

COUNTY OF LINCOLN

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



Ira Pearson, County Manager

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

AGENDA

Board of County Commissioners – Regular Meeting

September 19, 2023 @ 8:30am - Commission Chambers in Carrizozo, New Mexico and ZOOM

<https://us02web.zoom.us/j/86507290687?pwd=aXd5UTNQSIhLRWYwVjB3MXhrZGxET09>

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. August 3, 2023, Special Commission Meeting
 - b. August 22, 2023, Regular Commission Meeting
7. Approval of Consent Agenda
 - a. Payroll/Accounts Payable/Budget/ Expenditures
 - b. Treasurer’s Financial Report for the Month ending August 31, 2023
 - c. Approval of Safety Net Care Pool & Indigent Health Care Claims
 - d. Approval of Resolution 2024-17 – Approval of Disposition of Surplus Inventory

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

Tuesday, September 19, 2023

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- e. Acknowledgement of Budget Acceptance Letter from the New Mexico Department of Finance and Administration for Fiscal Year 2024
- f. Approval of Health Council Resolution 2024-18 Recognizing the Lincoln County Community Health Council as the Official Health Planning Body of Lincoln County
- g. Approval to Appoint Marian Carpenter to the Lincoln Historic Preservation Board
- h. Approval of Resolution 2024-20 - Repealing Resolution 2023-58 - A Resolution Setting Fees to be Charged by Lincoln County in the Provision of Solid Waste Collection Services
- i. Approval to File Solid Waste Liens:
 - 1. Rhonda K. Montoya-Gunkel- \$1,203.48 (Land#320800 Rohnda K. Montoya-Gunkel) (MH# 338025 Rohnda K. Montoya-Gunkel)
 - 2. George Roessner- \$672.32 (Land# 205920 Kelli Marable & Kenneth Hinojosa) (MH# 205921 Kelli Marable & Kenneth Hinojosa) (Real Estate Contract)
 - 3. Patricia A. Ford- \$670.50
 - 4. Alejandro Pena Jr. and Jaquelyne Pena- \$572.32
 - 5. Shannon Shay Griffin- \$612.32
 - 6. Russell H. Seacat III and Cynthia Seacat- \$610.78

Approval to Release and Refile Solid Waste Liens:

- 1. Maria N. Guillen - \$2,041.33 (Land# 1007381 Maria Medina) (MH# 337375 Maria Medina)
- 2. Mark Milliorn & Karen Milliorn - \$2,527.55
- 3. Karen Hegarty Mills - \$1,621.77
- 4. Richard R. Montano & Cindy Gomez - \$1,933.08 (Land# 245675 Richard R. Montano & Cindy Gomez) (MH# 252586 Emiline Montano)
- 5. Eloy Pat Montes & Patricia I. Montes- \$2,430.96
- 6. Conception A. Morales & Conception G. Morales - \$2,680.23 (Land# 204770 Conception A. Morales & Conception G. Morales) (MH# 204771 Connie G. Morales)
- 7. Angela Marietta Smith Mustian - \$2,711.28
- 8. Raina L. Najar aka Raina McDonald - \$2,365.60 (Land# 203700 Raina L. Najar) (MH# 210092 Raina L. Najar)
- 9. Steven W. Nesbit - \$2,401.82
- 10. Jack G. Orio Jr. & Kathleen A. Orio - \$2,601.62
- 11. Roy D. Padilla & Rita E. Padilla - \$2,617.60
- 12. W. Ray Parrish - \$2,062.84

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13. Peter Joshua Payan, Sr. & Cynthia Payan - \$1,949.39 (Land# 308090 Peter Joshua Payan, Sr. & Cynthia Payan) (MH# 1006878 Peter J. Payan)
14. Jack Pickel - \$2,680.23
15. Ima Florence Powell - \$2,687.09
16. Pat Preheim - \$2,500.44
17. Richard W. Purcella & Frances J. Martinez - \$2,500.44
18. Tito Reyes & Edelmira Reyes - \$2,687.09 (Land# 311500 Tito Reyes & Edelmira Reyes) (MH# 336932 Tito Reyes & Edelmira Reyes)
19. Pete M. Salas, Jr. & Nancy J. Sanchez - \$4,793.87 (Residence 201 on Land# 251575 Pete M. Salas, Jr. & Nancy J. Sanchez) (Land# 251575 Pete M. Salas, Jr. & Nancy J. Sanchez) (MH# 12764 Bobby & Nancy Sanchez)
20. Frankie G. & Mickie Rena Reynolds - \$2,572.81

8. Approval of Budget Adjustment for FY 23/24 by Resolution 2024-19

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. Lincoln County Medical Center

- a. Update – Todd Oberheu
- b. Consideration of Lincoln County Emergency Medical Service (LCEMS) Letter of Support for Funding from the New Mexico Rural Health Care Delivery Fund

12. Lincoln County Detention Center

- a. Update – Ross Castleton, Warden
- b. Approval of Detention Center Repairs – Ventura Plumbing, Heating and Cooling

13. County Director Reports

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

14. Approval of Order Setting Property Tax Rates – 2023 Property Tax Year
15. Lodger's Tax:
 - a. Approval of Lodger's Tax Funding Requests:
 1. White Mountain Christmas at the Flying J Ranch
Request: \$7,500.00
Date(s) of Event: November 24-December 31, 2023
Presenter: James Hobbs
 - b. Approval of Refunds to Lodging Tax Vendors Due to Duplicate Payments:
 1. Nicole Abshire in the Amount of **\$829.10**
 2. Ofer Molad in the Amount of **\$534.14**
 3. Scott & Jane Christensen in the Amount of **\$172.25**
16. Approval of Prior Year Invoices:
 - a. Vital Records Control (VRC) (3 invoices) - **\$410.87**
 - b. Total Destruction, LLC - **\$31.17**
17. Acknowledgement of New Mexico County Insurance Authority Pool Multi-Line and Law Enforcement Deductibles
18. Consideration and Approval of Resolution 2024-21 a Resolution of the County Board of Commissioners in Support of the Second Amendment to the United States Constitution
19. Consideration and Approval to Purchase Vehicles:
 - a. Capitan Senior Citizen's Center - **\$34,284.00**
 - b. Carrizozo Senior Citizen's Center – **\$48,429.00**
 - c. Corona Senior Citizen's Center - **\$34,284.00**
 - d. Hondo Senior Citizen's Center - **\$30,000.00**
20. Consideration and Approval of the County of Lincoln's Code of Ethics
21. Discussion and Direction Establishing Lincoln County Priorities Regarding Federal Funding
22. Discussion and Direction for the Need to Obligate the Local Assistance and Tribal Consistency Fund (LATCF)
23. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinances:

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

- a. 2023 Noisy Water Winery Local Economic Development Act (LEDA) Project Ordinance
 - b. Repealing Lincoln County Ordinance No. 2020-02 (2020 Noisy Water Winery Local Economic Development Act (LEDA) Project)
24. 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 Matters; Section 10-15-1, Subparagraph (H)(2) and Discussion and Direction Regarding Solid Waste Request for Proposals, Section 10-15-1, Subparagraph (H)(6)
25. Approval to Negotiate with Potential Solid Waste Provider(s)
26. County Manager:
- a. Consideration of Hiring a Temporary County Manager and Contract Negotiations
 - b. Consideration of Entering into Negotiations for County Manager Position
27. Signing of Official Documents
28. Next meetings:
- a. October 17, 2023 – Regular Commission Meeting
29. 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. August 3, 2023, Special Commission Meeting
- b. August 22, 2023, Regular Commission Meeting

Tuesday, September 19, 2023

COUNTY OF LINCOLN

New Mexico Special Meeting Board of County Commissioners

Todd Proctor, Chair
Jon Crunk, Vice Chair

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

Minutes Thursday August 3, 2023

Minutes of the Special Meeting of the Lincoln County Commission held at 11:00 AM on August 3, 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 11:00 AM.

2. Roll Call

Roll Call.

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

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

3. Invocation

The Invocation was presented by Chair Proctor.

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 Serna, **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.

