

COUNTY OF LINCOLN
New Mexico
Regular Meeting
Board of County Commissioners

Thomas F Stewart, Chairman
Dr. Lynn Willard, Vice-Chairman
Elaine Allen, Member
Jon Crunk, Member
Todd Proctor, Member

Walter Hill, Assessor
Whitney Whittaker, Clerk
Rhonda Burrows, Probate Judge
Michael Wood, Sheriff
Beverly Calaway, Treasurer

Ira Pearson, County Manager

AGENDA

Tuesday, July 19, 2022 @ 8:30 A.M.

Commission Chambers Carrizozo, New Mexico and Zoom (link below)

Join Zoom Meeting

<https://us02web.zoom.us/j/81828229748?pwd=dVRkSHNqWlBiN2NpdXFzZlI3RHdhdz09>

Meeting ID: 818 2822 9748

Passcode: 638921

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. June 2, 2022, Special Commission Meeting
 - b. June 14, 2022, Regular Commission Meeting
7. Approval of Consent Agenda
 - a. Payroll/Accounts Payable/Budget/ Expenditures
 - b. Approval of Resolution 2023-01: Budget Adjustment FY 21/22
 - c. Treasurer’s Financial Report for the Month ending June 30, 2022
 - d. Approval of Resolution 2023-02: Treasurer’s 4th Quarter Financial Report
 - e. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims
 - f. Upper Hondo Soil & Water Conservation District Mill Levy Rate

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- g. Claunch-Pinto Soil & Water Conservation District Mill Levy Rate
 - h. Restricted Housing Report - Quarter Ending June 30, 2022
 - i. Approval of Community Development Block Grant Program (CDBG) Resolution 2023-04 a Resolution of the Commissioners of Lincoln County, New Mexico, Authorizing the Submission of a New Mexico Community Development Block Grant Program Application to the Department of Finance and Administration/Local Government Division; and Authorizing the Commission Chair to Act as the County's Chief Executive Officer and Authorized Representative in all Matters Pertaining to the County's Participation in the Community Development Block Grant Program
 - j. Approval of Commercial Supply and Lease Agreement Between Pinnacle Propane, LLC and the County of Lincoln
 - k. Approval of Work and Financial Plan Between Lincoln County and the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (APHIS-WS) for July 1, 2022 through June 30, 2023
 - l. Approval of the State of New Mexico Department of Finance and Administration Local Government Division Enhanced 911 Act Grant Program Grant Agreement, Project No. 23-E-26
8. Approval of Children, Youth and Families Continuum of Graduated Sanctions Agreement # 21-690-3200-20839 (LCJJB)
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. 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. **10:00 AM PUBLIC HEARINGS:**
- a. Variance of Ordinance 2006-6: Lincoln County Outdoor Advertising Regulation Ordinance an Ordinance Establishing Restrictions and Prohibitions to Promote Safety of Travelers Along Certain Highways, to Prevent Visual Pollution of Those Highways Through Regulation of Outdoor Advertising, to Protect the Investment in Public Highways and Private Property Values; Defining Areas to be Regulated; Making Restrictions on Signs and Billboards; Requiring a Permit Prior to Construction or Alteration; Providing for Exceptions; Prohibiting Abandoned and Dangerous Signs; Providing for Removal of Non-Compliant Billboards, and Establishing Penalties for Violations; Providing for Ordinances in Conflict Herewith and for the Severability of Parts Hereof; Providing an Effective Date; and Repealing Ordinance 2004-10 Requested by

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BW Gas and Convenience LLC (DBA Allsup's) and Clovis Sign Service, Inc.

