienced Worker Regular Hours Worked, projects under \$60,000- \$60.00 x 40 =	\$2,400.00
005 - Laborer Regular Hours Worked, projects under \$60,000 - \$45.00 x 40 =	\$1,800.00
013 - Diagnosis, Project Estimates, Troubleshooting, Other - \$110.00 x 2 =	\$220.00
016 - Mileage - \$0.57 x 58 miles 1 way x 32 Trips = 1856 miles - 50 Miles per Trip = 256 Miles =	\$145.92
Materials	\$3,300.00
<u>Sub-Contractors:</u>	
White Mountain Glass	\$13,850.00
Ochoa Stucco	\$59,500.00
Alamo Electric	\$2,300.00
Sub-Total =	\$115,515.92
Bond =	\$2,310.32
NMGRT as of January 1, 2023 @ 7.3% =	\$8,601.32
<u>Grand Total with NMGRT =</u>	<u>\$126,427.56</u>

The above price includes the following:

1. 2023 Wage Rates & Payment/Performance Bond
2. Re-stucco entire building including wall around mechanical yard
3. Replace all six windows
4. Replace existing wall pack lights (new larger-LED fixtures)
5. Prep & Paint 3 Downspouts
6. Remove & Reinstall existing Letters & Signs a Required

The following is not included:

1. Builders Risk Insurance
2. Permits of any Kind
3. NMGRT Increases
4. Repairs or Fixing of Existing Code Violations at Existing Spaces
5. Allowances of any Kind
6. Anything Not Mentioned Above
7. Utilize Existing Power & Water at No Costs
8. Cleaning, Prepping, and/or Painting Existing Pre-Finished Parapet Caps
9. Cleaning, Prepping, and/or Painting Existing Mechanical Piping and/or Covers
10. Painting of Any Kind

This quote is valid for 15 days from today's date.

Thank you for this opportunity. We look forward to working with you in the near future. Please do not hesitate to contact White Sands Construction, Inc. for all of your future construction requirements.

Sincerely,

White Sands Construction, Inc.



Catlin Curry

Executive V.P./ Estimator

(575) 437-7816 ext. 1 or Cell - 575-430-4146

Sign and Date to Accept Below:

Building Tomorrows Future Today....



PHONE: 575-437-7816

FAX: 575-437-0984

PO BOX 1745, ALAMOGORDO, NM 88311

LIC. 50235

February 13, 2023

Ira Pearson - County Manager
County of Lincoln
IPearson@lincolncountynm.gov

Lincoln County - Sheriff's Office - Replace Concrete Steps and Ramps
300 Central Ave, Carrizozo, NM 88301

Prices Below are to be honored from Statewide Price Agreement #00-00000-20-00110

Zone 4 Contractor (BQ) 0000050416

As Per Scope of Work Below: Lincoln County - Sheriff's Office - Replace Concrete Steps and Ramps

001 - GC Superintendent Regular Hours Worked, projects under \$60,000 - \$100.00 x 60 =	\$6,000.00
003 - Journeyman or Experienced Worker Regular Hours Worked, projects under \$60,000- \$60.00 x 60 =	\$3,600.00
005 - Laborer Regular Hours Worked, projects under \$60,000 - \$45.00 x 60 =	\$2,700.00
013 - Diagnosis, Project Estimates, Troubleshooting, Other - \$110.00 x 2 =	\$220.00
016 - Mileage - \$0.57 x 58 miles 1 way x 10 Trips = 580 miles - 50 Miles per Trip = 80 Miles =	\$45.60
Materials	\$957.80

Sub-Contractors:

Coble Constructors	\$33,776.60
Ochoa Stucco	\$7,500.00
Sub-Total =	\$54,800.00
Bond =	\$1,096.00
NMGRT as of January 1, 2023 @ 7.3% =	<u>\$4,080.41</u>
<u>Grand Total with NMGRT =</u>	<u>\$59,976.41</u>

The above price includes the following:

1. Payment/Performance Bond
2. Remove, Dispose, and replace concrete ramp and steps
3. Apply Sealer to New Concrete to Help Reduce The Effects of Salt
4. Stucco existing concrete walls that Remain
5. Prep & Paint existing handrail

The following is not included:

1. 2023 Wage Rates
2. Builders Risk Insurance
3. Permits of any Kind
4. NMGRT Increases
5. Repairs or Fixing of Existing Code Violations at Existing Spaces
6. Allowances of any Kind
7. Anything Not Mentioned Above
8. Utilize Existing Power & Water at No Costs

This quote is valid for 15 days from today's date.

Thank you for this opportunity. We look forward to working with you in the near future. Please do not hesitate to contact White Sands Construction, Inc. for all of your future construction requirements.

Sincerely,

White Sands Construction, Inc.

Catlin Curry

Executive V.P./ Estimator

(575) 437-7816 ext. 1 or Cell - 575-430-4146

Sign and Date to Accept Below:



www.lincolncountynm.gov

County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

AGENDA ITEM NO. 18

SUBJECT:

Office of Emergency Services

- a. Resolution 2023-50: Declaration of Fire Danger Emergency
- b. Approval of NM State Fire Protection Fund Applications
- c. Hazard Mitigation Plan Presentation - Wendy Blackwell

Tuesday, April 18, 2023

**RESOLUTION 2023-50
DECLARATION OF FIRE DANGER EMERGENCY**

(In accordance with Lincoln County Ordinance No. 2017-03)

WHEREAS, the Board of County Commissioners of Lincoln County, New Mexico, has determined that the present fire danger within the County of Lincoln, due to the extreme drought conditions currently existing, is exceedingly high; and

WHEREAS, the Board of County Commissioners of Lincoln County has further determined that, in order to protect the health, safety, and welfare of the citizens of Lincoln County, the Board must take emergency action in its meeting of April 18, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Lincoln County, New Mexico, hereby proclaims a ban on all burning of open flames, fires, campfires (except in designated areas), trash, rubbish, shrubbery or other material of any kind, except by permit. This Resolution is to remain in effect for thirty (30) days or until rescinded or extended by the Board of County Commissioners.

PASSED, APPROVED AND ADOPTED this 18th day of April, 2023.

**BOARD OF COUNTY COMMISSIONERS
OF LINCOLN COUNTY, NEW MEXICO**

Todd F. Proctor, Chairman

Jon F. Crunk, Vice-Chairman

Samantha J. Serna, Member

Pierre S. Pfeffer, Member

ATTEST:

Shannan Hemphill, Clerk

Mark G. Fischer, Member



Michelle Lujan Grisham
Governor

Ali Rye
Deputy Cabinet Secretary

David Dye
Cabinet Secretary

Carla Walton
Deputy Cabinet Secretary

Randy Varela
State Fire Marshal

**DEPARTMENT OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT**

FISCAL YEAR 2024 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2024 fiscal year.
The application is due in the State Fire Marshal Division on or before April 30, 2023

FIRE DEPARTMENT: **White Oaks**

FIRE DEPARTMENT ADDRESS: **PO Box 158**

ISO CLASSIFICATION: **7**

Number of Paid Firefighters:* 0

Number of Volunteer Firefighters:* 15

Approved number of Sub Stations is 0

Approved number of Main Stations is 1

White Oaks PO Box 158 Carrizozo NM 88301

Approved number of Admin Buildings is 0

If you contend the above **ISO Class** or **Station Information** is incorrect, please identify the changes in the comments box below and/or attach a list of your claim of main and substations and sign here: _____

Comments:

No file chosen
No Attached Files...

The projected minimum amount for fire fund distribution, based on the above information, is **\$55,501.00**. This does not include any additional amounts that may be calculated from growth in the fund.

Provide current balance of the fire department's total Fire Protection Fund account to date: *\$ 274,516.04

10.25.10.9 ACCUMULATION OF FUNDS:

A. FPF funds cannot be accumulated when the money is not required to accomplish the purpose of the Fire Protection Fund Act or any associated rules promulgated by the fire marshal.

B. FPF funds may be rolled over to subsequent fiscal years for the purpose of accumulating money to procure items or services for use in the operation, maintenance and betterment of the fire department. A request for authorization to rollover and accumulate FPF funds shall accompany the application to participate in distribution. The request must include a detailed description of the intended use of the accumulated money.

C. If the item to be purchased requires rollover and accumulation of FPF funds for more than one-year, only one request and subsequent authorization to accumulate funds is needed. If the item to be purchased changes, a new request for authorization to rollover and accumulate FPF funds shall be submitted to the fire marshal.

Provide anticipated rollover amount *\$ 235,236.73 ; include a detailed description of the intended use of the accumulated funds: (attach additional page if needed)

*

Rollover is intended for the purchase of a new wildland fire apparatus.

Choose File No file chosen

No Attached Files...

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2023 The request shall identify the intended purpose and exact amount of money to be rolled over into the FY 2024 balance.

The Fire Service Support Bureau of the State Fire Marshal Division 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 have issues with the system or require training you may submit your request via e-mail at Derrick.Rodriguez@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. Curt Kenegy
curtken@tularosa.net

2. Arron Griewahn
agriewahn@lincolncountynm.gov
575-336-8602

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 10 day of April, 2023

🔗 Enter Comm. Chair or Authorized Local Government Designee Name and Email and save the application to send an email requesting electronic signature.

*Comm. Chair or Authorized Local Government Designee Electronic Signature

*Comm. Chair or Authorized Local Government Designee Name

*Comm. Chair or Authorized Local Government Designee Email Address

*County Fire Chief / Fire Marshal or District Chief Electronic Signature



Michelle Lujan Grisham
Governor

Ali Rye
Deputy Cabinet Secretary

David Dye
Cabinet Secretary

Carla Walton
Deputy Cabinet Secretary

Randy Varela
State Fire Marshal

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

FISCAL YEAR 2024 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2024 fiscal year.
The application is due in the State Fire Marshal Division on or before April 30, 2023

FIRE DEPARTMENT: Lincoln

FIRE DEPARTMENT ADDRESS: PO Box 341

ISO CLASSIFICATION: 6

Number of Paid Firefighters: * 0

Number of Volunteer Firefighters: * 14

Approved number of Sub Stations is 0

Approved number of Main Stations is 2

Lincoln	PO Box 341	Alto	NM	88312
Lincoln Ft Stanton Station	PO Box 91	Ft Stanton	NM	88323

Approved number of Admin Buildings is 0

If you contend the above ISO Class or Station Information is incorrect, please identify the changes in the comments box below and/or attach a list of your claim of main and substations and sign here: _____

Comments:

No file chosen
No Attached Files...

The projected minimum amount for fire fund distribution, based on the above information, is **\$117,168.00**. This does not include any additional amounts that may be calculated from growth in the fund.

Provide current balance of the fire department's total Fire Protection Fund account to date: *\$ 458,896.37

10.25.10.9 ACCUMULATION OF FUNDS:

- A. FPF funds cannot be accumulated when the money is not required to accomplish the purpose of the Fire Protection Fund Act or any associated rules promulgated by the fire marshal.*
- B. FPF funds may be rolled over to subsequent fiscal years for the purpose of accumulating money to procure items or services for use in the operation, maintenance and betterment of the fire department. A request for authorization to rollover and accumulate FPF funds shall accompany the application to participate in distribution. The request must include a detailed description of the intended use of the accumulated money.*
- C. If the item to be purchased requires rollover and accumulation of FPF funds for more than one-year, only one request and subsequent authorization to accumulate funds is needed. If the item to be purchased changes, a new request for authorization to rollover and accumulate FPF funds shall be submitted to the fire marshal.*

Provide anticipated rollover amount *\$ 437,193.65 ; include a detailed description of the intended use of the accumulated funds: (attach additional page if needed)

*

Rollover is intended for the purchase of a new pumper.

Choose File No file chosen

No Attached Files...

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2023 The request shall identify the intended purpose and exact amount of money to be rolled over into the FY 2024 balance.

The Fire Service Support Bureau of the State Fire Marshal Division 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 have issues with the system or require training you may submit your request via e-mail at Derrick.Rodriguez@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. Jake Canavan
lincolnfirenm@gmail.com

2. Arron Griewahn
agriewahn@lincolncountynm.gov
575-336-8602

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 10 day of April, 2023

 Enter Comm. Chair or Authorized Local Government Designee Name and Email and save the application to send an email requesting electronic signature.

*Comm. Chair or Authorized Local Government Designee Electronic Signature

*Comm. Chair or Authorized Local Government Designee Name

*Comm. Chair or Authorized Local Government Designee Email Address

*County Fire Chief / Fire Marshal or District Chief Electronic Signature



Michelle Lujan Grisham
Governor

Ali Rye
Deputy Cabinet Secretary

David Dye
Cabinet Secretary

Carla Walton
Deputy Cabinet Secretary

Randy Varela
State Fire Marshal

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

FISCAL YEAR 2024 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2024 fiscal year.
The application is due in the State Fire Marshal Division on or before April 30, 2023

FIRE DEPARTMENT: **Glencoe-Palo Verde**

FIRE DEPARTMENT ADDRESS: **27661 Hwy 70**

ISO CLASSIFICATION: **8**

Number of Paid Firefighters:* 0

Number of Volunteer Firefighters:* 20

Approved number of Sub Stations is 0

Approved number of Main Stations is 2

Glencoe-Palo Verde	27661 Hwy 70	Glencoe	NM	88324
Glencoe-Palo Verde Station 2	271 Hwy 70	Glencoe	NM	88324

Approved number of Admin Buildings is 0

If you contend the above ISO Class or Station Information is incorrect, please identify the changes in the comments box below and/or attach a list of your claim of main and substations and sign here: _____

Comments:

No file chosen
No Attached Files...

The projected minimum amount for fire fund distribution, based on the above information, is **\$104,836.00**. This does not include any additional amounts that may be calculated from growth in the fund.

Provide current balance of the fire department's total Fire Protection Fund account to date: *\$ 385,235.54

10.25.10.9 ACCUMULATION OF FUNDS:

A. FPF funds cannot be accumulated when the money is not required to accomplish the purpose of the Fire Protection Fund Act or any associated rules promulgated by the fire marshal.

B. FPF funds may be rolled over to subsequent fiscal years for the purpose of accumulating money to procure items or services for use in the operation, maintenance and betterment of the fire department. A request for authorization to rollover and accumulate FPF funds shall accompany the application to participate in distribution. The request must include a detailed description of the intended use of the accumulated money.

C. If the item to be purchased requires rollover and accumulation of FPF funds for more than one-year, only one request and subsequent authorization to accumulate funds is needed. If the item to be purchased changes, a new request for authorization to rollover and accumulate FPF funds shall be submitted to the fire marshal.