49 **6. Discussion and Consideration of Engaging Professional Executive Search**
50 **Companies for Assisting in Filling the County Manager Job Vacancy**
51

52 Attorney Morel outlined the contracts of two companies who could be used to assist in filling the
53 County Manager job vacancy. Attorney Morel stated the contract from Judge was a better fit for
54 Lincoln County as there was no payment requirement unless a candidate was hired from their
55 recommendation. Attorney Morel stated Korn Ferry would vet the candidates themselves instead
56 of allowing the County Elected Officials to take care of that process and there was a large fee just
57 to sign the contract with them regardless if a candidate was recommended or not.
58

59 Commissioner Crunk felt the Commission was sending a clear signal to the constituents of the
60 County they were not able to do their job in finding a good candidate for the position and would
61 need to spend excess money to have outside assistance.
62

63 Commissioner Pfeffer stated his concern was lack of timing and felt they needed to make sure
64 the company knew they needed candidates by the end of August.
65

66 Commissioner Fischer stated he did not feel the Commission was abrogating their responsibilities,
67 they were merely trying to engage outside expertise.
68

69 **Motion:** Approve the signing of the contract and the use of Judge to assist in filling the County
70 Manager job vacancy, **Action:** Approve, **Moved by** Commissioner Fischer, **Seconded by**
71 Commissioner Serna.

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

73 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
74 Chair Proctor.
75

76 **7. Next meeting:**
77 August 22, 2023, Regular Commission Meeting
78

79 **8. Adjourn**
80

81 **Motion:** Adjourn, **Action:** Approve, **Moved by** Commissioner Crunk, **Seconded by**
82 Commissioner Serna.

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

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

87 There being no further business to come before the Board of County Commissioners, Chair
88 Proctor adjourned the meeting at 11:15 AM.
89

90 Respectfully submitted by,
91 Shannan Hemphill
92 Lincoln County Clerk

COUNTY OF LINCOLN

New Mexico Regular Meeting Board of County Commissioners

Todd F Proctor, Chair
Jon F Crunk, Vice Chair

Samantha J Serna, Member
Mark G Fischer, Member
Pierre S Pfeffer, Member

Minutes Tuesday August 22, 2023

Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on August 22, 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 Chair Proctor.

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 Pfeffer, **Seconded by** Commissioner Crunk.

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

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

Commissioner Serna requested to move Agenda items 21 and 23 to the front of the meeting.

Motion: Move items 21 and 23 to the beginning of the meeting, **Action:** Approve, **Moved by** Commissioner Fischer, **Seconded by** Commissioner Serna.

Vote: Motion failed (**summary:** Yes = 2, No = 3, Abstain = 0).

Yes: Commissioner Fischer, Commissioner Serna.

No: Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

6. Approval of Minutes:

- a. July 6, 2023, Special Commission Meeting
- b. July 18, 2023, Regular Commission Meeting
- c. July 28, 2023, Special Commission Meeting

Motion: Approve the minutes of the July 6, 2023, Special Commission Meeting, July 18, 2023, Regular Commission Meeting, and the July 28, 2023, Special Commission Meeting, **Action:** Approve, **Moved by** Commissioner Fischer, **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 Consent Agenda

- a. Payroll/Accounts Payable/Budget/ Expenditures
- b. Treasurer's Financial Report for the Month Ending July 31, 2023
- c. Approval of Road Project Agreement No. 23-RO-1103033-258 Between the County of Lincoln and the USDA, Forest Service, Cibola National Forest and National Grasslands
- d. Approval of Resolution 2024-09 – Approval of Disposition of Surplus Inventory
- e. Approval of Safety Net Care Pool & Indigent Health Care Claims
- f. Approval of Resolution 2024-11 a Resolution to Continue as an Active Member of the Southeastern New Mexico Economic Development District / COG
- g. Approval of the Membership Agreement between the Southeastern New Mexico Economic Development District / COG and the County of Lincoln
- h. Approval of the Addendum to the Lincoln County Community Wildfire Protection Plan
- i. Approval of the County of Lincoln Drug and Alcohol Policy for DOT Safety Sensitive Employees Subject to Federal Drug and Alcohol Testing
- j. Approval of Memorandum of Understanding Between Lincoln County and Otero County Electric Coop Buck Mountain Tower Site (Tower or Tower premises)
- k. Approval to Release and Refile Solid Waste Liens:

Liens to be released and refiled:

- 1. Delores Herrera - **\$2,523.99**
- 2. Leopoldo G. Herrera or Emma Jean Herrera - **\$2,574.57**
- 3. Randy W. Horst - **\$2,052.00**
- 4. Cheryl Huband - **\$2,138.46**
- 5. Helene O. Kobelnyk - **\$2,506.34**
- 6. Helene Kobelnyk - **\$2,506.34**
- 7. Cynthia A. Lanmon - **\$2,355.23**
- 8. Douglas E. Larue - **\$2,624.95**
- 9. Manuel R. Lopez - **\$2,142.74**
- 10. Yovanne Lucero and Crystal Lucero - **\$2,256.15**
- 11. Keith Alan McDaniel and Keri Sue McDaniel - **\$2,404.55**
- 12. Bonnie McEuen - **\$2,523.86**
- 13. Diane K. Medcalf - **\$2,613.91**

14. Jesus Medina (Land# 1007379) Sandra Medina & Ricardo Almanza (MH# 252481) - **\$2,649.40**
15. Jesus Medina Jr. & Rosa Medina (Land# 252292) (MH# 252291) - **\$2,649.40**
Total: \$36,521.89

Liens to be filed:

16. Jesus Medina (Land# 1007379) (MH# 1003398) - **\$2,202.36**
17. Craig Wilguess and Eleanor Wilguess (Land# 294575) (MH# 330209) - **\$672.32**
18. Pete M. Salas Jr. and Nancy J. Sanchez (Land# 251575) Julio & Irma Martinez (MH# 258669) - **\$701.58**
19. Jack R. Valentine (Land# 267475) Rudy A. & Jennifer D. Chavez (MH# 311829) - **\$701.58**
20. John R. Clark and Wanda E. Clark - **\$733.86**
Total: \$5,011.69
Total amount filing: \$41,533.59

Commissioner Fischer requested to remove item c, item f, item g, item h, and item j from the consent agenda.

Motion: Approve the Consent Agenda excluding Item 7c, 7f, 7g, 7h, and 7j, **Action:** Approve, **Moved by** Commissioner Pfeffer, **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.

Item 7c- Commissioner Fischer requested clarification on how the costs were incurred. Jeff Honeycutt, road superintendent, explained the agreement between the County of Lincoln and the Cibola National Forest was similar to the agreement with the Lincoln National Forest. Mr. Honeycutt explained the County obligation was to blade the road however, if there were any culverts, cattleguards, etc needed, they would be provided by the Cibola National Forest.

Motion: Approve Item 7c, **Action:** Approve, **Moved by** Commissioner Fischer, **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.

Item 7f- Commissioner Fischer questioned the dues and was hoping to see a better return on investment. Commissioner Pfeffer stated there was a return on investment, however it could be better. Chair Proctor stated he had been working with Dora Batista and SNMED and was hoping to get a better return on investment in the future.

Motion: Adopt Resolution 2024-11, **Action:** Adopt, **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.

Motion: Approve Item 7g, **Action:** Approve, **Moved by** Commissioner Fischer, **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.

Item 7h- Commissioner Fischer questioned the addendum. Laura Doth, Executive Director of the South Central Mountain RC&D, explained Gavilan Canyon and Paradise Canyon were private property so they collaborated with the NM State Forestry Division. Ms. Doth detailed the WUI program and explained it was a 50/50 match with a maximum. Robert Barber, Chair of the LANRAC Committee, stated they were more proactive in the areas questioned. Commissioner Serna questioned if the funds were available for use in the incorporated areas of the County. Ms. Doth explained the incorporated areas were included as well as the unincorporated areas.

Motion: Approve Item 7h, **Action:** Approve, **Moved by** Commissioner Fischer, **Seconded by** Commissioner Crunk.

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

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

Item 7j- Attorney Morel explained his concern with the MOU would allow OCEC to add onto the tower at 40 & 50 feet and to place equipment in the building. Attorney Morel questioned if it was a Fair Exchange of Value. Commissioner Fischer questioned if it was an MOU or a Contract. Attorney Morel stated it was an MOU, however it read as more of a contract. Manager Pearson explained the term MOU was used since the land was donated by the Forest Service and therefore it could not be a contract. Joe Kenmore, Lincoln County OES, stated the MOU was the best terminology to use and he felt it was fair and beneficial to all.

Motion: Approve Item 7j, **Action:** Approve, **Moved by** Commissioner Fischer, **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.