***BUDGET ADOPTION HEARING IMMEDIATELY FOLLOWING
ITEM a.***

- b. Consideration of Adoption of the Final Budget, Fiscal Year 2022-2023 by Resolution 2023-03
12. Lincoln County Road Department:
- a. Approval of Resolution 2023-05 Participation in Local Government Road Fund Program Administered by New Mexico Department of Transportation (Cooperative Agreement L200563)
 - b. Approval of Resolution 2023-06 Participation in Local Government Road Fund Program Administered by New Mexico Department of Transportation (County Arterial Agreement L200577)
 - c. Discussion and Direction on Accepting Roads from Lincoln National Forest Service
 - d. Approval to Award a Contractor for the Right Turn Lane Project on Gavilan Canyon and Highway 48.
 - e. Approval of Wilson & Co. Task Order – Perry Springs Trail and Ford Channel Culvert Crossing
 - f. Consideration of the Lincoln County Road Review Committee's Recommendation to Close 0.25 Miles of Mary Helen Lane, County Road E032
13. History in Lincoln County: Creation of Otero County – January 30, 1899
14. Lincoln County Detention Center Update – Warden Scott Colvin
15. Lincoln County Medical Center Update – Todd Oberheu
16. Workforce Innovation and Occupational Act (WIOA)
- a. Eastern Area Workforce Development Board Presentation
 - b. Consideration and Approval of Eastern Area Grant Agreement – Program Year 2022
17. Manager's Report
18. Public Works Department:
- a. Approval for Management Authority to Correct and Adjust Solid Waste Accounts
 - b. Approval of Work Session to Discuss and Review Solid Waste Procedures, Rates and Long-Term Plan
 - c. Discussion and Approval for County Manager to Sign Liquor License Renewals

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19. Consideration and Approval to Apply for the 2023 State Homeland Security Grant Program – OES Director, Joe Kenmore
20. Discussion and Direction Regarding Business Licenses in Lincoln County – County Attorney, Alan Morel
21. Consolidated Dispatch Update – County Attorney, Alan Morel
22. Consideration of Resolution 2023-07 a Resolution Calling on the New Mexico Legislature to Enhance the Faith of the Voting Public in Election Outcomes Through Improved Election Process
23. Enchanted Forest Water System Update – Tracie Johnson
24. Discussion and Direction Regarding a Lincoln County “Red Flag” Ordinance – Commissioner Elaine Allen
25. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinances
 - a. Authorizing the Issuance and Sale of Lincoln County, New Mexico Taxable Industrial Revenue Bonds (Pattern SC Holdings LLC Project), Series 2022A, in an Aggregate Principal Amount not to Exceed \$3,600,000,000 (the “Bonds”); to Provide Funds to Finance the Acquisition, Construction, Equipping and Installation of Wind Energy Facilities to be Constructed in One or More Phases for the Purpose of Generating Electricity and Located Within the County but Outside the Boundaries of any Incorporated Municipality; Authorizing the Execution and Delivery of an Indenture, a Lease Agreement, a Bond Purchase Agreement, a Sublease Agreement, the Bonds, and Other Documents in Connection with the Issuance of the Bonds; Making Certain Determinations and Findings Relating to the Bonds; Ratifying Certain Actions Taken Previously; and Repealing all Actions Inconsistent with this Ordinance
 - b. A Public Hearing on an Application for a Telecommunications Tower- Applicants Gravity Pad and Kevin Winner - Seek to Amend the Previously Approved Conditional Special Use Permit and a Variance for Setback and Other Items from the Lincoln County Wireless Regulations as Stated in Ordinance 2012-03 An Ordinance Regulating Wireless Communications Facilities
26. 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); and Limited Personnel

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Matters; Section 10-15-1, Subparagraph (H)(2)

27. Approval of Settlement in the Matter of Allen Theaters Properties, LLC v. Walter Hill, County Assessor, Lincoln County, Cause No. D-1226-CV-2021-0264
28. Signing of Official Documents and Authorization to Utilize Electronic/Stamp Signature
29. Next meetings:
 - a. August 16, 2022- Regular Commission Meeting
 - b. September 7, 2022-Special Meeting to Impose Property Tax Rates (Subject to Change)
30. Adjourn

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