Provide anticipated rollover amount *\$ 362,206.40 ; include a detailed description of the intended use of the accumulated funds: (attach additional page if needed)

*

Rollover is intended for the purchase of a new pumper

Choose File No file chosen

No Attached Files...

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2023 The request shall identify the intended purpose and exact amount of money to be rolled over into the FY 2024 balance.

The Fire Service Support Bureau of the State Fire Marshal Division 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 have issues with the system or require training you may submit your request via e-mail at Derrick.Rodriguez@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. Don Mike Bryant
mikbryant@hotmail.com

2. Arron Griewahn
agriewahn@lincolncountynm.gov
575-336-8602

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 10 day of April, 2023

 Enter Comm. Chair or Authorized Local Government Designee Name and Email and save the application to send an email requesting electronic signature.

*Comm. Chair or Authorized Local Government Designee Electronic Signature

*Comm. Chair or Authorized Local Government Designee Name

*Comm. Chair or Authorized Local Government Designee Email Address

*County Fire Chief / Fire Marshal or District Chief Electronic Signature



Michelle Lujan Grisham
Governor

Ali Rye
Deputy Cabinet Secretary

David Dye
Cabinet Secretary

Carla Walton
Deputy Cabinet Secretary

Randy Varela
State Fire Marshal

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

FISCAL YEAR 2024 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2024 fiscal year.
The application is due in the State Fire Marshal Division on or before April 30, 2023

FIRE DEPARTMENT: Nogal

FIRE DEPARTMENT ADDRESS: 104 Lincoln Road

ISO CLASSIFICATION: 6

Number of Paid Firefighters:* 0

Number of Volunteer Firefighters:* 24

Approved number of Sub Stations is 0

Approved number of Main Stations is 2

Nogal	104 Lincoln Road	Nogal	NM	88341
Nogal Abi Ann Station	694 Hwy 37	Nogal	NM	88341

Approved number of Admin Buildings is 0

If you contend the above ISO Class or Station Information is incorrect, please identify the changes in the comments box below and/or attach a list of your claim of main and substations and sign here: _____

Comments:

No file chosen

No Attached Files...

The projected minimum amount for fire fund distribution, based on the above information, is **\$117,168.00**. This does not include any additional amounts that may be calculated from growth in the fund.

Provide current balance of the fire department's total Fire Protection Fund account to date: *\$ 782,469.74

10.25.10.9 ACCUMULATION OF FUNDS:

A. FPF funds cannot be accumulated when the money is not required to accomplish the purpose of the Fire Protection Fund Act or any associated rules promulgated by the fire marshal.

B. FPF funds may be rolled over to subsequent fiscal years for the purpose of accumulating money to procure items or services for use in the operation, maintenance and betterment of the fire department. A request for authorization to rollover and accumulate FPF funds shall accompany the application to participate in distribution. The request must include a detailed description of the intended use of the accumulated money.

C. If the item to be purchased requires rollover and accumulation of FPF funds for more than one-year, only one request and subsequent authorization to accumulate funds is needed. If the item to be purchased changes, a new request for authorization to rollover and accumulate FPF funds shall be submitted to the fire marshal.

Provide anticipated rollover amount *\$ 366,892.04 ; include a detailed description of the intended use of the accumulated funds: (attach additional page if needed)

*

Rollover is intended to finish a stored water system and then purchase a new WUI pumper

Choose File No file chosen

No Attached Files...

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2023 The request shall identify the intended purpose and exact amount of money to be rolled over into the FY 2024 balance.

The Fire Service Support Bureau of the State Fire Marshal Division 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 have issues with the system or require training you may submit your request via e-mail at Derrick.Rodriguez@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. Chris Row
crsplumbinginc@aol.com

2. Arron Griewahn
agriewahn@lincolncountynm.gov
575-336-8602

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 10 day of April, 2023

 Enter Comm. Chair or Authorized Local Government Designee Name and Email and save the application to send an email requesting electronic signature.

*Comm. Chair or Authorized Local Government Designee Electronic Signature

*Comm. Chair or Authorized Local Government Designee Name

*Comm. Chair or Authorized Local Government Designee Email Address

*County Fire Chief / Fire Marshal or District Chief Electronic Signature



Michelle Lujan Grisham
Governor

Ali Rye
Deputy Cabinet Secretary

David Dye
Cabinet Secretary

Carla Walton
Deputy Cabinet Secretary

Randy Varela
State Fire Marshal

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

FISCAL YEAR 2024 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2024 fiscal year.
The application is due in the State Fire Marshal Division on or before April 30, 2023

FIRE DEPARTMENT: **Hondo Valley**

FIRE DEPARTMENT ADDRESS: **PO Box 244**

ISO CLASSIFICATION: **6**

Number of Paid Firefighters:* 0

Number of Volunteer Firefighters:* 22

Approved number of Sub Stations is 0

Approved number of Main Stations is 2

Hondo Valley	PO Box 244	Tinnie	NM	88351
Hondo Valley Station 2	Mile Marker 292.7 Hwy 3	Tinnie	NM	88351

Approved number of Admin Buildings is 0

If you contend the above **ISO Class** or **Station Information** is incorrect, please identify the changes in the comments box below and/or attach a list of your claim of main and substations and sign here: _____

Comments:

No file chosen

No Attached Files...

The projected minimum amount for fire fund distribution, based on the above information, is **\$117,168.00**. This does not include any additional amounts that may be calculated from growth in the fund.

Provide current balance of the fire department's total Fire Protection Fund account to date: *\$ 587,759.80

10.25.10.9 ACCUMULATION OF FUNDS:

A. FPF funds cannot be accumulated when the money is not required to accomplish the purpose of the Fire Protection Fund Act or any associated rules promulgated by the fire marshal.

B. FPF funds may be rolled over to subsequent fiscal years for the purpose of accumulating money to procure items or services for use in the operation, maintenance and betterment of the fire department. A request for authorization to rollover and accumulate FPF funds shall accompany the application to participate in distribution. The request must include a detailed description of the intended use of the accumulated money.

C. If the item to be purchased requires rollover and accumulation of FPF funds for more than one-year, only one request and subsequent authorization to accumulate funds is needed. If the item to be purchased changes, a new request for authorization to rollover and accumulate FPF funds shall be submitted to the fire marshal.

Provide anticipated rollover amount *\$ 469,515.80 ; include a detailed description of the intended use of the accumulated funds: (attach additional page if needed)

*

Rollover is intended for the purchase of new wildland fire apparatus.

Choose File No file chosen

No Attached Files...

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2023 The request shall identify the intended purpose and exact amount of money to be rolled over into the FY 2024 balance.

The Fire Service Support Bureau of the State Fire Marshal Division 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. Arron Griewahn
agriewahn@lincolncountynm.gov
575-336-8602

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 10 day of April, 2023

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*Comm. Chair or Authorized Local Government Designee Name

*Comm. Chair or Authorized Local Government Designee Email Address

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Carla Walton
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Randy Varela
State Fire Marshal

**DEPARTMENT OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT**

FISCAL YEAR 2024 COUNTY FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2024 fiscal year.
The application is due in the State Fire Marshal Division on or before April 30, 2023

FIRE DEPARTMENT: **Bonito**

FIRE DEPARTMENT ADDRESS: **PO Box 135**

ISO CLASSIFICATION: **6**

Number of Paid Firefighters:* 0

Number of Volunteer Firefighters:* 33

Approved number of Sub Stations is 0

Approved number of Main Stations is 3

Bonito	PO Box 135	Alto	NM	88312
Bonito Station 2	106 Sun Valley Rd	Alto	NM	88312
Bonito Station 3	1 Copper Ridge Rd	Alto	NM	88312

Approved number of Admin Buildings is 0

If you contend the above **ISO Class** or **Station Information** is incorrect, please identify the changes in the comments box below and/or attach a list of your claim of main and substations and sign here: _____

Comments:

Choose File No file chosen

No Attached Files...

The projected minimum amount for fire fund distribution, based on the above information, is **\$175,752.00**. This does not include any additional amounts that may be calculated from growth in the fund.

Provide current balance of the fire department's total Fire Protection Fund account to date: *\$ 652,444.88

10.25.10.9 ACCUMULATION OF FUNDS:

- A. FPF funds cannot be accumulated when the money is not required to accomplish the purpose of the Fire Protection Fund Act or any associated rules promulgated by the fire marshal.*
- B. FPF funds may be rolled over to subsequent fiscal years for the purpose of accumulating money to procure items or services for use in the operation, maintenance and betterment of the fire department. A request for authorization to rollover and accumulate FPF funds shall accompany the application to participate in distribution. The request must include a detailed description of the intended use of the accumulated money.*
- C. If the item to be purchased requires rollover and accumulation of FPF funds for more than one-year, only one request and subsequent authorization to accumulate funds is needed. If the item to be purchased changes, a new request for authorization to rollover and accumulate FPF funds shall be submitted to the fire marshal.*

Provide anticipated rollover amount *\$ 536,377.36 ; include a detailed description of the intended use of the accumulated funds: (attach additional page if needed)

*

Rollover is intended for the purchase of a new rescue/service apparatus.

Choose File No file chosen

No Attached Files...

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2023 The request shall identify the intended purpose and exact amount of money to be rolled over into the FY 2024 balance.

The Fire Service Support Bureau of the State Fire Marshal Division 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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This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you have issues with the system or require training you may submit your request via e-mail at Derrick.Rodriguez@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. Cindi Davis
ccclaytondavis@gmail.com

2. Arron Griewahn
agriewahn@lincolncountynm.gov

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 10 day of April, 2023

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*Comm. Chair or Authorized Local Government Designee Electronic Signature

*Comm. Chair or Authorized Local Government Designee Name

*Comm. Chair or Authorized Local Government Designee Email Address

*County Fire Chief / Fire Marshal or District Chief Electronic Signature

The projected minimum amount for fire fund distribution, based on the above information, is **\$58,584.00**. This does not include any additional amounts that may be calculated from growth in the fund.

Provide current balance of the fire department's total Fire Protection Fund account to date: *\$ 295,649.57

10.25.10.9 ACCUMULATION OF FUNDS:

- A. FPF funds cannot be accumulated when the money is not required to accomplish the purpose of the Fire Protection Fund Act or any associated rules promulgated by the fire marshal.*
- B. FPF funds may be rolled over to subsequent fiscal years for the purpose of accumulating money to procure items or services for use in the operation, maintenance and betterment of the fire department. A request for authorization to rollover and accumulate FPF funds shall accompany the application to participate in distribution. The request must include a detailed description of the intended use of the accumulated money.*
- C. If the item to be purchased requires rollover and accumulation of FPF funds for more than one-year, only one request and subsequent authorization to accumulate funds is needed. If the item to be purchased changes, a new request for authorization to rollover and accumulate FPF funds shall be submitted to the fire marshal.*

Provide anticipated rollover amount *\$ 281,398.86 ; include a detailed description of the intended use of the accumulated funds: (attach additional page if needed)

*

Rollover is intended for the purchase of a new water tender.

Choose File No file chosen

No Attached Files...

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2023 The request shall identify the intended purpose and exact amount of money to be rolled over into the FY 2024 balance.

The Fire Service Support Bureau of the State Fire Marshal Division 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."

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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. Victoria Sanchez

vesanchez59@gmail.com

2. Arron Griewahn

agriewahn@lincolncountynm.gov

575-336-8602

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 10 day of April, 2023

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Carla Walton
Deputy Cabinet Secretary

Randy Varela
State Fire Marshal

**DEPARTMENT OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT**

FISCAL YEAR 2024 COUNTY ADMINISTRATIVE FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2024 fiscal year.
The application is due in the State Fire Marshal Division on or before April 30, 2023

NAME OF COUNTY: Lincoln

ADDRESS OF APPROVED FIRE ADMINISTRATION BUILDING:

111 Copper Ridge Road

ISO FUNDING CLASSIFICATION: 6

Number of Paid Firefighters:* 3

Number of Volunteer Firefighters:* 0

If you contend the above ISO Class is incorrect, please identify the changes in the comments box below and/or attach a list of your claim of main and substations and sign here: _____

Comments:

No file chosen
No Attached Files...

The projected minimum amount for fire fund distribution, based on the above information, is \$58,584.00. This does not include any additional amounts that may be calculated from growth in the fund.

Provide current balance of the fire department's total Fire Protection Fund account to date: *\$ 76,659.55

10.25.10.9 ACCUMULATION OF FUNDS:

- A. FPF funds cannot be accumulated when the money is not required to accomplish the purpose of the Fire Protection Fund Act or any associated rules promulgated by the fire marshal.
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- C. If the item to be purchased requires rollover and accumulation of FPF funds for more than one-year, only one request and subsequent authorization to accumulate funds is needed. If the item to be purchased changes, a new request for authorization to rollover and accumulate FPF funds shall be submitted to the fire marshal.

Provide anticipated rollover amount *\$ 46,117.63 ; include a detailed description of the intended use of the accumulated funds: (attach additional page if needed)

*

Rollover is intended for the purchase of a new response unit.

Choose File No file chosen

No Attached Files...

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2023 The request shall identify the intended purpose and exact amount of money to be rolled over into the FY 2024 balance.

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*Comm. Chair or Authorized Local Government Designee Name

*Comm. Chair or Authorized Local Government Designee Email Address

*County Fire Chief / Fire Marshal or District Chief Electronic Signature

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Session Time Remaining: 00:58:49

version 1.0.0.0 -- 2/1/2021 7:55:18 AM

Plan Description

The planning process for the Lincoln County Multi-jurisdictional Hazard Mitigation Plan Update assists each jurisdiction to identify the natural hazards that impact the community, analyzes the risks, and prioritizes actions that can be taken to reduce that risk. Having the approved Hazard Mitigation Plan provides each jurisdiction with a federal government approved and locally adopted plan which will support grant applications to implement natural hazard risk reduction projects. The approved plan is a requirement for FEMA hazard mitigation grant funding. Examples of projects are hazardous fuels reduction, drainage improvements, watershed stabilization, and public outreach.