SEE EXHIBIT A: Copies of the Consent Agenda items including Resolution 2024-09 and Resolution 2024-11 are attached hereto in reference thereto made a part hereof.

8. County of Lincoln Budget

a. Approval of Budget Adjustment for FY 23/24 by Resolution 2024-08

Treasurer Huddleston explained the revenues transfer into the 420 fund and stated it was two separate grants which must be transferred in, then expended and put back into the General Fund after they have been received. Treasurer Huddleston stated the volunteer fire department funds were to true up the state fire allotments. Commissioner Serna questioned the software purchase for the Assessors office. Leroy Zamora, Chief Deputy Assessor, stated it was for Granicus which was for the short-term rentals within the municipalities.

Motion: Adopt Resolution 2024-08, **Action:** Adopt, **Moved by** Commissioner Serna, **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 B: Copy of Resolution 2024-08 is attached hereto in reference thereto made a part hereof.

b. Discussion and Consideration of County Employee Pay Plan

Treasurer Huddleston explained the Pay increase for the County Employees and stated it was moved to a Tiered pay plan instead of the grade and step plan which was used in the past. Treasurer Huddleston stated there was some discrepancy between the two different evaluations of the individual salaries based on experience. Treasurer Huddleston recommended approving the Tier scales as presented and allowing the Elected Officials and Department Heads to assess the employee pay based on their prior experience. Commissioner Pfeffer questioned the evaluations of prior experience and the option to have the Elected Officials and Department Heads evaluate the individual positions based on prior experience. Treasurer Huddleston explained the positions would each have a starting pay but could slide up the scale if they had prior related experience which would allow the departments to hire at a higher salary for those which would be better suited to the job. Chair Proctor stated he felt the Tiered scale was well overdue and hoped to be fair and consistent across all of the County employees.

Commissioner Fischer questioned the scale used in the setup of the Tiers. Treasurer Huddleston explained they reviewed four or five different Counties and many municipalities across the state to place the jobs in the various tiers, then the employees' salaries would be adjusted based on their prior experience. Commissioner Serna questioned the Public Works Director position and why it was included. Treasurer Huddleston agreed and felt the contract employees should not have been included. Commissioner Fischer questioned if anyone contacted the NM Workforce Connection to gather some of the data they had from across the state.

Commissioner Serna stated she didn't feel a job title was inclusive and comprehensive enough to determine if the needs of the organization were being met and if the employees had the certification and education needed to hold the titles. Commissioner Serna did not feel they should be lumped together in tiers simply because they had similar names. Commissioner Serna explained she felt the adjustments should be made through attrition unless they held certificates or education or by providing services that met the accomplishments and objectives of Lincoln County. Commissioner Fischer stated he felt Commissioner Serna's concerns were well founded with respect to comparables as they weren't necessarily equivalent just because the designation appeared to be correct. Commissioner Fischer explained there was still a great disparity in some of the jobs with respect to education and responsibility.

Commissioner Fischer stated the tiered format as presented was a great starting point, however they would like the committee to go back and take a closer look at some of the differences and come back with solutions. Commissioner Serna explained the foundation was good and the intent of a minimum and maximum for each job description was good, however she felt all departments didn't have an opportunity to provide input into the pay plans and felt a workshop to include a couple of the Commissioners to provide input was warranted. Commissioner Serna stated it was hard to determine the correct tiers without seeing an org chart or level of service being provided. Commissioner Serna also requested to see the existing pay rate of the current employee and the impact to the budget to include the benefits.

Motion: Endorse the proposal with direction for more detail with respect to individual job descriptions, **Action:** Approve, **Moved by** Commissioner Fischer, **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.

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

Chair Proctor stated he had been working with Dora Batista. Chair Proctor provided an update on the many meetings he attended over the last month and spoke on some projects discussed in the NMC meeting.

Commissioner Crunk spoke on the insurance problems being felt in the County and the affects in the future if something wasn't done.

Commissioner Pfeffer commented on the fire Issues being handled by OES and stated Harlan Vincent was aware of the issues and would be assisting as much as possible. Commissioner Pfeffer explained broadband services throughout the County were very close and stated OCEC and PVT would be working together. Commissioner Pfeffer recommended the Commission write a letter on their behalf in support of their endeavors. Commissioner Pfeffer stated Congresswoman Stansbury would be opening an office in Ruidoso to assist the County better.

Commissioner Serna wanted to draw attention to a few issues she encountered across the County including weed trimming and mowing needed along FFA road, the many RV parks along Gavilan Canyon and whether they had been permitted or had sufficient water rights, and some misleading signage in the Bonito area which did not allow public access.

Commissioner Fischer attended the Old Lincoln Days and Billy the Kid Pageant. Commissioner Fischer commended Commissioner Pfeffer on his efforts to get broadband in Lincoln and stated he spoke with PVT and was informed they would have broadband in Lincoln by the end of the year. Commissioner Fischer commended the Sheriff's office in their handling of shots fired and remains found in his area. Commissioner Fischer would like to come up with a better way to keep track of items discussed during the meeting and have a better follow up afterwards. Commissioner Fischer expressed his concern about the replacement of Joe Kenmore and questioned the process to replace him. Commissioner Fischer also questioned the water storage facilities for Firefighting in the County.

Clerk Hemphill explained the Regular Local Election was scheduled for November 7, 2023 and was the non-partisan election which would include all of the Schools and College, the Soil and Water Conservation Districts, the Water and Sanitation Districts, the Special Zoning District and all of the Municipalities within the County with the exception of the Village of Ruidoso as they had opted to hold their own election separately instead of having it combined with the rest of the County. Clerk Hemphill stated candidate sign up day would be on August 29 from 9:00 AM -5:00 PM in the County Clerk's Office for anyone who was interested in running for a position on one of the boards. Clerk Hemphill attended the mandatory Election School put on by the Secretary of State's Office and received an updated election code handbook with the changes made to statute within the last legislative session. Clerk Hemphill detailed a change which was made to the layout of the Regular Local Election Ballot and explained she would be doing voter outreach to make sure the voters were aware of the change.

Treasurer Huddleston and Chief Deputy Troy Niederstadt attended the Treasurers Affiliate meeting where they met with Title Companies to discuss procedures and policies. Treasurer Huddleston stated the tax sale would be held on September 14, 2023.

Leroy Zamora, Chief Deputy Assessor, stated they were re-appraising the commercial properties in Alto, Ruidoso and Ruidoso Downs and explained the process for collecting and using income and expense data for commercial property valuation. Commissioner Fischer questioned if there was a penalty for not answering the income and expense template questions provided by the Assessor's Office.

Chair Proctor recessed the Regular Meeting and convened the Public Hearing at 10:01 AM.

13. 10:00 AM PUBLIC HEARING:

Ordinance No. 2024-01: Solid Waste Collection, Disposal and Fees Ordinance of the County of Lincoln, New Mexico - an Ordinance Repealing Lincoln County Ordinances 2016-02 and 2020-04 and Enacting an Ordinance Which Regulates Acceptable and Unacceptable Waste in Lincoln County, and Providing for Efficient and Sanitary Collection of Waste, Providing for Mandatory Disposal and Assessment of Fees, Providing a Penalty for Violation of this Ordinance, Repealing Ordinances in Conflict; Providing for the Severability of Parts Hereof; and Providing an Effective Date

Attorney Morel explained the process to combine both Solid Waste Ordinances. Attorney Morel detailed the changes in the combination of the ordinances and stated many of the changes were made in the attachments.

Ted Lacoe, Resident in Biscuit Hill area, was concerned about an oil spill in his area. Commissioner Serna explained there was an agenda item later in the meeting which was to address his concerns and stated the public hearing was about the combination of the two solid waste ordinances.

Chair Proctor closed the public hearing and reconvened the Regular Meeting at 10:07 AM.

Motion: Approve Ordinance 2024-01, **Action:** Approve, **Moved by** Commissioner Serna, **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.

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

Commissioner Fischer argued against the income and expense template being used and questioned the limit on raising the non-residential rates in the County. Mr. Zamora stated there was not a limit on raising the non-residential rates. Commissioner Fischer requested Assessor Hill and Chief Deputy Assessor Zamora come back at the next meeting and explain the process so they can understand it and better explain it to the public when they are questioning it. Commissioner Crunk questioned if the inventory in a business would be included. Mr. Zamora stated personal, tangible and movable property was included however inventory was not. Commissioner Serna questioned how the Assessor's office was identifying the commercial property in the County as there was not a business registration requirement.

Sheriff Wood thanked Commissioner Fischer for his kind words. Sheriff Wood detailed some statistics from his office over the past month.

David Vandenburg, Lincoln County Concerned Citizen, wanted to bring attention to the global issues in our Country. Mr. Vandenburg stated societal change was happening and a change needed to be made. Mr. Vandenburg explained the citizens needed to look out for each other and citizens needed to work together and not be part of the problem but to be a unified solution.

Chair Proctor recessed the Regular Commission Meeting at 10:21 AM and reconvened at 10:27 AM.

8. County of Lincoln Budget- Continued

c. Approval of Bargaining Agreement Between the County of Lincoln and the Lincoln County Deputy Sheriff's Association

Manager Pearson detailed the Collective bargaining agreement changes within the pay salary and advanced training. Sheriff Wood explained they need to be recognized by the state.

Commissioner Fischer questioned if the agreement was acceptable to the bargaining association. Commissioner Fischer felt the term Sheriff's Department was inappropriate and should be considered as the Sheriff's Office instead. Attorney Morel stated it would need to be approved by the Union as well.

Motion: Approve the Bargaining Agreement as amended, **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.

d. Discussion and Consideration of the Sheriff's Civil Service Software Program

Sheriff Wood detailed the Civil Service Program and stated the software they had been using crashed, so they were entering everything manually.

Yvonne Petty, Sheriff's Office Administrative Director, stated Tyler Technology was being used in their office and the Civil Service Program would be an added benefit. Commissioner Serna questioned if there was already a budget for this item. Ms. Petty stated it was not budgeted as it was a catastrophic failure with the Sleuth software program.

Motion: Approve the Sheriff's Civil Service Software Program, **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.

e. Consideration of Unfunded Departmental Requests

Commissioner Serna questioned if there were quotes submitted with the requests.

Motion: Table the agenda item until the next meeting, **Action:** Table, **Moved by** Commissioner Serna, **Seconded by** Commissioner Pfeffer.

Commissioner Serna withdrew her motion and Commissioner Pfeffer withdrew his second.

9. Colonias in Lincoln County

- a. Approval of Resolution No. 2023-12 - A Resolution Authorizing Acceptance of Colonias Infrastructure Fund (CIF) Project No. 6131-CIF Funding Offer; Roads/Drainage Infrastructure Palo Verde Slope Subdivision Roadway Project from The New Mexico Finance Authority.

Eric Hamilton, Wilson & Co., detailed phase two of the Palo Verde Slope project. Mr. Hamilton stated NMFA met and approved the terms, funding structure and the conditions of a conditional Grant agreement. Mr. Hamilton stated there was a grant for \$1,350,000 and a 10% loan for \$150,000 which combined to \$1,500,000, however it also required a 10% match of \$150,000 so the total project cost was \$1,650,000. Commissioner Serna questioned why the \$900,000 in ARPA funds was not recommended for this project as a shovel-ready project and why it was never presented as a shovel-ready project since January. Mr. Hamilton explained that phase two was not a shovel-ready project, they were still working on phase one. Manager Pearson explained there was a typo and it should have been Resolution 2024-12.

Motion: Adopt Resolution 2024-12, **Action:** Adopt, **Moved by** Commissioner Fischer, **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.

SEE EXHIBIT C: Copy of Resolution 2024-12 is attached hereto in reference thereto made a part hereof.

- b. Resolution 2024-10 - a Resolution Designating Enchanted Forest Mutual Domestic Water Consumers Association as a Colonia

Manager Pearson explained the designation of the Enchanted Forest Mutual Domestic Water Consumers Association as a Colonia. Commissioner Pfeffer questioned if Attorney Morel had reviewed the Resolution. Attorney Morel stated his office had put together the Resolution looking at a number of other resolutions and ran it by Dora Batista and the COG to make sure the language was acceptable.

Motion: Adopt Resolution 2024-10, **Action:** Adopt, **Moved by** Commissioner Serna, **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.

SEE EXHIBIT D: Copy of Resolution 2024-10 is attached hereto in reference thereto made a part hereof.

10. Discussion, Consideration and Direction Regarding Appropriation No. 23-ZH9241 in the Amount of \$100,000 to contract for youth mentoring and positive active programming in Lincoln County

Manager Pearson explained the Village of Ruidoso agreed to be the fiscal agent, however through legislation there was a change, and the County of Lincoln was required to be the fiscal agent. Ron

Sena, Village of Ruidoso, explained the change in fiscal agent and Commissioner Serna stated she felt it would be a requirement to go out to RFP for this service as there were many entities which could handle the request. Manager Pearson requested approval and to figure out a way to make it work, maybe through a partnership or MOU with the Village.

Commissioner Fischer questioned if the funds were to be used solely for the Boys and Girls Club. Commissioner Serna stated it was originally intended for the Boys and Girls Club, however in the law, they couldn't name an entity or an organization.

Rick Layne, CEO Boys and Girls Club of Chaves and Lincoln Counties, stated it would be earmarked directly for Lincoln County and would not be used in Chaves County. Mr. Layne proposed an alternative for record keeping and stated they would make sure there was no need for the County to manage the grant. Manager Pearson stated the Grant would still need to be managed by the County. Attorney Morel explained there was no guarantee the Boys and Girls club would be the only response to the RFP and the money could very well go to someone other than who it was intended for. Attorney Morel questioned if the Village of Ruidoso would assist in the preparation of the RFP to get it out in a timely manner since the County would be without a manager shortly. Mr. Sena stated the Village of Ruidoso would be willing to work with the County on the RFP process.

Motion: Accept Appropriation No. 23-ZH9241 in the Amount of \$100,000 to contract for youth mentoring and positive active programming in Lincoln County with the assistance of the Village of Ruidoso utilizing their capacity and to issue an RFP, **Action:** Approve, **Moved by** Commissioner Serna, **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.

11. Forest, Land & Natural Resources Matters:

a. Smokey Bear Ranger District

Jennifer Thomas, Smokey Bear District Ranger, stated they were transitioning a couple of employees. JW McCoy, Fire Management Officer with the Smokey Bear Ranger District, provided an update on the West Mountain Fire which started on the third of August. Mr. McCoy stated they were managing the fire to protect structures and planning to keep it on the forest and off the private lands. Mr. McCoy explained it was a low intensity fire, not reaching the canopy, so they were hoping to manage the fire and reap the benefits. Mr. McCoy stated the resources were fence lines, springs and archaeological sites which would be managed. Mr. McCoy stated it was currently at 601 acres and they were hoping to get to 3,000 acres.

b. Lincoln County / NMSU Extension Services

Melody Gaines, Lincoln County Cooperative Extension Services, thanked the many County Employees for their assistance and participation in making it the most successful fair yet. Mrs. Gaines provided an update on the Lincoln County Fair and detailed it was the highest grossing Fair sale to date bringing in \$317,000 prior to add-ons.

c. South Central Mountain RC & D

Laura Doth, Executive Director of the South Central Mountain RC&D, stated they were almost done with the EWP Grant and the remainder was earmarked for a sentiment pond. Ms. Doth stated they were working with NRCS to get additional projects started. Ms. Doth detailed a

\$20,000 grant from fish and game to be used for gravel in the Hale Lake area. Ms. Doth stated the fire summit would be held in Ruidoso in October. Commissioner Crunk stated there needs to be a designation made for patients with oxygen needs to work with the providers to assist in getting them to a certain area. Commissioner Crunk explained oxygen concentrators were a big necessity and there should be a triage situation to assist in making sure they get what they need.

d. Upper Hondo Soil & Water Conservation District

Robert Barber, Upper Hondo, introduced Lindsey Mares, a new employee who recently joined the organization and had already started a newsletter to better reach out to the community about the options available to them. Lindsey Mares, project manager for Upper Hondo, gave a brief presentation on her history and how she got to this point. Mr. Barber stated they were continuing to work on EWP projects in the area and detailed many small projects and a couple large projects they were working on. Mr. Barber stated the Nogal Canyon EWP was completed.

e. Land and Natural Resources Advisory Committee-LANRAC

Robert Barber, LANRAC, stated they were working with RC&D on Community Wildlife Defense Funding, and they would be requesting a letter of support from the County in the near future. Mr. Barber stated a Grant would allow the purchase of equipment and they hoped to purchase very large incinerator units. Mr. Barber talked about funding to revise the CWPP and update the grant to hire a professional. Commissioner Crunk questioned the use of a masticator. Mr. Barber explained it was not as beneficial in our area as it didn't turn to mulch quick enough and could cause a fire problem. Mr. Barber stated they would request a letter of support from the Commission and they would work on a cost benefit analysis.