Wendy M. Blackwell, MRP, CFM
Climate and Resilience Senior Lead

SWCA Environmental Consultants
7770 Jefferson Street NE, Suite 410
Albuquerque, NM 87109
505.469.8683
wendy.blackwell@swca.com



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Lincoln County Multi-jurisdictional Hazard Mitigation Plan 2023 Update

**Elected/Appointed Officials Presentation
March and April 2023**



**MULTI-JURISDICTIONAL
HAZARD MITIGATION PLAN
JULY 2018**

Village of Ruidoso, Lincoln County

Including

City of Ruidoso Downs, Town of Carrizozo

Village of Capitan, and Village of Corona

NATURAL HAZARD MITIGATION

Reduces injury and property damage by lessening impact of natural disasters



Reduces impact of natural disasters by supporting protection & prevention activities



Successful mitigation planning & implementation lessens impact of natural disasters, therefore:

Lessen emergency response time

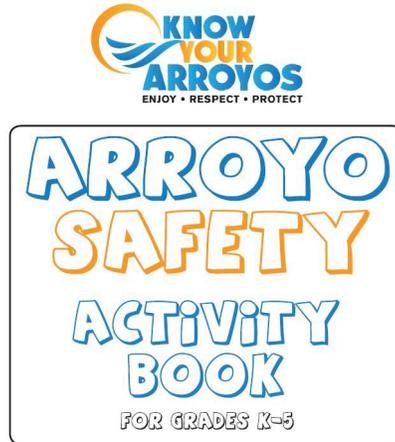
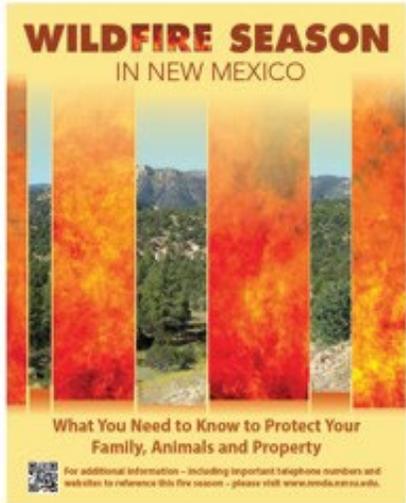
Speeds recovery

Creates better prepared resilient communities



FEMA graphic

NATURAL HAZARD MITIGATION EXAMPLES



ADVANTAGES OF MITIGATION PLAN

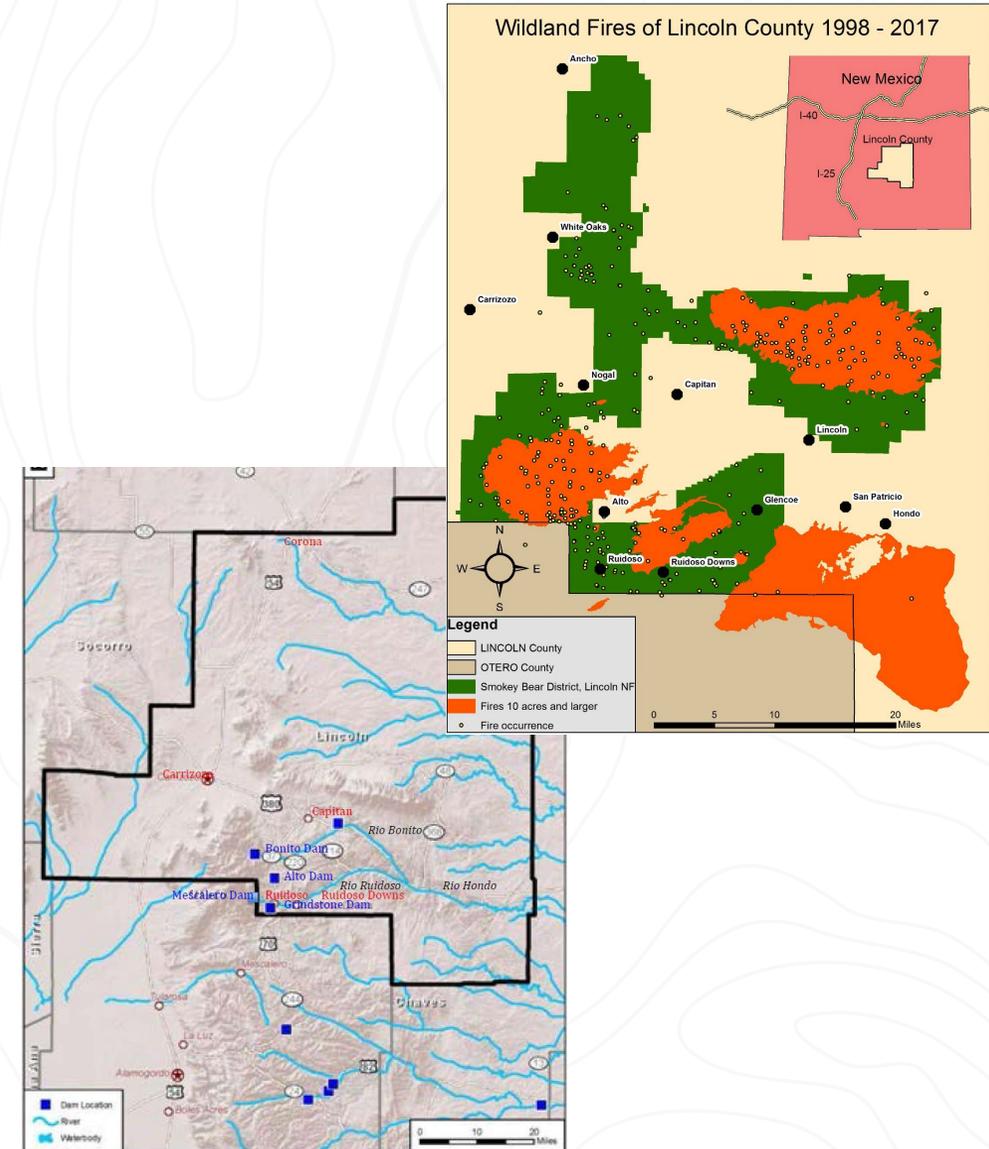
- For each jurisdiction, the plan
 - ✓ identifies the hazards that impact the community
 - ✓ analyzes the risks
 - ✓ prioritizes actions to reduce that risk
- The collaborative multi-jurisdictional Planning Team leads the process
- There is an opportunity for the community to provide input at the drafting stage and prior to final adoption
- The planning process results in a federal government-approved and locally adopted plan which will support funding requests to implement natural hazard risk reduction projects
- The approved plan is a requirement for FEMA hazard mitigation grant funding
- The USFS Community Wildfire Defensive Grant recognizes the approved plan as meeting the planning requirement for funding



FEMA graphic

2018 HAZARD MITIGATION PLAN

- Meets requirements of 44 Code of Federal Regulations 201.6
- Approved 7/25/2018, Expires 7/24/2023
- County and five incorporated jurisdictions participated
- Data collection ended in January 2017 (generally)
- 6 natural hazards
 - ✓ All Communities:
 - Wildfire, Drought, Severe Weather (thunderstorms, winter storms)
 - ✓ County, Ruidoso, Ruidoso Downs:
 - Flood, Dam Failure



WHO PREPARES THE PLAN UPDATE

➤ Planning Team

- ✓ Primary point of contact for each jurisdiction
- ✓ Provides edits and feedback on approach and process

➤ Subject Matter Experts

- ✓ Provides data, edits, and feedback on specific topics
- ✓ Provides reference material

➤ Stakeholders

- ✓ Interested entities not on the Planning Team and not an individual community member
- ✓ Examples include academia, regional planning authorities, non-profit organizations, neighboring communities

➤ Members of the Community

- ✓ Provide input based on local knowledge, community interests
- ✓ Resident, property owners, business owners



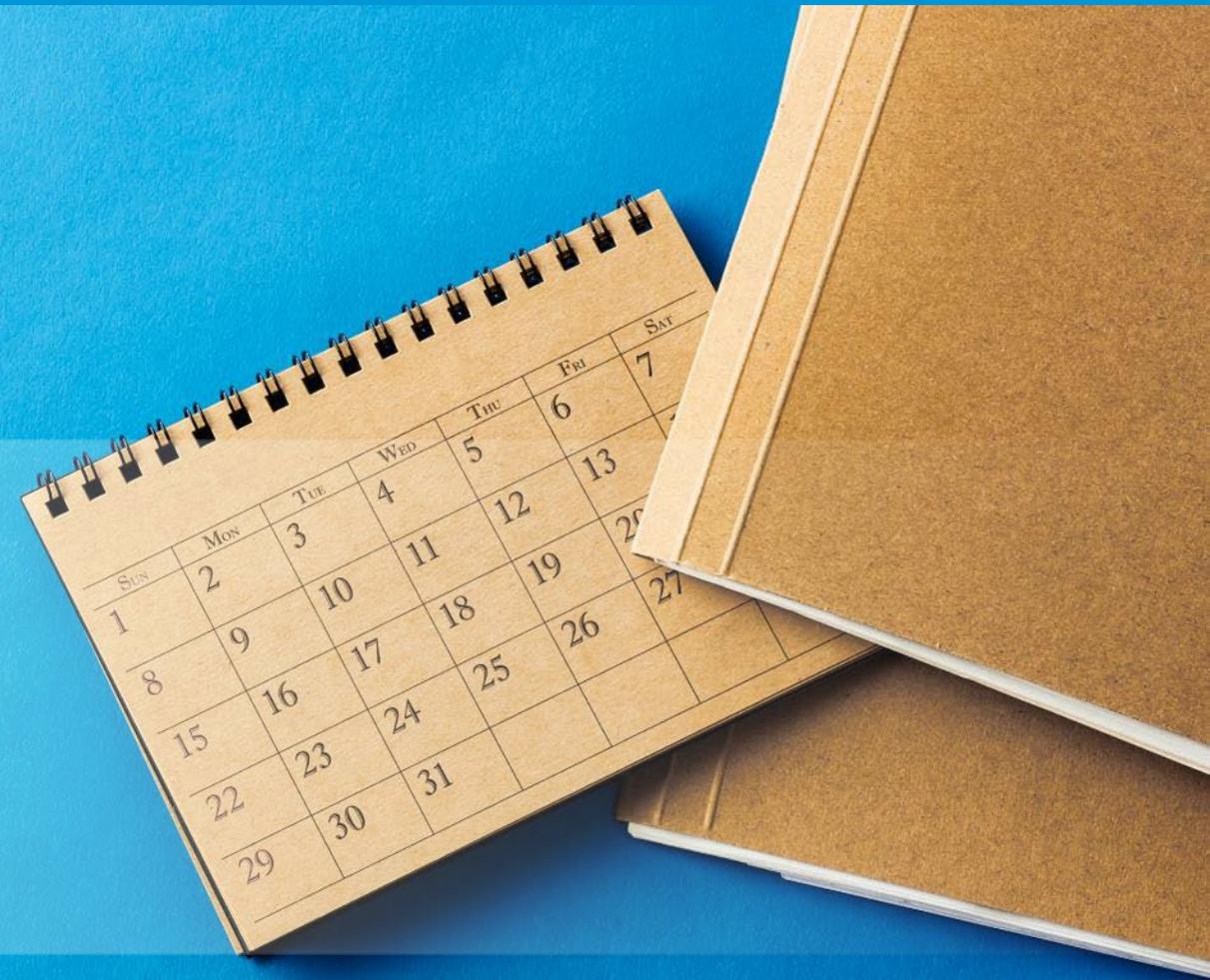
HMP 3rd Meeting, MPT, photo



MPT photo, HMP 2nd meeting

Timeline is 10 months

- Governing Body presentations March 2023
- Stakeholder engagement throughout
- Community Meeting June 2023
- Governing Body adoption Fall 2023
- FEMA approval anticipated November 2023



2023 HAZARD MITIGATION PLAN - ENHANCEMENTS

- Will include
 - ✓ Data for hazard occurrences since January 2017
 - ✓ mapped hazards and vulnerability analysis
 - ✓ high wind hazard
- As per new FEMA guidance, will include
 - ✓ Climate change impacts on natural hazard events
 - ✓ Outreach to socially vulnerable community
 - ✓ High Hazard Potential Dam grant compliance (optional)
- Will enhance community engagement strategy to include
 - ✓ in-person community meeting
 - ✓ Video introduction for on-line review of draft
 - ✓ Survey for community input



Local Mitigation Planning Policy Guide

FP 206-21-0002

Released April 19, 2022, Effective April 19, 2023

OMB Collection #1660-0062



FEMA

Thank you!

Primary Contacts

Village of Ruidoso; Joe Kasuboski, Fire Chief, JoeKasuboski@ruidoso-nm.gov and 575-257-3473

Lincoln County; Joe Kenmore, Emergency Management Director,

JKenmore@lincolncountynm.gov and 575-336-8600

City of Ruidoso Downs; Dean Holman, Mayor, DHolman@ruidosodowns.us and 575-378-4422

Town of Carrizozo; Ray Dean, Mayor, zozocityhall@tularosa.net and 575-921-2762

Village of Capitan; Kevin Kennedy, Fire Chief, KKennedy@villageofcapitan.org and 575-937-0222

Village of Corona; Terri Racher, Village Clerk, villageofcorona@plateautel.net and 575-849-5511

SWCA; Wendy Blackwell, Project Manager,
Wendy.Blackwell@swca.com and 505-469-8683



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

www.lincolncountynm.gov

AGENDA ITEM NO. 19

SUBJECT:

Assessor Annual Report -Walter Hill – Lincoln County Assessor

Tuesday, April 18, 2023

**2023 Assessor's
Report To The
Lincoln County
Commission
4/18/2023**

Statute

7-36-16 (E) Responsibility of county assessors to determine and maintain current and correct values of property. (2000)

E. To aid the board of county commissioners in determining whether a county assessor is operating an efficient program of property valuation maintenance and in determining the amount to be allocated to him for this function, the county assessor shall present with his annual budget request a written report setting forth improvements of property added to valuation records during the year, additions of new property to valuation records during the year, increases and decreases of valuation during the year, the relationship of sales prices of property sold to values of the property for property taxation purposes and the current status of the overall property valuation maintenance program in the county. The county assessor shall send a copy of this report to the department.

Exhibit 1
Sales Ratio
Report
(Residential)

2022 Lincoln County Sales Ratio Improved Residential

Ratios	<u>Current vs Sale</u>	<u>Prior value vs Sale</u>	<u>2003 vs Sale</u>
# of Sales	630	630	566
Minimum	75.008%	8.039%	0.347%
1st Quartile	91.995%	54.523%	19.140%
2nd Quartile / Median	95.601%	65.200%	28.439%
3rd Quartile	99.448%	76.973%	36.253%
4th Quartile / Maximum	146.676%	212.620%	198.420%
IQR (<i>InterQuartileRange</i>)	7.453%	22.450%	17.114%
Mean	96.633%	67.373%	28.770%
Median	95.601%	65.200%	28.440%
Total Absolute Difference	40.8768	94.5331	69.7652
COD	6.787%	23.014%	43.340%
Std Dev	10.188%	21.161%	19.071%
COV	10.543%	31.408%	66.289%
SUM of SALES	\$264,107,589	\$264,107,589	\$264,107,589
SUM of CURRENT	\$251,164,890		
SUM of PRIOR		\$179,170,653	
SUM of 2003			\$55,148,007
Wtd Mean	95.099%	67.840%	20.881%
PRD	101.612%	99.312%	137.781%

County's median ratio is 95.601%. A median ratio between 90% and 110% is within IAAO guidelines.

The COD for County is 6.787%. A COD between 5% and 10% is ideal.

The PRD for County is 101.612%. A PRD between 98% and 103% is within IAAO's guidelines.

The cell, highlighted in yellow, indicates that the Assessors values, compared to market sales is at 65%.

The cell highlighted in green, indicates the level of assessment, after the reassessment of the sales.

State of New Mexico
Taxation Revenue
Department
Property Tax Division

Lincoln County 2021 Sales Ratio Study (Improved Residential)

Ratios	Value After Sale	Value Before sale	2003 vs Sale
# of Sales	890	890	790
Minimum	10.855%	2.430%	0.188%
1st Quartile	92.546%	58.412%	17.832%
2nd Quartile / Median	95.613%	71.036%	31.466%
3rd Quartile	98.610%	83.501%	41.631%
4th Quartile / Maximum	175.328%	240.240%	165.720%
IQR (<i>InterQuartileRange</i>)	6.063%	25.089%	23.799%
Mean	95.727%	72.020%	31.079%
Median	95.613%	71.040%	31.470%
Total Absolute Difference	66.8032	150.3274	116.6302
COD	7.850%	23.776%	46.912%
Std Dev	15.142%	23.686%	20.416%
COV	15.818%	32.887%	65.692%
SUM of SALES	310,102,862	310,102,862	310,102,862
SUM of CURRENT	292,156,959		
SUM of PRIOR		222,680,244	
SUM of 2003			70,952,322
Wtd Mean	94.213%	71.809%	22.880%
PRD	101.607%	100.295%	135.833%

County's median ratio is 95.613%. A median ratio between 90% and 110% is within IAAO guidelines.

The COD for County is 7.85%. A COD between 5% and 10% is ideal.

The PRD for County is 101.607%. A PRD between 98% and 103% is within IAAO's guidelines.

There are 4 ratios at 25% or less. These sales should be investigated further to determine the cause of the low ratios.

There are 11 ratios above 150%. These sales should also be investigated further.

**State of New Mexico
Taxation Revenue
Department
Property Tax Division**

Exhibit 1

Lincoln County 2020 Sales Ratio Study (Improved Residential)

Ratios	Value After Sale	Value Before Sale	2003 vs Sale
# of Sales	646	643	585
Minimum	42.155%	5.479%	0.035%
1st Quartile	94.100%	67.948%	24.403%
2nd Quartile / Median	97.183%	80.008%	38.496%
3rd Quartile	100.109%	93.496%	49.485%
4th Quartile / Maximum	159.775%	211.912%	141.815%
IQR (<i>InterQuartileRange</i>)	6.008%	25.548%	25.083%
Mean	97.931%	81.400%	37.034%
Median	97.183%	80.010%	38.500%
Total Absolute Difference	41.0734	110.9472	90.4499
COD	6.542%	21.566%	40.160%
Std Dev	11.192%	24.066%	20.279%
COV	11.428%	29.564%	54.758%
SUM of SALES	202,284,271	202,284,271	202,284,271
SUM of CURRENT	195,699,708		
SUM of PRIOR		162,849,819	
SUM of 2003			59,492,991
Wtd Mean	96.745%	80.505%	29.411%
PRD	101.226%	101.112%	125.922%

County's median ratio is 97.183%. A median ratio between 90% and 110% is within IAAO guidelines.

The COD for County is 6.542%. A COD between 5% and 10% is ideal.

The PRD for County is 101.226%. A PRD between 98% and 103% is within IAAO's guidelines.

There are 0 ratios at 25% or less. These sales should be investigated further to determine the cause of the low ratios.

There are 2 ratios above 150%. These sales should also be investigated further.

Lincoln County 2019 Sales Ratio Study (Improved Residential)

Ratios	Value After Sale	Value Before Sale	2003 vs Sale
# of Sales	634	634	581
Minimum	28.496%	0.424%	0.011%
1st Quartile	94.960%	72.398%	30.763%
2nd Quartile / Median	98.270%	86.702%	44.831%
3rd Quartile	102.356%	100.324%	55.471%
4th Quartile / Maximum	153.377%	345.514%	295.225%
IQR (<i>InterQuartileRange</i>)	7.395%	27.926%	24.708%
Mean	99.068%	87.098%	43.030%
Median	98.270%	86.700%	44.830%
Total Absolute Difference	46.3524	120.5192	100.4573
COD	7.440%	21.925%	38.569%
Std Dev	12.389%	27.763%	25.001%
COV	12.506%	31.875%	58.101%
SUM of SALES	165,018,635	165,018,635	165,018,635
SUM of CURRENT	160,578,933		
SUM of PRIOR		138,442,389	
SUM of 2003			55,012,074
Wtd Mean	97.310%	83.895%	33.337%
PRD	101.807%	103.818%	129.075%

Lincoln County's median ratio is 98.27%. A median ratio between 90% and 110% is within IAAO guidelines.

The COD for Lincoln County is 7.44%. A COD between 5% and 10% is ideal.

The PRD for Lincoln County is 101.807%. A PRD between 98% and 103% is within IAAO's guidelines.

There are 0 ratios at 25% or less. These sales should be investigated further to determine the cause of the
 There are 0 ratios above 150%. These sales should also be investigated further.

Exhibit 2
Sales Ratio
Report
(Vacant Land)

2022 Lincoln County Sales Ratio Vacant Land

Ratios	<u>Current vs Sale</u>	<u>Prior vs Sale</u>	<u>2003 vs Sale</u>
# of Sales	176	176	127
Minimum	80.000%	0.272%	0.147%
1st Quartile	92.308%	43.756%	24.992%
2nd Quartile / Median	96.816%	68.091%	42.105%
3rd Quartile	104.211%	92.403%	60.000%
4th Quartile / Maximum	126.000%	117.073%	260.241%
IQR (<i>InterQuartileRange</i>)	11.903%	48.646%	35.008%
Mean	98.507%	64.684%	48.317%
Median	96.816%	68.090%	42.110%
Total Absolute Difference	13.0318	46.0912	32.8423
COD	7.648%	38.461%	61.411%
Std Dev	9.630%	31.796%	39.648%
COV	9.776%	49.156%	82.058%
SUM of SALES	18,588,861	18,588,861	18,588,861
SUM of CURRENT	17,847,585		
SUM of PRIOR		6,923,220	
SUM of 2003			3,125,139
Wtd Mean	96.012%	37.244%	16.812%
PRD	102.598%	173.677%	287.399%

County's median ratio is 96.816%. A median ratio between 90% and 110% is within IAAO guidelines.

The COD for County is 7.648%. A COD between 5% and 10% is ideal.

The PRD for County is 102.598%. A PRD between 98% and 103% is within IAAO's guidelines.

The cell, highlighted in yellow, indicates that the Assessors values, compared to market sales is at 68%.

The cell highlighted in green, indicates the level of assessment, after the reassessment of the sales.

**State of New Mexico
Taxation Revenue
Department
Property Tax Division**

Exhibit 2

Lincoln County 2021 Sales Ratio Study (Vacant Land)

Ratios	Value After Sale	Value Before Sale	2003 vs Sale
# of Sales	307	307	240
Minimum	32.400%	0.349%	0.346%
1st Quartile	81.600%	42.975%	27.751%
2nd Quartile / Median	95.286%	70.128%	45.452%
3rd Quartile	100.005%	99.192%	71.282%
4th Quartile / Maximum	128.812%	283.333%	387.750%
IQR (<i>InterQuartileRange</i>)	18.405%	56.217%	43.531%
Mean	89.838%	74.737%	55.869%
Median	95.286%	70.130%	45.450%
Total Absolute Difference	47.7153	99.0104	69.0552
COD	16.311%	45.987%	63.307%
Std Dev	21.837%	41.856%	43.793%
COV	24.306%	56.005%	78.384%
SUM of SALES	16,457,890	16,457,890	16,457,890
SUM of CURRENT	14,693,796		
SUM of PRIOR		10,386,549	
SUM of 2003			6,611,688
Wtd Mean	89.281%	63.110%	40.173%
PRD	100.624%	118.423%	139.070%

County's median ratio is 95.286%. A median ratio between 90% and 110% is within IAAO guidelines.

The COD for County is 16.311%. In very rural jurisdictions, a COD between 15% and 20% may be acceptable, but a COD of 15% or lower is still preferable.

The PRD for County is 100.624%. A PRD between 98% and 103% is within IAAO's guidelines.

There are 0 ratios at 25% or less. These sales should be investigated further to determine the cause of the low ratios.

There are 0 ratios above 150%. These sales should also be investigated further.

Exhibit 3

Live Stock Value Report

Livestock Value Comparison 2021 To 2022

School District	2021 Value (Non Res)	2022 Value (Non Res)	Change In Value
Ruidoso-In	\$20,406	\$20,460	\$54
Ruidoso/Ruidoso Downs-Out	\$639,594	\$681,603	\$42,009
Carrizozo-In	\$6,435	\$6,402	-\$33
Carrizozo-Out	\$4,504,335	\$5,004,630	\$500,295
Corona-In	\$0	\$0	\$0
Corona-Out	\$4,107,408	\$3,794,412	-\$312,996
Hondo	\$5,744,013	\$4,997,710	-\$746,303
Capitan-In	\$19,032	\$19,698	\$666
Capitan-Out	\$2,757,657	\$2,731,221	-\$26,436
Capitan R/U	\$0	\$0	\$0
Ruidoso Downs-In	\$0	\$0	\$0
Totals	\$17,798,880	\$17,256,136	-\$542,744

Exhibit 4

2022 Net New

Valuation

Report

Exhibit 5

2022

Contributory

Valuation

Report

Lincoln County 2022 (Contributory) Value Report (Taxable Value)

School Districts	3-1n	35-1	3/35-Out	7-1n	7-Out	13-1n	13-Out	\$20	28-1n	28-O	28-RU	Totals
Residential												
2023 Val. Before NOV	\$465,481,339	\$36,231,424	\$129,783,536	\$10,663,112	\$17,502,036	\$2,036,615	\$6,321,624	\$25,038,936	\$24,239,237	\$399,880,851	\$177,771	\$1,117,356,481
Minus 2022 Abstract	\$431,182,792	\$33,663,234	\$116,505,234	\$10,089,883	\$16,188,897	\$1,883,775	\$5,705,070	\$23,612,666	\$22,535,568	\$371,773,588	\$130,357	\$1,033,271,064
Totals	\$34,298,547	\$2,568,190	\$13,278,302	\$573,229	\$1,313,139	\$152,840	\$616,554	\$1,426,270	\$1,703,669	\$28,107,263	\$47,414	\$84,085,417
Minus 2022 Net New	\$4,927,410	\$175,817	\$7,360,733	\$296,373	\$464,840	\$106,043	\$256,990	\$277,185	\$412,706	\$7,287,801	\$0	\$21,565,898
2022 Total Contributory Value	\$29,371,137	\$2,392,373	\$5,917,569	\$276,856	\$848,299	\$46,797	\$359,564	\$1,149,085	\$1,290,963	\$20,819,462	\$47,414	\$62,519,519
School Districts												
Non residential	3-1n	35-1	3/35-Out	7-1n	7-Out	13-1n	13-Out	\$20	28-1n	28-O	28-RU	Totals
2023 Val. Sum. Before NOV	\$203,002,893	\$25,220,648	\$39,352,225	\$8,072,434	\$48,799,458	\$3,059,153	\$37,222,899	\$20,176,479	\$7,199,441	\$100,503,995	\$1,144,090	\$493,753,715
Minus 2022 Abstract	\$200,252,231	\$24,838,146	\$38,873,104	\$7,919,391	\$47,728,891	\$2,818,572	\$36,641,214	\$18,199,774	\$7,031,417	\$100,559,920	\$1,227,768	\$486,090,428
Totals	\$2,750,662	\$382,502	\$479,121	\$153,043	\$1,070,567	\$240,581	\$581,685	\$1,976,705	\$168,024	-\$55,925	-\$83,678	\$7,663,287
Minus 2022 Net New	\$512,032	\$9,513	\$0	\$27,140	\$49,672	\$50,341	\$22,383	\$0	\$8,574	\$61,802	\$0	\$741,457
2022 Total Contributory Value	\$2,238,630	\$372,989	\$479,121	\$125,903	\$1,020,895	\$190,240	\$559,302	\$1,976,705	\$159,450	\$5,157	-\$83,678	\$6,921,830
Total Contributory Value For 2022	\$31,609,767	\$2,765,362	\$6,396,690	\$402,759	\$1,869,194	\$237,037	\$918,866	\$3,125,790	\$1,450,413	\$20,824,619	-\$36,264	\$69,441,349
Yellow Is Residential												
Blue Is Non Residential												
Green Is Totals												

Exhibit 6
Five Year
Valuation And
Maintenance
Plan

Lincoln County Assessor's Office



5-Year Property Valuation

And Maintenance Plan

Submitted By

Walter Hill, Lincoln County Assessor

April 18th, 2023

PREFACE

This Property Valuation and Maintenance Plan is prepared in accordance with Sections 7-36- 16 (E) and 7-38-38.1 (D) NMSA 1978 to aid the County Commission in determining whether the Lincoln County Assessor is operating an efficient program of property valuation maintenance. The County Assessor shall submit a report annually setting forth new improvement values added to the valuation records due to new construction, addition to buildings, remodeling, and any deletion of properties. The report shall contain the relationship of sales prices of property sold to values of property for tax assessment purposes.

All provisions and requirements regarding property valuation are made pursuant to the New Mexico Constitution and the New Mexico Property Tax Code. In the implementation of this plan the Lincoln County Assessor will comply with the standards and code of ethics of the International Association of Assessing Officers and the Uniform Standards of Professional Appraisal Practices.