Mr. Barber stated the US Fish and Wildlife proposed three major changes to the endangered species act rule. Mr. Barber explained comments were past due and he missed the deadline but the comments would be submitted after the fact. Mr. Barber stated they treat threatened species and endangered species the same way, however LANRAC did not feel they should be treated the same.

Mr. Barber spoke on the Bonito Lake concerns with the City of Alamogordo taking water out of Bonito Lake. Mr. Barber stated they would be looking for a letter of support to visit with the City on the water rights issues. Mr. Barber explained LANRAC was working with Upper Hondo to determine the water rights down the river.

Mr. Barber explained he continued to work with the collaborative group on the programmatic solar environmental impact statement for BLM. Mr. Barber stated the BLM was revising the 2012 Western States Rule for utility grade solar farms on BLM land.

14. Lincoln County Medical Center Update-Todd Oberheu

Sandie Nunnally, EMS Manager, provided an update on the 24-hour EMS stations. Ms. Nunnally stated all the employees for the Carrizozo Station had been hired and Alto had filled all the positions except two.

15. Lincoln County Detention Center

a. Update – Ross Castleton, Warden

Ross Castleton, Warden, provided statistics from the detention center over the last month. Warden Castleton stated they were working on different projects at the detention center, and they had completed painting the inside of the facility and replacing the windows which had been covered. Warden Castleton stated they had 6 staff vacancies they were trying to fill. Warden Castleton explained they had GED and construction skills classes ongoing at the detention center. Warden Castleton stated the annual staff training was being done so the staff was up to date on all of the changes. Warden Castleton explained they were working on the accreditation process as well as the implementation of a Medication Assisted treatment program.

- b. Consideration of Setting Bed Rates, Per-Hour Fees, Mileage Charges, Annual Increases and Approving the Performance Work Statement for the Bureau of Indian Affairs (BIA), Office of Justice Services

Manager Pearson explained the removal of the BIA detainees in the past. Attorney Morel explained the changes to the rates and fees and the recommended amounts. Warden Castleton stated the nationwide standard was \$74.

Motion: Approve the rates with the ability to negotiate, **Action:** Approve, **Moved by** Commissioner Fischer, **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.

16. County Manager

- a. Report / Update

1) Opioid Settlement Participation 7/19/2023

Alan Morel and I have signed on behalf of the County of Lincoln to participate in the Opioid Settlement Agreements (Amneal, Hikma, KVK-Tech & Walgreens).

2) GreenTree Meeting 7/20/2023

Commissioner Proctor and I attended the regular scheduled GreenTree meeting as a member of the Otero landfill. The Otero Landfill update was postponed – again. Commissioner Proctor should have a Landfill update after the 8/17/2023 meeting.

3) Criminal Justice Coordinating Council Meeting – 8/16/2023

Phil Jones is stepping down as the LCJJB Coordinator and as Citation Officer. Amanda Lueva will be taking over the position. With the start of the school year, this program will be critical in helping children stay out of the Juvenile Justice system.

I recommend the BOCC appoint a member of the county to continue attending and participating in the Criminal Justice Coordinating Council Meetings.

Commissioner Serna volunteered to participate in the Criminal Justice Coordinating Council Meetings on behalf of the County.

4) Meeting with Singleton Schreiber Law Firm

On August 10, 2023, I spoke with Brian Colon (attorney and partner) regarding lawsuits against PNM / McBride Fire. I explained that the BOCC has had previous law firms present to the idea of litigation against the electric provider and chose not to participate. If the BOCC desires a discussion with the Singleton Schreiber Law Firm, please advise.

5) Harassment Prevention Training 7/31/2023

Many Lincoln County Employees attended the virtual Harassment Prevention training provided by New Mexico Counties. Certificates were provided and HR has recorded the LC attendees in each file.

This training will provide the participant an understanding of the behavior and conduct which constitutes unlawful harassment on the basis of sex, sexual orientation, gender identity, race, color, religion, national origin, age (40+), and disability. Participants will learn the difference between quid pro quo sexual harassment and hostile work environment, who can be considered harassers, and that illegal harassment is not limited to the workplace. Employees, supervisors, and managers will learn their responsibilities in reporting, investigating, and stopping unlawful harassment. The class will cover the risks of romantic consensual relationships (when love blossoms in the workplace), and the line between the consensual romance and sexual harassment (when the flower withers and dies). Participants will also learn what conduct is considered retaliatory. At the conclusion, participants knowledge will be tested by answering two hypotheticals.

6) PRC / Ambulance Update

The Lincoln County Certificate to Operate was received on 8/10/2023 and is valid until August of 2026.

7) Applications for Director of Public Works

Three applications have been received and are being reviewed.

8) Director's Report

- b. Approval to Allow Manager to Utilize County Laptop and Software Until a New Manager is actively Working - With No Compensation
- c. Designation of New Opioid Settlement Authorized Signatory

Attorney Morel recommended the Chair, or another Commissioner if they so choose, be authorized to sign the Opioid Settlement on behalf of the County in the Manager's absence.

Motion: Approve the designation of Commissioner Pfeffer as the Opioid Settlement Authorized Signatory, **Action:** Approve, **Moved by** Commissioner Serna, **Seconded by** Commissioner Crunk.

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

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

d. Discussion and Direction Regarding Biscuit Hill Dumpster Locations

Manager Pearson explained the background on the Biscuit Hill Dumpster Locations. Ted Laco, county resident, had been in the area for 26 years and explained the problems with the dumpster location. Mr. Laco stated the trash truck broke in front of the dumpster and leaked fluid onto the ground, then rains and snow helped to soak the leaked fluid into the ground and possibly contaminate the ground water and wells in the area.

Commissioner Fischer stated illegal dumping was an issue County-wide. Chair Proctor explained the County was not in a position to relocate any dumpsters when there was a transition or re-negotiation in process for the solid waste services.

Chair Proctor recessed the Regular Commission Meeting at 1:12 PM and reconvened at 1:43 PM.

17. On-Call Engineers, Wilson & Co.

- a. Approval of Construction Contract Award to MP Chavez Enterprises Inc. for the Nogal Fire Station Water Storage System Rebid in the Amount of \$317,412.61

Eric Hamilton, Wilson & Co., explained there were two bid request processes. Mr. Hamilton stated the first one had no response, however the second one had one bid from MP Chavez Enterprises Inc. Mr. Hamilton explained there was a minor mistake, however it was not consequential.

Motion: Approve the Construction Contract Award to MP Chavez Enterprises Inc. for the Nogal Fire Station Water Storage System Rebid in the Amount of \$317,412.61, **Action:** Approve, **Moved by** Commissioner Serna, **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.

- b. Approval of Resolution No. 2024-13 - 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 Water Trust Board

Mr. Hamilton stated the Magado Creek Vehicle Bridge was a shovel-ready project. Mr. Hamilton explained the approval of the resolution would authorize the County to submit an application for phase 1 which would be done through the fall and winter. Mr. Hamilton stated it was expected to rank high as it was a shovel-ready project and it fit the criteria for flood protection. Commissioner Serna questioned if the match was budgeted. Jeff Honeycutt, Road Superintendent, stated the design was included in phase 1A of the ARPA funding. Mr. Honeycutt explained shovel-ready projects were more acceptable when looking for funding, however they were having a problem finding funding for the bridge. Mr. Hamilton stated the County should be able to budget for the match in the next fiscal year.

Motion: Approve Resolution 2024-13 with an emphasis on the funding in the 2025 budget, **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.

SEE EXHIBIT E: Copy of Resolution 2024-13 is attached hereto in reference thereto made a part hereof.

18. Discussion, Consideration and Direction Regarding the NACO Request of Voluntary Contributions, Equivalent to 1% of the LATCF Funding Each County Received Over the Two-Year Period, as a One-Time Endowment to Establish the Public Lands Resource Center.

Chair Proctor stated 1% of the LATCF funding was roughly \$58,000 and was requested to help with the establishment of the Public Lands Resource Center. Chair Proctor felt it would be a great benefit to the County. Manager Pearson explained the LATCF funding was not available to be used for this purpose. Commissioner Fischer questioned the statement about the prohibition of partisan issues.