A copy of this plan will be submitted to the Taxation and Revenue Department as part of our evaluation process.

MISSION

The mission of the Lincoln County Assessor's Office is to provide excellent public service by providing complete, accurate and timely assessments of all property subject to taxation in accordance with the Property Tax Code's applicable statutes, orders, regulations and laws, and the tenets of the International Association of Assessing Officers and the Uniform Standards of Professional Appraisal Practice, with a well-managed office and professional staff.

GOALS

The goals of the Lincoln County Assessor's Office are to:

- Provide fair, uniform, and equitable assessments on all real and personal property subject to property taxation by utilizing a computer assisted mass appraisal (CAMA) system incorporated with a geographic information system (GIS)
- Meet or exceed the requirements of the New Mexico Property Tax Division and the Property Tax Code for level of assessment and uniformity by constant market analysis.
- Provide current, accurate information to the public as well as other departments and governmental entities upon which they base decisions.
- Conduct educational outreach programs to increase public awareness of the assessment process and taxpayer benefits available.
- Provide and maintain a professional, certified, and knowledgeable staff.

INTRODUCTION

- This report, as required under Section 7-36-16 NMSA 1978, Paragraph E and Section 7-38-38.1 NMSA 1978, Paragraph D, is hereby submitted to aid in determining that the Lincoln County Assessor is operating an efficient program of property valuation and maintenance for budgetary purposes. Also, to comply with the requirements of Section 7-36-16 NMSA, Subsection D & E, the written report setting forth increase and decrease in values and the sales ratio studies are incorporated into this Property Valuation and Maintenance Plan.
- Except as limited in Section 7-36-21.2 NMSA 1978, the County Assessor shall implement a program of updating assessed property values so that the current and correct values of property are maintained. The Lincoln County Assessor shall have sole responsibility and authority, at the County level, for property valuation and maintenance, in accordance with Chapter 7, Articles 35 to 38 NMSA 1978, referred to as the New Mexico Property Tax Code, regulations, orders, rulings and instructions of the New Mexico Taxation and Revenue Department, Property Tax Division.
- County Assessors are annually evaluated on their operations, functions, and performance to ensure compliance with the Property Tax Code and special emphasis on each County Assessor's valuation activities and the maintenance of current and correct values as required in Section 7-26-16 NMSA 1978. The taxable status of all property is affixed as of January 1st of each tax year. All potentially taxable property, including exempt and government owned are also required to be assessed.
- The Lincoln County Assessor must certify the total county net taxable values to the New Mexico Property Tax Division on or before June 15th annually, for the purpose of tax levy setting by the NM Department of Finance and Administration
- **In accordance with the International Association of Assessing Officers (IAAO) standards, and a requirement by the New Mexico Property Tax Division, every parcel regardless of classification, shall be physically inspected at least every five years.**
- Lincoln County has five school districts which include Capitan (28-I & 28-O), Carrizozo (7-I & 7-O), Corona (13-I & 13-O), Hondo (20), and Ruidoso (3/35-I & 3/35-O & 28-RU). The 5-year re-appraisal plan will include the reinspection of all classifications of property including vacant land, residential properties, all manufactured homes whether they are assessed as real property, or personal property, commercial properties, and all properties that are receiving the special method of valuation for AG land. All properties in Lincoln County will be re-inspected within this time frame and the process is described below.
- The appraisal methods and techniques utilized in valuing properties for property tax purposes, will be in accordance with the Property Tax Code, IAAO Appraisal Standards and Code of Conduct, and the Uniform Standards of Professional Appraisal Practices.

(Subject to future revision)

1st YEAR OF REAPPRAISAL PLAN 2022

The Chief Appraiser will coordinate with all the appraisers on the site inspection of all properties located in the Corona School district and track them through our GIS department. Starting on the first workday in August of 2022, the appraisers will begin the re-inspection of all properties in the Corona School District (13-I & 13-O) They will field check all properties until the site inspection has been completed. This will include AG land, vacant land, manufactured homes assessed as personal property, or permanent, and improved commercial and residential property. All changes of value will be updated and documented in our CAMA System before the appraisers resume their regular appraisal duties A valuation report of the findings will be reported to the County Commission, and to PTD in Santa Fe in the Assessor's Evaluation.

2nd YEAR OF REAPPRAISAL PLAN

In preparation for the Year-3 re-appraisal of all commercial properties located in Ruidoso And Ruidoso Downs, the Chief Appraiser will mail to all commercial property owners an income/expense form requesting the prior year's (2022) income. This will aid the Chief Appraiser in the re-assessment of commercial properties for year 3. The Chief Appraiser then will coordinate with all the appraisers on the site inspection of all properties located in the Carrizozo School district and track them through our GIS department. Starting on the first workday in August of 2023, the appraisers will begin the re-inspection of all properties in the Carrizozo School District (7-I & 7-O) They will field check all properties until the inspection has been completed. This will include AG land, vacant land, manufactured homes assessed as personal property, or permanent, and improved commercial and residential property. All changes of value will be updated and documented in our CAMA system before the appraisers resume their regular appraisal duties A valuation report of the findings in this district will be reported to the County Commission, and to PTD in Santa Fe in the Assessor's Evaluation.

3rd YEAR OF REAPPRAISAL PLAN

The Chief Appraiser will coordinate with all the appraisers on the site inspection of all commercial properties located in the Ruidoso, and Ruidoso Downs School Districts (3-I) and (35-I) and track them through our GIS department. Starting on the first workday in August of 2024, the appraisers will begin the re-inspection of all Commercial properties located in these districts. All changes of value will be updated by the Chief Appraiser and documented in our CAMA system. Upon completion of the site inspection of commercial properties in these districts, the Appraisers will begin the site inspection of all properties located in the Capitan School District (28-O). The site inspection will include AG land, vacant land, manufactured homes assessed as personal property, or permanent, and improved commercial and residential property. All changes of value will be updated and documented in our CAMA system before the appraisers resume their regular appraisal duties. A valuation report of the findings in this district will be reported to the County Commission, and to PTD in Santa Fe in the Assessor's Evaluation.

4th YEAR OF REAPPRAISAL PLAN

The Chief Appraiser will coordinate with all the appraisers on the site inspection of all commercial properties located in the Capitan School district (28-I) and track them through our GIS department. Starting on the first workday in August of 2025, the appraisers will begin the re-inspection of all Commercial properties located in the Capitan School District (28-I) They will field check all Commercial properties until the inspection has been completed. All changes of value will be updated and documented in our CAMA system. Upon completion of the site inspection of commercial properties in this district, the Appraisers will begin the site inspection of all properties located in the Hondo School District (20). The site inspection will include AG land, vacant land, manufactured homes assessed as personal property, or permanent, and improved commercial and residential property. All changes of value will be updated and documented in our CAMA system before the appraisers resume their regular appraisal duties. A valuation report of the findings in this district will be reported to the County Commission, and to PTD in Santa Fe in the Assessor's Evaluation.

5th YEAR OF REAPPRAISAL PLAN The Chief Appraiser will coordinate with all the appraisers on the site inspection of all residential properties located in the Ruidoso (3-I) (3-O) and Ruidoso Downs (35-I) (35-O) School districts and track them through our GIS department. Starting on the first workday in August of 2026, the appraisers will begin the re-inspection of all residential properties in the Ruidoso and Ruidoso Downs School Districts. They will field check all properties until the inspection has been completed. This will include AG land, vacant land, manufactured homes assessed as personal property, or permanent, and residential property All changes of value will be updated and documented in our CAMA system before the appraisers resume their regular appraisal duties. A valuation report of the findings in this district will be reported to the County Commission, and to PTD in Santa Fe in the Assessor's Evaluation.

Exhibit 7
Year One
Report On
Corona
Re-Appraisal

Re-Appraisal Of Corona School District (2022)

School Districts	13-I (Res)	13-O (Res)
Residential		
Net New Value	\$95,331	\$76,618
Contributory Value	\$33,284	\$201,294
Value Loss	\$33,060	\$15,315
Totals	\$95,555	\$262,597

School Districts	13-I (N/Res)	13-O (N/Res)
Non residential		
Net New Value	\$50,341	\$22,383
Contributory Value	\$4,387	\$5,600
Value Loss	\$921	\$23,662
Totals	\$53,807	\$4,321

Yellow Is Residential		
Blue Is Non Residential		
Green Is Totals	Total For District	\$416,280

Exhibit 8

2023 Value Loss

Report On the

McBride And

Nogal Canyon

Fire

McBride Fire Loss

School District	Value Loss <u>Res.</u>	Value Loss <u>Non-Res</u>
3-I Ruidoso	\$3,014,994	\$2,012,556
3/35 Out Ruidoso/Ruidoso Downs	\$7,975,702	\$2,198,078
28-O Capitan Out	\$824,451	\$0
Totals	\$11,815,147	\$4,210,634

McBride Fire 2023 Net New Value Added By District

School District	Value Gain <u>Res.</u>	Value Gain <u>Non-Res</u>
3-I Ruidoso	\$4,927,410	\$512,032
3/35 Out Ruidoso/Ruidoso Downs	\$7,360,733	\$0
28-O Capitan Out	\$7,287,801	\$61,802
Totals	\$19,575,944	\$573,834

McBride Fire 2023 Contributory Value Added By District

School District	Value Gain <u>Res.</u>	Value Gain <u>Non-Res</u>
3-I Ruidoso	\$29,371,137	\$2,238,630
3/35 Out Ruidoso/Ruidoso Downs	\$5,917,569	\$479,121
28-O Capitan Out	\$20,819,462	\$5,157
Totals	\$56,108,168	\$2,722,908

McBride Fire Loss, And Value Gain (Comparison) By Dist.

School District	Total Loss/Gains <u>Res.</u>	Total Loss/Gains <u>N/Res</u>
3-I Ruidoso Total Gain In Value	\$34,298,547	\$2,750,662
3-I Ruidoso Total Loss In Value	\$3,014,994	\$2,012,556
2023 Value Increase (Including) Value Loss From Fire	\$31,283,553	\$738,106
3/35 Out Ruidoso/Ruidoso Downs Total Gain In Value	\$13,278,302	\$479,121
3/35 Out Ruidoso/Ruidoso Downs Total Loss In Value	\$7,975,702	\$2,198,078
2023 Value Increase (Including) Value Loss From Fire	\$5,302,600	-\$1,718,957
28-O Capitan Total Gain In Value	\$28,107,263	\$66,959
28-O Capitan Total Loss In Value	\$824,451	\$0
2023 Value Increase (Including) Value Loss From Fire	\$27,282,812	\$66,959

Nogal Canyon Fire Loss

School District	Value Loss <u>Res.</u>	Value Loss <u>Non-Res</u>
28-O Capitan Out	\$600,470	\$0
Totals	\$600,470	\$0

Nogal Canyon Fire 2023 Net New Value Added By District

School District	Value Gain <u>Res.</u>	Value Gain <u>Non-Res</u>
28-O Capitan Out	\$7,287,801	\$61,802
Totals	\$7,287,801	\$61,802

Nogal Canyon Fire 2023 Contributory Value Added By District

School District	Value Gain <u>Res.</u>	Value Gain <u>Non-Res</u>
28-O Capitan Out	\$20,819,462	\$5,157
Totals	\$20,819,462	\$5,157

Nogal Canyon Fire Loss, And Value Gain (Comparison) By Dist.

School District	Total Loss/Gains <u>Res.</u>	Total Loss/Gains <u>N/Res</u>
28-O Capitan Total Gain In Value	\$28,107,263	\$66,959
28-O Capitan Total Loss In Value	\$600,470	\$0
2023 Value Increase (Including) Value Loss From Fire	\$27,506,793	\$66,959



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

www.lincolncountynm.gov

AGENDA ITEM NO. 20

1) Audit Timeframes Update

Lincoln County staff contacted Kubiak auditors regarding the 2022-2023 audit schedule. The past couple of years, staff has been working through Thanksgiving weekend finalizing the requests from the auditors. This year's audit will begin much earlier (August 1, 2023). This should allow staff and the auditors to have final documentation completed by October 1, 2023. Burn permits can be found on the Lincoln County Website -

2) Burn Permit is Now Online

Burn permits can be found on the Lincoln County Website –

https://www.lincolncountynm.gov/services/fire_emergency_services/burn_permit.php

The permit requires Name / Mailing AND Burn Address/ Cell Phone Number and the Time and Dates of the burn.

3) Meeting With ALG&CC – 3/27/2023.

Commission Pfeffer, Sandy Nunnally and I met with the Alto Lakes Board to discuss the new Fire Station and Ambulance service in Lincoln County.

The Board appreciated us updating them on the topics and inviting us back as topics arise.

4) Construction Begins on Carrizozo Court Complex

1. The 12th Judicial District has started the transition of moving the Carrizozo Magistrate into the Complex.
2. White Sands Construction commenced building of one ADA restroom in the 1960's portion of the building. Construction is expected to last 90-120 days.

5) FEMA Training 101 – 3/30/2023

FEMA representative, Mike Ku, built an introductory course that covers the basics of dealing with disasters and navigating the FEMA system. This was a great workshop that helped everyone learn the FEMA process (and acronyms).

Lincoln County, VOR, Capitan and the SE COG were all in attendance.

6) Lincoln County Recovery Coordination Meeting (DR-4652)

Every two weeks we join the NMDHSEM team to discuss the latest progress on our recovery efforts (McBride and Nogal Fires). FEMA NMDHS, County, VOR EDA and many more teams give the latest update and try to set achievable goals before the next meeting. Progress has been made with EDA (future funding opportunities). We still have NOT been reimbursed for CAT A & B (debris clean up).

7) Inspection of Public Records - IPRA

The County Manager's office has had 5 major IPRA requests during the last 30 days.

Requirements:

- Response required within 3 days of receiving the IPRA
- Provide Information to requester within 15 days of receiving IPRA
- Invoice requester (if charges apply)
- Wait to receive payment / Receive payment
- Mail the information to the requester

The Sheriffs office receives IPRA requests – almost daily.

8) Director's Reports



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

www.lincolncountynm.gov

Director's Report

Date: 04.14.2023

Name: Francesca Herrera

Department: Public Works

Vacancies in Department: 0

Activities:

- The current Solid Waste Disposal contract with Sierra Contracting is scheduled to expire 11/23/2023. With direction from the commission on 4/11/2023, we will review and revamp the RFP to be submitted to the commission for review and approval. At that time we will be putting the RFP out for bid. I recommend keeping recycling as part of the RFP. Without it, we limit funding available.
- The Assessor's office has completed their project of labeling eligible properties with habitable structures for Solid Waste billing eligibility. Brandi and Kyla have completed the work on the skip list and NC list to verify the numbers that are on the updated list from the Assessor's office. Working on the comparison for more accurate accounting in Solid Waste.
- The 300+ Acre letter requesting updated information has been mailed out. The majority of response has been very positive and we are working with owners to appropriately obtain information per request. Per discussion on 4/11/23, Solid Waste will hold the applications for 300+ until the Ordinance has been revised, submitted and approved with the changes discussed in the next month or so.
- Q2 billing has been billed as of April 1, 2023 in the amount of \$257,496.97, approximately \$9,500.00 and 194 additional accounts charged more than Q1 January 1, 2023. Training in Trashflow has been delayed due to updating SystemsMD ability to work with new database. Even though we received assurances that Trashflow would work with out current database system, after beginning to implement the program, Trashflow is unable to intergrate. We have a 90 day refund period that ends on 4/30/2023 if we decide not to continue with Trashflow.
- For lodger's tax, we have interviewed 4 platforms to use for investigation of vendors and the ability to receive and receipt taxes paid by the vendors. on April 18, there will be a brief presentation by Granicus, which has the most comprehensive program and the ability to use Point & Pay (payment processing platform approved by the County Treasurer) for tax payments.
- At this time, there are a total of 333 STR's, 269 are in compliance, 23 new ones since Jan 2023. Working on tracking down STR to renew and STRs in non-compliance by not being registered. Working on mail/email regarding owners check on thier Airbnb Portal to make sure taxes are not being remitted by VOR.

Future Projects / Plans:

Working on Exemptions for 300+, Multi-residence and Uninhabitable. Pending decision by Commissioners.

Work towards getting Solid Waste set up successfully.

Working towards getting funding opportunities through grants for Solid Waste.



County of Lincoln

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Director's Report

Date: April 12, 2023

Name: Billie-Jo Guevara

Department: Finance

Vacancies in Department: None

Activities:

- Request for reimbursement #3 on Appropriation 20-E2605 Lincoln County Courtyard in the amount \$1,899.04 on 3/24/23.
- Requested Reimbursement #5 for appropriation F3017 Palo Verde Slopes in th amount of \$1,325.60 on 3/24/23.
Received reimbursement on 3/29/23.
- Requested Reimbursement #3 on appropriation 20-E2604 Lincoln County ADA Restrooms in the amount of \$1,848.60 on 3/24/23.
- Reimbursement #8 received 3/28/23 for Appropriation #20-2602 Lincoln County Fairgrounds in the amount \$13,969.86.
- Requested reimbursement #9 on March 24, 2023 for Appropriation #20-2602 Lincoln County Fairgrounds in the amount \$40,869.84.
- Attend on-line DFA Travel 101 on 3/28/23.
- RFP for Electrical On-Call Services was sent out on March 20, 2023 & will close April 24, 2023 at 2pm
To date the Sale of Property thru the Public Surplus is \$44,483.00.

Future Projects / Plans:



County of Lincoln

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Director's Report

Date: 4/11/2032

Name: Brianna Ventura

Department: HR/AA

Vacancies in Department: 0

Activities:

- Current Vacancies: Legal Process Server/Animal Control Officer; Dispatcher; Sheriff's Deputy-Certified; Sheriff's Deputy-Uncertified; Operator II
- Sent out Annual Financial Disclosure forms to all employees. Recieved quite a few but not all.
- Workers' Comp Claims for 2023: 3 record only, 2 open; Multi-Line Claims for 2023: 4 record only, 2 open.
- Reviewing HB324 regarding Assessor and certified employee certificate pay. **We will address this at the May budget meeting.
- Will begin negotiations of Collective Bargaining Agreement (CBA) for Sheriff's Deputies.
- Filled the position for the part-time cook at the Corona Senior Citizen Center.
- Working with Office of Emergency Services Director, Joe Kenmore, to schedule the annual Defensive Driving course for all employees.

Future Projects / Plans:



County of Lincoln

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Director's Report

Date: 4/10/2023

Name: Arron Griewahn

Department: OES

Vacancies in Department: 0

Activities:

- March Calls- 3- brush fires, 2- vehicle accidents, 8 false alarms, 1-structure fire, 3- Hazard conditions, 5 ems assist, 4 control burns. 27 Total calls
- Fire Protection Fund applications submitted to commision for approval.
- Bonito VFD is making the trasition to their new station
- NM State Fire Marshals Office completed station inspections of all Lincoln County districts
- Completed last wildland refresher class in Capitan April 4th
- Sent three instructors to the Sacramento Wildland Fire Academy to teach classes Robby, Spencer, Arron
- New phone sysyem upgrade for OES will be completed Tuesday April 11th

Future Projects / Plans:

Currently collecting bids to install fire hydrants on the Glencoe and White Oaks water systems

Glencoe and White Oaks districts will recieve ISO inspections within the year

Enter new automatic aid agreement for fire protection with the Village of Capitan VFD

Update all existing fire department SOG's, By-Laws, Automatic and Mutual Aid agreements.

Complete Pre plans of all commercial buildings in the Glencoe Fire District



Lincoln County Fire & Emergency Services

Fire Administration



111 Copper Ridge Road Capitan, N.M. 88316 * Office 575-336-8600 * Fax 575-336-8638

- OES responded to several outside of area calls to assist Capitan, Carrizozo, and Corona with emergency calls including one major accident on HWY 54 involving one fatality and one major grass fire west of Corona in Torrance County.
- We submitted approximately 40 purchase order requests from the districts to purchasing.
- Attended all seven inspections with the NM State Fire Marshals Office. All departments passed with minor deficiencies found. All departments are working on correcting those minor deficiencies.
- Completed FY' 24 budget meetings with all seven districts.
- Currently working with all fire districts to implement a new training program for firefighters. Brian will be acting as training officer and tracking all training hours using the Emergency Reporting system. Glencoe, Hondo, Arabela, and Lincoln have already adopted and started the new training program.
- Turned in one vehicle from the Lincoln District to Assets for auction. Working with the Arabela District to turn in two of their vehicles for auction.
-



County of Lincoln

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Director's Report

Date: 4/11/23

Name: Renee Montes

Department: Senior Centers

Vacancies in Department: None at this time

Activities:

- Working on ALTSD Capital Outlay requests. Due May 31, 2023
- Renovations are progressing at the Corona Site. Notice of Obligation have been submitted to State, waiting on approval
- Vehicles have been ordered. Waiting on delivery.
- Equipment for Hondo site grant has been ordered.
- The Senior Initiative Food Pantry is held at the Ruidoso Downs Site on the 4th Tuesday of every month.
- FY 23-24 Budget preparation for NCNMEDD/NMAAA will be held in 4/19

Future Projects / Plans:



County of Lincoln

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AGENDA ITEM NO. 21

SUBJECT:

Consolidated Dispatch Update – Village of Ruidoso Chief of Police, Lawrence Chavez

Tuesday, April 18, 2023



County of Lincoln

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AGENDA ITEM NO. 22

SUBJECT:

Approval of Lodger's Tax Funding Requests:

- a. Event: Last Escape of Billy the Kid Pageant
Amount Requested: \$16,000.00
Date(s) of Event: 8/4/2023-8/6/2023
Presenter: Nancy De Veny
- b. Event: Spencer Summer Season 2023
Amount Requested: \$10,000.00
Date(s) of Event: 7/1/2023-8/31/2023
Presenter: Charles Centilli

Tuesday, April 18, 2023



County of Lincoln

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Name of Event: Last Escape of Billy the Kid Pageant Date(s) of Event: Aug 4,5 & 6, 2023

Name of Organization(s) applying for Funding: Lincoln Pageant and Festival Com

Amount requested for consideration: \$16,000

The following list of items will be considered as the Board of County Commissioners and the Lodger's Tax Committee reviews your request for funding. If any space is left blank, please provide reasoning.

Describe Event:

Pageant brings the story of the Last Escape of Billy the Kid to life. Local residents work year round to provide this historical portrayal of one of NM most prominent historical figures. The event has been provided by local volunteers for 80+ years and brings in folks from all over the US and the world.

Have Lincoln County Lodger's Tax funds been requested for this event before? Please check one: yes no

If yes:

How many years has Lincoln County Lodger's Tax funds been used for the Event listed below? approx 10 yrs

List past years' requested funding amount(s):

Year: ? Amount requested: _____ Amount funded: _____

Year: ? Amount requested: _____ Amount funded: _____

Year: 2022 Amount requested: \$15,000 Amount funded: \$15,000 (used 0 in 2022)

What is the estimated total cost of the Event listed above for this year? \$25,500

What percentage of the cost of the Event listed above are you requesting from the County? 85%

How will the Event track guests who attend to determine how many out-of-town guests utilized County lodging as a result of the Event? survey cards will be provided to each attendee to determine their state of residency, how long they are staying in Lincoln County and how they heard of the event. We did this a few years ago and found that 33% of attendees lodged in

approx 2,000 persons attended in 2022.

Are there any in-kind or matching funds anticipated for the Event? no

If funding is granted by the Board of County Commissioners, please list dollar amounts of how funds are anticipated to be used in advertising:

Newspaper advertising:	Radio: \$4,000
Magazines: 0	Internet: 0
Printing: \$500	Other: billboard \$4,500 other costs are insurance, toilets, dumpsters, feed, security, ammo and utilities, (i.e., electricity)

What percentage of your budget is planned to be used for out-of-County advertising? 85%

What sources and what amount of funding have been requested elsewhere?

Please feel free to add additional pages for consideration, and samples of past advertising or brochures.

STATEMENT OF UNDERSTANDING

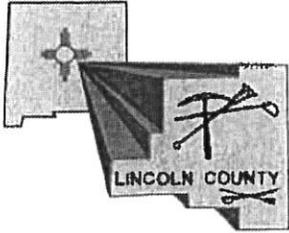
I understand that I am requesting public funds and they are to be administered according to State Law and County Ordinances, and I agree to submit a follow-up report with a financial statement within ninety (90) days following the event or I may forfeit the funds. I understand that funding recommended for approval by the Lincoln County Lodger's Tax Committee must be approved by the Lincoln County Board of County Commissioners. I also understand that approved funding amounts may differ from the amount requested on this application.

Name of Applicant (Please Print): Nancy De Veny for Lincoln Pageant & Festivals Com	
Signature of Applicant: Nancy De Veny	Digitally signed by Nancy De Veny Date: 2023.02.27 09:22:22 -07'00'
Address: Street/City/Zip: PO Box 92 Lincoln, NM 88338	
Phone: 575-649-0368	Email: ndeveny@outlook.com
Date submitted: February 27, 2023	

Please supply a list of attached documents, and include previous years' Event budgets:

billboard \$4,500	security \$2,200	insurance \$2,800
Radio \$4,000	ammo \$1,500	electricity \$1,500
Programs \$500	animal feed \$350	general repairs \$4,000 (fence, sound system, lighting system, structural - all are aging)
Toilets \$3,500	dumpsters \$800	

FOR COUNTY USE:
Date received:
Received by:
Added to Lodger's Tax Committee Agenda scheduled for:



County of Lincoln

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LODGER'S TAX REQUEST FORM

Name of Event: Spencer Summer Season 2023 Date(s) of Event: July, August 2023

Name of Organization(s) applying for Funding: Spencer Theater for the Performing Arts, Inc. 501(c) 3

Amount Requested: 10,000 Total estimated cost of the Event listed above? 344,650

Describe Event: The Spencer summer season includes national touring artists performing 12 public events within a 9-week timeframe beginning July 1, 2023 and ending August 25, 2023. The season hosts different genres of the performing arts and appeals to all ages, drawing visitors from across the country. Spencer's state-of-the-art stage setting allows patrons to enjoy and focus on the artist's talent.

Have Lincoln County Lodger's Tax funds been requested for this event before? YES NO

List past year years' requested funding amount(s):

Year: _____	Amount requested: _____	Amount funded: _____
Year: _____	Amount requested: _____	Amount funded: _____
Year: _____	Amount requested: _____	Amount funded: _____
Year: _____	Amount requested: _____	Amount funded: _____

How will the Event track the utilization of County lodging as a result of the Event? Ticket auditing system will track all addresses of ticket buyers attending any of the planned performances.

Are there any in-kind or matching funds anticipated for the event? YES NO

Describe: _____

Have you requested funding from other sources? YES NO Amount Requested? 10,000

Please list the anticipated amounts to be used for advertising:

Newspaper: _____	Radio: _____	Social Media: _____
Internet: _____	Printing: <u>10,000</u>	Other: _____

Total amount of Out-of-County advertising: 40,000

Are you a current vendor of the County of Lincoln? YES NO

If I am not a vendor: I will contact Lincoln County Purchasing prior to the next Board of County Commissioners meeting (purchasing@lincolncountynm.gov / 575-648-2385) YES NO

STATEMENTS OF UNDERSTANDING

I understand that I am requesting public funds and they are to be administered according to State Law and Lincoln County Ordinances. YES NO

I agree to submit a follow-up report with a financial statement within ninety (90) days following the Event or I may forfeit the reimbursable funds. YES NO

I understand that funding recommended by the Lincoln County Lodger's Tax Committee must be approved by the Lincoln County Board of Commissioners. I also understand that approved funding amounts may differ from the amount requested on this application. YES NO

I understand that a written agreement must be signed by the County of Lincoln and myself BEFORE any expenditures can be made. YES NO

Name of Applicant: Charles Centilli

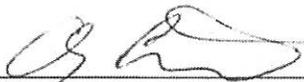
Date: 3/23/22

Address: 108 Spencer Road

City: Alto State: NM Zip: 88312

Phone: 575.336.0011

Email: charles@spencertheater.com

Signature: 

Email this form to: mwilliams@lincolncountynm.gov.