Motion: Approve a voluntary contribution equivalent to 1% of the LATCF Funding as a one-time endowment to establish the public lands resource center with the funding to come out of the general fund, **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.

19. Approval to Issue a Request for Proposals (RFP) for Independent Contractor Services for Misdemeanor Compliance Program.

Manager Pearson explained this agenda item was for independent contractor services for the misdemeanor compliance program within the County. Attorney Morel explained 31-20-5.1 allowed Counties to establish the fees. Attorney Morel stated the Magistrate Courts imposed fees on DWI offenders and others which needed to be monitored. Attorney Morel explained the fees were then put into a fund and the fund was used to pay for the misdemeanor compliance program. Attorney Morel stated the contract was a 4-year contract which was up and needed to be renewed.

Motion: Approve the issuance of a Request for Proposals for Independent Contractor Services for the Misdemeanor Compliance Program, **Action:** Approve, **Moved by** Commissioner Serna, **Seconded by** Commissioner Crunk.

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

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

20. Avalon Forest Subdivision Development Agreement Update – Don Murphy

Don Murphy, Real Estate Developer, provided a lengthy update on the 60 acre, 24 lot Avalon Forest Subdivision Development. Mr. Murphy stated the subdivision had been in development for numerous years with many delays. Mr. Murphy explained Harcrow Surveying would re-survey the entire subdivision since it was started by DT Collins many years ago and had not been completed. Mr. Murphy stated the bylaws and restrictive covenants would be updated as well. Attorney Morel recommended bringing this Agenda Item back at the October 17, 2023 meeting.

21. Discuss and Develop Strategies That Promote Effective Communication Between Elected Officials and Established Employee Complaint Procedures, Fostering a Transparent and Accountable Work Environment.

Commissioner Pfeffer wanted to make sure the staff knew they were appreciated. Commissioner Pfeffer explained a commissioner is considered a supervisor and there is a specific path to undertake. Commissioner Pfeffer stated there was a process for staff when there was a problem and the process did not control the Commission however the Commission was responsible for any complaints and resulting lawsuits brought by County employees. Commissioner Pfeffer stated the County was liable for the actions of the Commission. Commissioner Pfeffer explained the Public Works Director had left and the Manager was also leaving, possibly due to a commissioner. Commissioner Pfeffer explained the design was to keep the process respectful not to micro-manage the different departments. Commissioner Pfeffer stated it was an investment in the proper functioning of the County and it sent a message to the staff that this can't go forward, and they can speak up. Commissioner Pfeffer stated there was a need to be able to address the problem immediately and he requested the County Attorney review the process and give input. Commissioner Pfeffer stated it couldn't be handled through HR as it pertained to Commissioners.

Commissioner Fischer applauded the effort started by Commissioner Pfeffer and stated it was a matter of respect for each other and not presuming motivations. Commissioner Fischer explained what bothered him was when you asked for something respectfully and it was acknowledged however it did not appear. The notion that your contributions may not be as accepted and appreciated as someone else's. Commissioner Fischer reiterated information is power. Commissioner Fischer requested anyone who felt disrespect by him would talk to him about it. Commissioner Fischer did not feel the need to bring the Attorney into the discussions and was hoping to be approached directly instead. If they did not feel they could be approached, it could still be presented to the Attorney. Commissioner Fischer stated he and Commissioner Pfeffer were on opposite ends of the ideological spectrum, however they respect each other and found more common ground than anyone else on the Commission.

Commissioner Crunk detailed a previous experience in which he had to come up with a set of guidelines and that included having someone in charge. Commissioner Crunk stated in the past the County Manager and County Commissioners have always worked together. Commissioner Crunk explained their job was to provide the fuel and energy to run the County, not to micromanage the departments and offices. Commissioner Crunk reiterated the employees were valuable and they need to be taken care of. Commissioner Crunk explained if there was a problem it should be discussed with the County Manager and then brought to the individual Commissioners during Executive Session.

Attorney Morel stated County Commissioners and Elected Officials were not subjected to the personnel policy or managed by the HR codes and it was difficult to force people to be nice to each other. Commissioner Pfeffer explained the County could be sued due to a complaint directed at a commissioner. Commissioner Fischer stated it was designed to assist the Commissioners by default, however it was mainly to allow the employees and staff to go to a neutral third party, ie Attorney, HR or County Manager, to discuss a problem. Attorney Morel stated he could bring back some policies in the future for them to review.

8. County of Lincoln Budget- Continued

- c. Approval of Bargaining Agreement Between the County of Lincoln and the Lincoln County Deputy Sheriff's Association

To be brought back on September 7 for the pay period beginning September 16, 2023.

- e. Consideration of Unfunded Departmental Requests

810
811 Billie Jo Guevara, Finance Director, withdrew their request for a new vehicle.
812

813 Aaron Griewahn, Emergency Services Coordinator, explained the generator for the OES Office
814 would replace the generator which was currently out of commission. Mr. Griewahn stated they
815 had received \$80,000 in Junior Bill funding which covered the vehicle purchase, however \$18,000
816 would still be needed to outfit the vehicle.
817

818 Clerk Hemphill explained the needs in the warehouse were regulated by the Secretary of State's
819 Office and may include grant funding, so she had nothing to provide at this time.
820

821 Manager Pearson explained there were 4 sheriff's vehicles already purchased with last year's
822 funding, however the crime scene vehicle would still need to be outfitted. Commissioner Serna
823 would like to have it added to the ICIP for Junior Bill funding in January. Sheriff Wood explained
824 they needed to upgrade the camera system in the office. Commissioner Serna would like to add
825 the evidence building to the ICIP. Sheriff Wood stated they would like it to be a 2 bay with a walk-
826 in door and electric with possible HVAC. Sheriff Wood explained the shotguns were needed and
827 the trade in would help to offset the cost, and they were going to the Mossburg Semi-automatic
828 with a pistol grip.
829

830 Sheriff Wood explained the need for video redaction software. Yvonne Petty, Sheriff's Office,
831 stated they appreciated the Commissioners approving the new Tyler Software, however they
832 needed to determine the funding source for the Tyler Software set-up fee and annual maintenance
833 fee. Commissioner Serna stated it would need to come out of the General Fund.
834

835 Jeff Honeycutt, Road Superintendent, stated the Freightliner was to replace an existing one with
836 a cracked frame. Mr. Honeycutt explained the \$66,826 for the salt spreader pickup and stated
837 they needed 2 dump trucks and 4 salt spreader pickups to be fully operational. Commissioner
838 Serna would like to add the Mini excavator to the ICIP.
839

840 Manager Pearson stated the detention center vans would need to be replaced. Commissioner
841 Fischer stated the vans could be added to the ICIP.
842

843 Lieutenant Wilson stated the video redaction software would cost \$10,000/yr.
844

845 **Motion:** Approve the departmental requests as presented, **Action:** Approve, **Moved by**
846 Commissioner Serna, **Seconded by** Commissioner Pfeffer.

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

848 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
849 Chair Proctor.
850

851 **22. Authorization to Schedule Public Hearing to Consider Other Outdated or New**
852 **Lincoln County Ordinances:**

- 853 a. Noisy Water Winery Local Economic Development Act (LEDA) Project Ordinance
854

855 Manager Pearson explained there would need to be two public hearings scheduled, one for the
856 new LEDA Ordinance which Attorney Morel will present and the second to remove the old LEDA
857 ordinance which was 2022-02.
858

859 **Motion:** Schedule a Public Hearing on September 19, 2023, to remove Ordinance 2022-02 an
860 existing LEDA ordinance in place and to replace it with the public hearing to consider the Noisy

Water Winery Local Economic Development Act Project Ordinance, **Action:** Approve, **Moved by** Commissioner Serna, **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.

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

Motion: To close the meeting for the purposes of an 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 Matters; Section 10-15-1, Subparagraph (H)(2), **Action:** Approve, **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.

Chair Proctor recessed the Regular Meeting and convened the Closed Session at 3:31 PM.

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 and, the case is still pending.

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 receiving 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 took place on May 1, 2023. A ruling on the Motion to Dismiss has yet to be entered.

13. **BB Lane, LLC / 137 Bluebelle Lane** Violation of Lincoln County's Lodgers' Tax Ordinance.

14. **Kendallco, LLC / 29276 Hwy. 70** Violation of Lincoln County's Lodgers' Tax Ordinance.

15. ***Copper Ridge Homeowners Association, LLC v. Len Stokes, et al, Cause No. D-1226-CV-2022-00133**. A Complaint for Declaratory Judgment was filed by Plaintiff on July 1, 2022 and an Amended Complaint was filed on August 4, 2022. On January 11, 2022, Judge Daniel A. Bryant entered an Order allowing Plaintiff to further amend its complaint to join the County of Lincoln as a Defendant based upon the County's ownership of Lot 4A in the Copper Ridge Subdivision. On August 10, 2023, a Stipulated Order Granting Joint Motion for Dismissal with Prejudice was entered by Judge Bryant concluding this matter.

16. **Board of County Commissioners of Catron County, et al v. Secretary Robert E. Doucette, Jr., Cause No. D-725-CV-2023-00085**. A Complaint for Declaratory Judgment was filed on June 30, 2023 requesting that GSD's Health Plan Assessments to Counties are unconstitutional and void. The case is still pending.

17. ***Kurtis Grassie v. Michael Wood, Cause No. D-1226-CV-2023-00122** - Loss of employment with the Lincoln County Sheriff's Office commencing on June 23, 2022. This case is still pending.

18. ***Rex E. Beard v. Michael Wood in his official capacity of the Sheriff of the Lincoln County Sheriff's office, Cause No. D-1226-CV-2023-00169** A Verified Petition for Writ of Mandamus was filed on July 10, 2023 by Attorney Freda Howard McSwane alleging that LCSO Deputies have not been legally sworn in. The case is still pending.

19. ***Brandon A. Gonzales and Kevin D. Trapp, on behalf of themselves and other similarly situated v. Lincoln County Board of County Commissioners, and Lincoln County Sheriff's Office, Michael Wood, John Doe #1, John Doe #2, Cause No. D-1226-CV-2023-00192** A Complaint alleging improper oaths of office given to the Sheriff, Sheriff's Deputies, for false arrest, false imprisonment, and denial of due process as guaranteed by the NM Constitution was filed on July 28, 2023 by Attorneys Lauren Temple and Luke Ragsdale. The case is still pending.

20. ***KC Dorgan and Sara Cummins v. Deputy Levi Wrye, Yancy Darby, Matthew Cude and Lincoln County Sheriff's Department, Cause No. @-1226-CV-2023-00147** A Third-Party Complaint was filed by Third-Party Plaintiffs, KC Dorgan and Sara Cummins, on July 25, 2023 by Attorneys Freda Howard McSwane, and Edward Dev Bunn, Jr. alleging negligent infliction of emotional distress, violation of due process rights, and loss of financial resources. The case is still pending.

21. **New Horizons Building in Carrizozo, NM**

22. **Deer Park Valley Special Paving Assessments & Delinquencies**

Tort Claims Notices Received or Threatened
2023

1014
1015 **Ornelas, Mark** – Tort Claim Notice received on January 4, 2023, alleging injuries
1016 sustained on October 11, 2022, as a result of an automobile accident / rollover of the Detention
1017 Center Transport Van owned by Lincoln County while being transported from Eddy County
1018 Detention Center to Lincoln County Detention Center.

1019
1020 **Booth, Marcus** – Tort Claim Notice received January 26, 2023, alleging injuries sustained
1021 by Claimants head due to the actions by staff of the Lincoln County Detention Center and staff's
1022 refusal to take Claimant for medical treatment.

1023
1024 **Ramos, Heber** – Tort Claim Notice received on February 17, 2023, alleging Civil Rights
1025 Violations and injuries sustained while Mr. Ramos was incarcerated at the Lincoln County
1026 Detention Center.

1027
1028 **Smoley, Cinthia** – Tort Claim Notice received February 24, 2023, [Claimant also sent the
1029 Tort Claim directly to New Mexico Counties Claims Department] alleging that beginning on
1030 November 28, 2022, she was subjected to a conspiracy of constitutional deprivations when she
1031 was unlawfully removed from her home at 105 Bluebird Lane, Ruidoso, NM. Her claims include
1032 that: she sustained injuries while being detained, she was abused during her incarceration at the
1033 Lincoln County Detention Center, she was assigned a Public Defender without her consent, and
1034 that all of her pets were immediately euthanized by the Lincoln County Humane Society the day
1035 of her arrest. Claimant has named the following agencies in her claim: Twelfth Judicial District
1036 Court, Lincoln county Sheriff's Office, Ruidoso Police Department, New Mexico State Police,
1037 Ruidoso Animal Control, Lincoln County Animal Control, Humane Society, Lincoln County
1038 Magistrate Court Judge, Katie Lund.

1039
1040 **Smoley, Robert** – Tort Claim Notice received February 24, 2023, [Claimant also sent the
1041 Tort Claim directly to New Mexico Counties Claims Department] alleging that beginning on
1042 November 28, 2022, he was subjected to a conspiracy of constitutional deprivations when he was
1043 unlawfully removed from his sister's home at 105 Bluebird Lane, Ruidoso, NM where is resided.
1044 His claims include that he was abused during his incarceration at the Lincoln County Detention
1045 Center, he was assigned a Public Defender without his consent, and that all of his pets were
1046 immediately euthanized by the Lincoln County Humane Society the day of his arrest. Claimant
1047 has named the following agencies in his claim: Twelfth Judicial District Court, Lincoln county
1048 Sheriff's Office, Ruidoso Police Department, New Mexico State Police, Ruidoso Animal Control,
1049 Lincoln County Animal Control, Humane Society, Lincoln County Magistrate Court Judge, Katie
1050 Lund.

1051
1052 **Provine, Allison** – Tort Claim Notice received March 14, 2023, referencing the Lincoln
1053 County Sheriff's Office stating: "faulty tail light"

1054
1055 **Mendoza, George** – Tort Claim Notice received March 20, 2023, alleging that on or about
1056 December 10, 2022, Lincoln County Medical Center and/or its agents fell below the standard of
1057 care resulting in injuries and damages to Claimant.

1058
1059 **Soden, Sue** – Tort Claim Notice received March 31, 2023, alleging that on or about March
1060 1, 2022 and continuing thereafter to on or about April 12 and May 5, 2022, Lincoln County Medical
1061 Center and/ or its agents fell below the standard of care resulting injuries and damages to
1062 Claimant.

Vargas, Luis A. – Tort Claim Notice received June 7, 2023, alleging personal injuries sustained during a motor vehicle collision as a result of a large pothole. Claimant alleges that the Village of Ruidoso, Lincoln County and/or the State of New Mexico may have an exposure for liability in connection with this loss.

***Sambrano, Patrick** – Tort Claim Notice and Intent to Sue received August 4, 2023, alleging violation of Claimant's 5th and 6th Amendments of the U.S. Constitution, violations of Article II, Section 10, 13, 14, and 18 of the NM Constitution, false reporting, and indifference to the impact and consequences of Claimant's arrest based on false pretenses, and detained for 72 days before his arraignment.

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.

2021

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.

Chair Proctor adjourned the Closed Session and reconvened the Regular Meeting at 4:30 PM.

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

Motion: Authorize Attorney Morel to prepare a quitclaim deed to the Estate of Jane E Spencer Turner for the New Horizons building in Carrizozo New Mexico, **Action:** Approve, **Moved by** Commissioner Serna, **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.

24. Authorization to Utilize Electronic/Stamp Signature for the FY 23/24 Fiscal Year for Agenda Items Only

Clerk Hemphill explained there were instances where an agenda item was approved, however a commissioner may have inadvertently missed signing a document or where a document had been approved with a minor typo and needed to be corrected and re-signed. Clerk Hemphill recommended the Commissioners give authorization to utilize their electronic/stamp signature for agenda items which were approved, and the Commissioners were unable to sign in person. Clerk Hemphill stated the authorization would be effective for all Commission Meetings within the year and would be re-authorized each year.

Motion: Authorize the County Clerk to utilize the Electronic/Stamp Signatures in the event a Commissioner is not physically present to sign the documents for the Fiscal Year 23/24 for Agenda Items only, **Action:** Approve, **Moved by** Commissioner Serna, **Seconded by** Commissioner Crunk.

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

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

25. Signing of Official Documents

26. Next meetings:

- a. September 7, 2023 - Special Meeting to Impose Property Tax Rates (Subject to Change)
- b. September 19, 2023 – Regular Meeting

27. Adjourn

1166 **Motion:** Adjourn, **Action:** Adjourn, **Moved by** Commissioner Crunk, **Seconded by**
1167 Commissioner Fischer.