County of Lincoln

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AGENDA ITEM NO. 23

SUBJECT:

Public Works:

a. Approval to File Solid Waste Liens:

1. Marcus Salcido- **\$865.92**
 2. Marcus Salcido- **\$635.78**
 3. Robert H. Hawkins and Kathleen A. Hawkins- **\$900.02**
 4. Sandra Y. Overstreet and T. Overstreet- **\$900.02**
 5. Lewis R. Rumfield and Kelly A. Rumfield-**\$956.56**
 6. Brijida Chavez Herrera or Benjamin Herrera- **\$1,197.72**
 7. Dianna Wells- **\$841.18**
 8. Raven L. Stewart- **\$898.56**
 9. Richard Moore and Kelli Moore- **\$915.35**
 10. Sheila M. Zumwalt- **\$828.48**
 11. Timothy James Sanders- **\$940.97**
 12. James Warren Hanson and Katie A. Hanson- **\$900.02**
 13. Sonya Newton-**\$245.20**
 14. Abram L. Beier and Tonjah M. Beier-**\$738.48**
 15. Brad and Kasi Holland, Dwayne Kibbie and Karen Kibbie-**\$670.47**
 16. Jason Trujillo and Jessica Trujillo-**\$772.14**
 17. Jesus Rue- **\$838.48**
 18. Kevin D. Kennedy and Maria Barraza- **\$769.26**
 19. Guadalupe Gallegos- **\$1,197.88**
 20. Josephine E. Gutierrez- **\$715.40**
 21. Michael D. Smith and Viki L. Smith-**\$776.94**
 22. Ruben Chavez-**\$1,491.20**
 23. Daniel Gutierrez and Iva Gutierrez-**\$1,564.14**
- Total : \$20,560.17**

b. Approval to issue for RFP - Solid Waste Services

c. Consideration and Approval to Purchase Granicus Short-Term Rental Tracking Software in the Amount of \$27,929.55

Tuesday, April 18, 2023

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Marcus Salcido** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Marcus Salcido**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 865.92 representing the balance due on Account# 1193 and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from July 1, 2021 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Marcus Salcido** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Marcus Salcido**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 635.78 representing the balance due on Account # 5171 and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from July 1, 2021 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Robert H. Hawkins and Kathleen A. Hawkins** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Robert H. Hawkins and Kathleen A. Hawkins**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 900.02 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from January 01, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Sandra Y. Overstreet and T. Overstreet** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Sandra Y. Overstreet and T. Overstreet**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 900.02 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from January 01, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Lewis R. Rumfield and Kelly A. Rumfield owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: Lewis R. Rumfield and Kelly A. Rumfield

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 956.56 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from October 1, 2018 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Brijida Chavez Herrera or Benjamin Herrera owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: Brijida Chavez Herrera or Benjamin Herrera

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 1197.72 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from October 1, 2018 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Dianna Wells owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: Dianna Wells

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 841.18 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from April 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Raven L. Stewart owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: Raven L. Stewart

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 898.56 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from January 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Richard Moore and Kelli Moore** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Richard Moore and Kelli Moore**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 915.35 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from October 1, 2019 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Sheila M. Zumwalt owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: Sheila M. Zumwalt

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 828.48 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from January 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Timothy James Sanders owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: Timothy James Sanders

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 940.97 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from January 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **James Warren Hanson and Kathie A. Hanson** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **James Warren Hanson and Kathie A. Hanson**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 900.02 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from January 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Sonya Newton owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: Sonya Newton

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 245.20 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from October 01, 2022 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Abram L. Beier and Tonjah M. Beier** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Abram L. Beier and Tonjah M. Beier**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 738.48 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from July 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Brad and Kasi Holland, Dwayne Kibbe and Karen Kibbe** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Brad and Kasi Holland, Dwayne Kibbe and Karen Kibbe**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 670.47 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from July 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Jason Truillo and Jessica Truillo** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Jason Truillo and Jessica Truillo**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 772.14 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from July 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Jesus J. Rue owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: Jesus J. Rue

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 838.48 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from April 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Kevin D. Kennedy and Maria Barraza** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Kevin D. Kennedy and Maria Barraza**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 769.26 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from April 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Guadalupe Gallegos** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Guadalupe Gallegos**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 1,197.88 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from January 1, 2019 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Josephine E. Gutierrez** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Josephine E. Gutierrez**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 715.40 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from October 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Michael D. Smith and Viki L. Smith** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Michael D. Smith and Viki L. Smith**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 776.94 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from July 1, 2020 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Ruben R. Chavez owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: Ruben R. Chavez

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 1491.20 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from July 1, 2017 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Daniel Gutierrez and Iva Gutierrez** owner and/or reputed owner of the herein described property. YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the County of Lincoln, whose address is 300 Central, Carrizozo, New Mexico, 88301, (hereinafter "Claimant", pursuant to the authority given it by New Mexico Statutes Annotated, Section 4-56-1 et. seq. N.M.S.A. 1978 and Lincoln County Ordinance No. 2017-07, hereby claims a lien against the property described below:

1. Ordinance Under Which the Lien is Established: This Lien is established pursuant to the County of Lincoln Ordinance No. 2017-07 titled "An Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2016-01".

2. General Purpose of the Lien: The general purpose of this Lien is to obtain payment for collection, transportation and disposal of solid waste.

3. Owner of the Subject Property: The County Tax Assessor's records indicate that the subject property is owned by: **Daniel Gutierrez and Iva Gutierrez**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 1,564.14 representing the balance due and the administrative fee for preparation and filing of this Lien of \$100.00. (Note: Interest will accrue at the rate of 12% per year from the date of filing of this Lien, in addition to an additional Administrative Fee in the sum of \$100.00 for preparation and filing of a Release releasing this Lien.)

6. Lien Assessment Period: The Lien amount above, is claimed for unpaid quarterly billing statements and late charges for the period from January 1, 2017 to February 13, 2023, the later statement being for service through March 31, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

Michelle Williams

From: Mike Bozich <mike.bozich@granicus.com>
Sent: Wednesday, April 12, 2023 4:23 PM
To: Michelle Williams
Subject: Granicus pricing

Solution	Billing Frequency	Quantity/Unit	Annual Fee
Address Identification	Annual	1 Each	\$8,064.00
Compliance Monitoring	Annual	1 Each	\$4,207.00
Rental Activity Monitoring	Annual	1 Each	\$3,716.30
Enhanced Short-Term Rental Registration Portal	Annual	1 Each	\$3,470.95
Enhanced Short-Term Rental Tax Collection Portal	Annual	1 Each	\$3,471.30
Mobile Permitting & Registration	Annual	1 Each	\$0.00
Tax Collection	Annual	1 Each	\$0.00
Custom API Integration	Annual	1 Each	\$5,000.00
SUBTOTAL:			\$27,929.55

Solution	Description
Address Identification	<p>Ongoing monitoring of 60+ Short Term Rental websites including major platforms Airbnb, VRBO, HomeAway, Booking.com, FlipKey, & Expedia. Our machine learning will deduplicate all known Listings into unique Rental Units, where our identification team will provide owner contact information for further enforcement. This product includes:- Ongoing monitoring of all listings in your jurisdiction</p> <ul style="list-style-type: none"> - Updating listing activity and details every 3-5 days - Screenshot activity of every listing - Deduplication of listings into unique Rental Units - Activity dashboard and map to monitor trends and breakdown of compliance
Compliance Monitoring	<p>Compliance monitoring provides up-to-date information for each identified Rental Unit and its compliance status. We configure your compliance definition specific to your jurisdiction rules and ordinances in order to provide up-to-date compliance status of each identified Rental Unit. Additionally, this product will:- Allow your team to send letters to non-compliant properties 24/7</p> <ul style="list-style-type: none"> - Configure letter templates with your branding and letterhead - Add as many letter sequences as you need for escalation - Monitor properties that become compliant after letter enforcement
Rental Activity Monitoring	<p>Ongoing monitoring of Short Term Rental listings for signs of rental activity including historical revenue estimates & occupancy. Coupled with our Tax Collection product, users can also compare historical revenue estimates to actual reported revenue to identify those that may be underreporting and underpaying sales tax (i.e. TOT).</p>

Solution	Description
Enhanced Short-Term Rental Registration Portal	<p>Mobile-enabled online portal and back-end systems for streamlining the registration/licensing/permitting of individual short-term rental hosts. These registration forms and workflows include:</p> <ul style="list-style-type: none"> - Host Login and Dashboard - Parcel Number lookup and validation - ACH, Debit, and Credit Payments exclusively powered by Stripe.com - Registration Number & Certificate creation - Document Upload - Renewals - Email confirmation - Admin workflow management for approval & denial
Enhanced Short-Term Rental Tax Collection Portal	<p>Tax Collection can be built as a separate mobile-enabled portal or coupled with Mobile Permitting & Registration in one single portal allowing your users to:- Report revenue monthly, quarterly, or annually and pay sales tax due (i.e TOT)</p> <ul style="list-style-type: none"> - Remind users when they are registering for a permit/license to also report any back taxes - Collect ACH, Debit, and Credit Payments exclusively powered by Stripe.com
Address Identification - Setup and Configuration	<p>Setup and configuration of the platform to facilitate the systematic identification of the addresses and owner's contact information for short-term rentals located in a specific local government's jurisdiction.</p> <p><i>Note: The implementation timeline for Client is dependent on Granicus' receipt of all data from Client required to complete the services, including assessor data and registration files, in the format agreed upon by the parties prior to project kick-off. Any fees associated with the collection or receipt of required data will be borne by Client.</i></p>
Address Identification - Online Training	Virtual training session with a Granicus professional services trainer.
Compliance Monitoring - Setup and Configuration	Setup and configuration of the system to enable ongoing monitoring of a specific jurisdiction's short-term rentals for compliance with the relevant

Solution	Description
Compliance Monitoring - Online Training	Virtual training session with a Granicus professional services trainer.
Rental Activity Monitoring - Setup and Configuration	Setup and configuration of ongoing monitoring of Short-term Rental listings for signs of rental activity.
Rental Activity Monitoring - Online Training	Virtual training session with a Granicus professional services trainer.
Mobile Permitting & Registration	<p>Mobile-enabled online forms and back-end systems for streamlining the registration/licensing/permitting of individual short-term rental hosts. These registration forms and workflows include:- Parcel Number lookup and validation</p> <ul style="list-style-type: none"> - E-Signatures - ACH, Debit, and Credit Payments exclusively powered by Stripe.com - Registration Number & Certificate creation - Document Upload - Renewals - Email confirmation - Admin approval & denial
Tax Collection	<p>Tax Collection can be built as a separate mobile-enabled form or coupled with Mobile Permitting & Registration in one single portal allowing your users to:- Report revenue monthly, quarterly, or annually and pay sales tax due (i.e TOT)</p> <ul style="list-style-type: none"> - Remind users when they are registering for a permit/license to also report any back taxes - Collect ACH, Debit, and Credit Payments exclusively powered by Stripe.com
Mobile Permitting & Registration - Setup and Configuration	Setup and configuration of mobile-enabled online forms and back-end systems for streamlining the registration/licensing/permitting of individual short-term rental hosts and capturing and processing the associated signatures, payments and required documentation
Mobile Permitting & Registration - Online Training	Virtual training session with a Granicus professional services trainer.
Tax Collection - Setup and	Setup and configuration of mobile-enabled online forms and back-end

"Avenue"

	Today	Monitoring & Compliance	Full Administration
A. STR Listings and Gross Revenue Estimate			
Lincoln County Active Properties (after deduplication)	720	720	720
Avg. Nightly Rate	\$341.25	\$341.25	\$341.25
Occupancy Rate	57%	57%	57%
Estimated Gross Revenue from STRs	\$43,525,858	\$43,525,858	\$43,525,858

B. Short Term Rental Collections			
5% Lodger's Tax	\$2,176,293	\$2,176,293	\$2,176,293

C. Avenu Short Term Rental Compliance and Monitoring			
Per Property	\$0	\$60	\$225
Annual Cost	\$0	\$43,200	\$162,000

Lincoln County Return on Investment (ROI)			
Lincoln County Total Revenues	\$2,176,293	\$2,176,293	\$2,176,293
Estimated Compliance Rate	10%	60%	85%
Net Lincoln County Total Revenues	\$217,629	\$1,305,776	\$1,849,849
Avenu cost	\$0	\$43,200	\$162,000
County Staff/Operational Cost	\$75,000	\$75,000	(\$75,000)
Net Cost to Lincoln County	\$75,000	\$118,200	\$87,000
Net Revenues to County	\$142,629	\$1,187,576	\$1,762,849

Michelle Williams

From: Mario Morales <Mario.Morales@govos.com>
Sent: Monday, March 13, 2023 6:21 PM
To: Michelle Williams
Cc: Scott Annala; Francesca Herrera
Subject: Re: GovOS quote

Hi Michelle,

I haven't forgotten you, it's just been a busy day. 😊 In the spirit of transparency, I want to show you what you'll be getting and the price point that each option comes in at. During our discovery call, I recall that you had mentioned Granicus previously came in at a price point of \$16,000. The quotes I ran for you all comes in considerably higher than that. I wanted you to see the pricing before we go any further. Here is the breakdown:

\$19,865.34

\$21,430.31

\$25,278.47

Base* Identification, Compliance	Core Identification, Compliance, Registration	Max Identification, Compliance, Registration, Tax
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Let's hop on a call tomorrow and chat if you'd like.

Best,

Mario Morales

Enterprise Account Executive



785.564.2403

mario.morales@GovOS.com

www.GovOS.com

"RentalScape"

Deckard Technologies, Inc.
1620 5th Avenue, Suite 400
San Diego, CA 92101 US
accounting@deckard.com



BILL TO

Lincoln County, NM
300 Central Avenue, PO Box 711
Carrizozo, NM 88301 USA

INVOICE 1297

DATE 03/17/2023 **TERMS** Net 30

DUE DATE 04/16/2023

DECKARD ORDER NUMBER

00000354

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
04/05/2023	Monitoring & Reporting	Annual Subscription - Year 2	1	11,875.00	11,875.00
04/05/2023	Property Identification	Annual Subscription - Year 2	1	1,500.00	1,500.00

TOTAL DUE

\$13,375.00

To Pay by ACH transfer:
City National Bank
Routing number - 122016066
Account number - 27470165



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

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AGENDA ITEM NO. 24

SUBJECT:

Discussion and Direction Regarding Budget and Achievable Goals of the County of Lincoln

Tuesday, April 18, 2023



County of Lincoln

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AGENDA ITEM NO. 25

SUBJECT:

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); Discussion of the Purchase Acquisition or Disposal of Real Property or Water Rights by the Public Body, Section 10-15-1, Subparagraph (H)(8); Limited Personnel Matters, Section 10-15-1, Subparagraph (H)(2); and Collective Bargaining Negotiations, Section 10-15-1, Subparagraph (H)(F)

Tuesday, April 18, 2023

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 18, 2023

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); LIMITED PERSONNEL MATTERS, SECTION 10-15-1, SUBPARAGRAPH (H)(2); AND COLLECTIVE BARGAINING NEGOTIATIONS, SECTION 10-15-1, SUBPARAGRAPH (H)(F)

New or Updated Matters since last report *

1. **Board of County Commissioners of Lincoln County v. Roger Romero D-1226-CV-2018-00055**
Complaint for Foreclosure. Complaint was filed February 20, 2018. Defendant Roger Romero filed an Answer to the Complaint asserting a Counterclaim to be filed in the U.S. District Court on April 2, 2018. A Judicial Inquiry Hearing took place September 4, 2018. The case is still pending.

2. **Roger Romero v. State of New Mexico – D-1226-CV-2018-00113 (Underlying Cases are: Board of County Commissioners of Lincoln County v. Roger Romero, D-1226-CV-2018-00055, and State of N.M. v. Roger Romero M-30-MR-2016-00142)** A Petition for Writ of Habeas Corpus was filed requesting that the Judgment & Sentence entered by Judge Vega in Cause No. M-30-MR-2016-00142 be vacated and set aside. George Romero's Answer to Complaint and Counterclaim was filed April 30, 2018 in Cause No. D-1226-CV-2018-00055. On February 26, 2019, an Order Setting Aside Conviction was entered by Judge Counts.

On March 25, 2019, a Notice of Appeal was filed with the N.M. Supreme Court, Case No. S-1-SC-37602 On January 8, 2021, the Supreme Court entered its Dispositional Order of Transfer transferring the case to the Court of Appeals for consideration and review.

On January 28, 2021, a Dispositional Order was entered transferring the case to the NM Court of Appeals for consideration and review. Case No. A-1-CA-39446 On December 8, 2022, the case was submitted to a 3 Judge Panel for a decision.

3. **Romero, et al. v. Stone, et al, Cause No. D-1226-CV-2019-00271** Request for Appointment of Guardian Ad Litem for Plaintiffs and Complaint for Violation of Civil and Constitutional Rights, Negligence, Prima Facie Tort and Wrongful Taking was filed on October 9, 2019 along with a Jury Demand. Lisa B. Riley is the presiding Judge. The case is still pending.

4. **Brd. of County Commissioners of Lincoln County v. Amerisourcebergen Drug Corp., et. al – U.S. Dist. Court Case No. 2:19-cv-00462** – Complaint for Public Nuisance, Violations of Racketeer Influenced and Corrupt Organizations Act (RICO)... filed on May 20, 2019 by Attorneys Robles, Rail & Anaya, P.C., et. al. After receiving no oppositions to the transfer of the case, on June 17, 2019, the case was transferred to the Northern District of Ohio noting that as of December 5, 2017, 1,534 cases have been

transferred to Ohio for further proceedings. Settlement has been reached with some of the Defendants and, Lincoln County has begun to receive payments from some of the settling Defendants. The case is still pending.

5. **Greentree Solid Waste Authority v. Lincoln County, Cause No. D-1226-CV-2014-00095** – Compromise and Settlement Agreement and Release executed on December 17, 2015.

6. **Debra Wilcox v. Board of County Commissioners, Deputy Samuel C. Hanna, Caroline McCoy and Former Sheriff Robert Shepperd, Cause No. D-1215-CV-2021-00574** Complaint for Damages was filed on the 2nd day of September, 2021 by Steven Sanders alleging personal injury resulting from an improper and grossly negligent investigation and for “malicious abuse of process”. County Defendants were served on November 2, 2021. The case is still pending.

7. **Eby Revocable Trust AND William R. Moser v. Lincoln County Assessor, et al, Cause No. D-1226-CV-2021-0260** A Notice of Appeal of Decision of Tax Protest Board was filed on the 14th day of December, 2021 by Attorney Zach Cook. On January 27, 2022, New Mexico Counties assigned Attorney Daniel Macke to represent Lincoln County. The case is still pending.

8. **Crystal Buster v. Board of County Commissioners for Lincoln County, Correctional Solutions Group, LLC, et al, Cause No. 2:21-cv-01208** A Complaint for Recovery of Damages Caused by the Deprivation of Civil Rights with a Jury Demand was filed on the 12th day of December, 2021, by Coyte Law P.C., and the Law Offices of Matthew Vance, P.C. The case is still pending.

9. **Lionel Burns v. Lincoln County Sheriff’s Department; Deputy Daniel Brawley; in their individual and official capacities, and Rhonda Burns, Cause No. D-1226-CV-2022-00032** A Complaint for Damages was filed on the 4th day of March, 2022, by Clayton E. Crowley, Esq. and Joseph J. Gribble, Esq.

On April 22, 2022 the case was removed to the U.S. District Court for the District of New Mexico, Cause No. 1:22-cv-000304. The case is still pending.

10. **Potential Recovery of County of Lincoln Losses from the McBride / Nogal Fires**

11. **Butch’s Properties, LLC v. Vera Cruz Ranches, et al, Cause No. D-1226-CV-2022-00166** A Complaint to Quiet Title was filed on the 18th day of August, 2022 by Attorney William Griffin. Lincoln County was served on the 26th day of August, 2022, and filed its Answer to the Complaint on the 26th day of September, 2022. The case is still pending.

12. ***Rosarita Brady, et al v. The Board of County Commissioners of the County of Lincoln, et al, Cause No. D-1226-CV-2022-00199** A Verified Complaint was filed by Attorneys Alexandra Bobbit and McKenzie St. Denis on the 27th day of September, 2022. Lincoln County was served on the 22nd day of November, 2022. Lincoln County Defendants filed their Motion to Dismiss in Lieu of an Answer to the Complaint on the 6th day of January, 2023. A hearing on Defendants’ Motion to Dismiss is scheduled to take place on May 1, 2023.

13. **Dennis Rich and Yvonne Rich, v. Walt Hill, et al, Cause No. D-1226-CV-2022-00230** A Complaint to Quiet Title was filed on the 22nd day of November, 2022 by Attorney H. John Underwood. The County of Lincoln has yet to be served.

14. ***State of New Mexico v. Richard Jeremy Moisa, Cause No. M-30-MR-2022-00087A** A Complaint for Violation of Lincoln County’s Animal Control Ordinance was filed by LCSO Sgt. Jesse Finley on the 29th

day of August, 2022. The Bench Trial scheduled to take place before Judge Mickie Vega on the 4th day of April, 2023 was continued until May 30, 2023.

15. **BB Lane, LLC / 137 Bluebelle Lane** Violation of Lincoln County’s Lodgers’ Tax Ordinance

16. ***KVL Realty, LLC / 228 Eagle Ridge Rd.** Violation of Lincoln County’s Lodgers’ Tax Ordinance

Tort Claims Notices Received or Threatened

2023

Ornelas, Mark – Tort Claim Notice received on January 4, 2023, alleging injuries sustained on October 11, 2022, as a result of an automobile accident / rollover of the Detention Center Transport Van owned by Lincoln County while being transported from Eddy County Detention Center to Lincoln County Detention Center.

Booth, Marcus – Tort Claim Notice received January 26, 2023, alleging injuries sustained by Claimants head due to the actions by staff of the Lincoln County Detention Center and staff’s refusal to take Claimant for medical treatment.

Ramos, Heber – Tort Claim Notice received on February 17, 2023, alleging Civil Rights Violations and injuries sustained while Mr. Ramos was incarcerated at the Lincoln County Detention Center.

Smoley, Cinthia – Tort Claim Notice received February 24, 2023, [Claimant also sent the Tort Claim directly to New Mexico Counties Claims Department] alleging that beginning on November 28, 2022, she was subjected to a conspiracy of constitutional deprivations when she was unlawfully removed from her home at 105 Bluebird Lane, Ruidoso, NM. Her claims include that: she sustained injuries while being detained, she was abused during her incarceration at the Lincoln County Detention Center, she was assigned a Public Defender without her consent, and that all of her pets were immediately euthanized by the Lincoln County Humane Society the day of her arrest. Claimant has named the following agencies in her claim: Twelfth Judicial District Court, Lincoln county Sheriff’s Office, Ruidoso Police Department, New Mexico State Police, Ruidoso Animal Control, Lincoln County Animal Control, Humane Society, Lincoln County Magistrate Court Judge, Katie Lund.

Smoley, Robert – Tort Claim Notice received February 24, 2023, [Claimant also sent the Tort Claim directly to New Mexico Counties Claims Department] alleging that beginning on November 28, 2022, he was subjected to a conspiracy of constitutional deprivations when he was unlawfully removed from his sister’s home at 105 Bluebird Lane, Ruidoso, NM where is resided. His claims include that he was abused during his incarceration at the Lincoln County Detention Center, he was assigned a Public Defender without his consent, and that all of his pets were immediately euthanized by the Lincoln County Humane Society the day of his arrest. Claimant has named the following agencies in his claim: Twelfth Judicial District Court, Lincoln county Sheriff’s Office, Ruidoso Police Department, New Mexico State Police, Ruidoso Animal Control, Lincoln County Animal Control, Humane Society, Lincoln County Magistrate Court Judge, Katie Lund.

***Provine, Allison** – Tort Claim Notice received March 14, 2023, referencing the Lincoln County Sheriff’s Office stating: “faulty tail light”

***Mendoza, George** – Tort Claim Notice received March 20, 2023, alleging that on or about December 10, 2022, Lincoln County Medical Center and/or its agents fell below the standard of care resulting in injuries and damages to Claimant.

***Cummins, Sara** – Tort Claim Notice received March 27, 2023, alleging unlawful/malicious acts by the Lincoln County Sheriff's Department.

***Dorgan, K.C.** – Tort Claim Notice received March 27, 2023, alleging unlawful/malicious acts by the Lincoln County Sheriff's Department.

***Soden, Sue** – Tort Claim Notice received March 31, 2023, alleging that on or about March 1, 2022 and continuing thereafter to on or about April 12 and May 5, 2022, Lincoln County Medical Center and/ or its agents fell below the standard of care resulting injuries and damages to Claimant.

2022

Schwartz, Neil – Tort Claim Notice received on February 10, 2022 alleging malicious and/or tortious actions and/or omissions by the State of New Mexico, the Lincoln County Sheriff's Department, the New Mexico State Police, and the Twelfth Judicial District Attorney's Office resulting in damages to Claimant including, but not limited to, infliction of mental pain and suffering, injuries to Claimant's reputation, and current and future loss of earnings.

Downs, Barbara – Tort Claim Notice received May 6, 2022 alleging improper road and/or waterline maintenance resulting in a vehicle collision due to the icy road at the intersection of Sudderth Drive and Paradise Canyon in Ruidoso, New Mexico. A 2nd Tort Claim Notice was received on May 9, 2022 for a separate source with the same allegations as those set out in the May 6, 2022 notice.

McMinn, David – Tort Claim Notice received on July 6, 2022, alleging multiple, serious issues due to the use of excessive force by BIA law enforcement who may have been agents of or acting on behalf of the Village of Ruidoso, Ruidoso Police Department, Lincoln County, N.M. State Police and the State of New Mexico.

New Mexico Boys and Girls Ranches, Inc. and its Employee, Bridgman, Ted – Tort Claim Notice received on August 9, 2022, alleging violation of civil rights and tort claims act, including a demand to cease and desist and the return of promotional materials confiscated by County representatives at the Lincoln County Fair.

Estates of Wesley Clark and Linda Clark – Tort Claim Notice received on October 11, 2022 alleging wrongful deaths as a result of the McBride Fire due in part to faulty siren warning systems.

Snodgrass, Joshua – Tort Claim Notice received on November 2, 2022 concerning loss of employment with the Lincoln County Sheriff's Office commencing on June 23, 2022.

Grassie, Kurtis - Loss of employment with the Lincoln County Sheriff's Office commencing on June 23, 2022.

2021

Cervantez, Adam - Tort Claim Notice received on July 8, 2021 alleging the use of excessive force and related constitutional claims during his arrest on April 22, 2021.

Kieter, Dave; Jakubcewicz, Mark; Riddle, Jasper; Patton, Van – Tort claim Noticed received on July 27, 2021. Claimants each allege damages to personal and real property as a result of the extraordinary flooding experienced throughout Lincoln County.

Myers, Sylvia – Tort Claim Notice received August 30, 2021 alleging that Lincoln County Medical Center’s treatment fell below the standard of care.

Siegel, Erik – Tort Claim Notice received August 30, 2021 alleging deprivation of rights involving tort, constitutional rights, and other claims.

White, Lionel Glenn, Jr., and family members and tenants, Ralph Nosker and his family members, Barbara Arthur and her family members, and Barlou, LLC – Tort Claim Notice received September 16, 2021 alleging inundation by water resulting in damages to existing roadways and parking in the Gavilan Canyon Road area which are all located within the municipality of the Village of Ruidoso.

Smoley, Cinthia – On November 8, 2021, Ms. Smoley submitted to the Lincoln County Treasurer’s Department a Statement dated 11/2/2021, for “Arbitration Award/monies due for default”.

Vonderane, Glenn – Tort Claim Notice received October 19, 2021 alleging personal injury while using a staircase at the Village of Ruidoso public parking lot located at 151 Center Street.



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

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AGENDA ITEM NO. 26

SUBJECT:

Consideration and Approval of:

- a. Signing of Replat for the Lincoln County Fairgrounds
- b. Filing a Disclaimer of Interest in the matter of Dennis Rich and Yvonne Rich, v. Walt Hill, et al, Cause No. D-1226-CV-2022-00230

Tuesday, April 18, 2023



County of Lincoln

PO Box 711 * 300 Central Ave. * Carrizozo, New Mexico 88301-0711 * (575) 648-2385

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AGENDA ITEM NO. 27

SUBJECT:

Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinances:

- a. Ordinance No. 2020-04 an Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance; Repealing Ordinance 2017-07
- b. Ordinance No. 2020-04 Page 4, Paragraphs D, E and F as it Relates to Revising the Current Established Fees
- c. Ordinance No. 2023-04 an Ordinance Providing for an Efficient and Fair Method of Enforcing the Ordinances of Lincoln County; Establishing the Position of Ordinance Enforcement Officer Under the Supervision of the Public Works Department; Authorizing the Ordinance Enforcement Officer to Enforce the Provisions of Lincoln County Ordinances; Designating Authority and Procedures for Ordinance Enforcement Officers; Providing for the Severability of Parts Hereof; Repealing Ordinance 2022-01 and Any Other Ordinances in Conflict Herewith; and Providing an Effective Date
- d. Review and Adoption of Preliminary Budget for the County of Lincoln for FY 23/24

Tuesday, April 18, 2023