1168 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

1169 **Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk,
1170 Chair Proctor.

1171

1172 There being no further business to come before the Board of County Commissioners, Chair
1173 Proctor adjourned the meeting at 4:36 PM.

1174

1175 Respectfully submitted by,

1176 Shannan Hemphill

1177 Lincoln County Clerk

DRAFT



County of Lincoln

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AGENDA ITEM NO. 7

Approval of Consent Agenda

- a. Payroll/Accounts Payable/Budget/ Expenditures
- b. Treasurer's Financial Report for the Month ending August 31, 2023
- c. Approval of Safety Net Care Pool & Indigent Health Care Claims
- d. Approval of Resolution 2024-17 – Approval of Disposition of Surplus Inventory
- e. Acknowledgement of Budget Acceptance Letter from the New Mexico Department of Finance and Administration for Fiscal Year 2024
- f. Approval of Health Council Resolution 2024-18 Recognizing the Lincoln County Community Health Council as the Official Health Planning Body of Lincoln County
- g. Approval to Appoint Marian Carpenter to the Lincoln Historic Preservation Board
- h. Approval of Resolution 2024-20 - Repealing Resolution 2023-58 - A Resolution Setting Fees to be Charged by Lincoln County in the Provision of Solid Waste Collection Services
- i. Approval to File Solid Waste Liens:
 - 1 Rhonda K. Montoya-Gunkel- \$1,203.48 (Land#320800 Rhonda K. Montoya-Gunkel) (MH# 338025 Rhonda K. Montoya-Gunkel)
 - 2 George Roessner- \$672.32 (Land# 205920 Kelli Marable & Kenneth Hinojosa) (MH# 205921 Kelli Marable & Kenneth Hinojosa) (Real Estate Contract)
 - 3 Patricia A. Ford- \$670.50
 - 4 Alejandro Pena Jr. and Jaquelyne Pena- \$572.32
 - 5 Shannon Shay Griffin- \$612.32
 - 6 Russell H. Seacat III and Cynthia Seacat- \$610.78

Approval to Release and Refile Solid Waste Liens:

1. Maria N. Guillen - \$2,041.33 (Land# 1007381 Maria Medina) (MH# 337375 Maria Medina)
2. Mark Milliorn & Karen Milliorn - \$2,527.55
3. Karen Hegarty Mills - \$1,621.77
4. Richard R. Montano & Cindy Gomez - \$1,933.08 (Land# 245675 Richard R. Montano & Cindy Gomez) (MH# 252586 Emiline Montano)
5. Eloy Pat Montes & Patricia I. Montes- \$2,430.96
6. Conception A. Morales & Conception G. Morales - \$2,680.23 (Land# 204770 Conception A. Morales & Conception G. Morales) (MH# 204771 Connie G. Morales)
7. Angela Marietta Smith Mustian - \$2,711.28
8. Raina L. Najar aka Raina McDonald - \$2,365.60 (Land# 203700 Raina L. Najar) (MH# 210092 Raina L. Najar)
9. Steven W. Nesbit - \$2,401.82
10. Jack G. Orio Jr. & Kathleen A. Orio - \$2,601.62
11. Roy D. Padilla & Rita E. Padilla - \$2,617.60
12. W. Ray Parrish - \$2,062.84
13. Peter Joshua Payan, Sr. & Cynthia Payan - \$1,949.39 (Land# 308090 Peter Joshua Payan, Sr. & Cynthia Payan) (MH# 1006878 Peter J. Payan)

Tuesday, September 19, 2023

14. Jack Pickel - \$2,680.23
15. Ima Florence Powell - \$2,687.09
16. Pat Preheim - \$2,500.44
17. Richard W. Purcella & Frances J. Martinez - \$2,500.44
18. Tito Reyes & Edelmira Reyes - \$2,687.09 (Land# 311500 Tito Reyes & Edelmira Reyes) (MH# 336932 Tito Reyes & Edelmira Reyes)
19. Pete M. Salas, Jr. & Nancy J. Sanchez - \$4,793.87 (Residence 201 on Land# 251575 Pete M. Salas, Jr. & Nancy J. Sanchez) (Land# 251575 Pete M. Salas, Jr. & Nancy J. Sanchez) (MH# 12764 Bobby & Nancy Sanchez)
20. Frankie G. & Mickie Rena Reynolds - \$2,572.81



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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 August 1, 2023 through August 31, 2023 in the amount of \$2,653,263.87.

NOW, THEREFORE, the above bills are hereby approved.

ADOPTED, PASSED AND SIGNED the 19th of September, 2023.

BOARD OF COMMISSIONERS LINCOLN COUNTY, NEW MEXICO

Todd F. Proctor, Chairman

Jon F. Crunk, Vice-Chairman

Pierre S. Pfeffer, Member

Samantha J. Serna, Member

Mark G. Fischer, Member

ATTEST:

Shannan Hemphill, County Clerk



County of Lincoln

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AGENDA ITEM NO. 7c

September 12, 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 two (2) claims, both of which are recommended for approval. If approved, the total recommended authorization this month is \$533.61.

Indigent Health Care Claims: This month our coordinator processed Five (5) claims. One (1) is recommended for approval and four (4) are recommended for disapproval. If approved, the total expenditure for the month is \$66.75. Enclosed is a year-to-date summary of claims processed. Also enclosed is a summary of total claims approved and denied, for the month of September.

Manager's Analysis – For the last two years, the average Indigent Health Care monthly payments were \$2,288 and \$509.81 respectively. The FY 22-23 year-end total was \$6,117.75. To date, the total expenditure is \$759.75 or an average of \$253.25. At this pace we will spend a total of \$3,039, for the year on the indigent claim line item.

Similarly, for the last two fiscal years, the total Commission-approved Safety Net Care Pool Claims were \$49,213.39 and \$42,943.06 respectively. The FY 22-23 monthly average was \$3,578.59. To date, the total authorization is \$15,671.05.

Special Note – 71% of the claims in this report are from dates of service in FY 22-23 (Last year).

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

Approved: _____
Todd Proctor

Tuesday, September 19, 2023

SCP / SAFETY NET CARE POOL CLAIMS

FISCAL YEAR 2023 - 2024

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR \$15,137.44

ADJUSTMENTS

TOTAL ADJUSTMENTS: \$0.00 \$0.00

SEPTEMBER # CLAIMS FOR APPROVAL	2
# CLAIMS FOR DENIAL	0
SEPTEMBER # TOTAL CLAIMS	2

SEPTEMBER TOTAL \$ AMOUNT APPROVED \$533.61

TOTAL # CLAIMS THIS FY APPROVED	20
TOTAL # CLAIMS THIS FY DENIED	3
TOTAL # CLAIMS FY 2023 - 2024	23

TOTAL APPROVED THIS FISCAL YEAR \$15,671.05

FACILITY: LINCOLN COUNTY MEDICAL CENTER 09/19/2023 THROUGH 09/19/2023

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
23227	07/19/2023	420.00	323.40 077%
23229	07/05/2023	273.00	210.21 077%

533.61

APPROVED- 2 REJECTED-

INDIGENT HEALTH CARE CLAIMS FISCAL YEAR 2023 - 2024

PREVIOUS AMOUNT APPROVED THIS FISCAL YEAR	\$693.00
---	----------

ADJUSTMENTS

TOTAL ADJUSTMENTS:

SEPTEMBER # CLAIMS FOR APPROVAL	1
# CLAIMS FOR DENIAL	4
SEPTEMBER # TOTAL CLAIMS	5

SEPTEMBER TOTAL \$ AMOUNT APPROVED	\$66.75
------------------------------------	---------

TOTAL # CLAIMS THIS FY APPROVED	2
TOTAL # CLAIMS THIS FY DENIED	6
TOTAL # CLAIMS FY 2023 - 2024	8

CURRENT TOTAL APPROVED THIS FISCAL YEAR	\$759.75
---	----------

*Assuming the above is approved

FACILITY: ANESTHESIA ASSOCIATES OF NM 09/19/2023 THROUGH 09/19/2023

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
23228	04/28/2023	86.69	66.75 077%
			66.75

APPROVED- 1 REJECTED-

FACILITY: LC AMBULANCE-PRES HEALTH SVCS 09/19/2023 THROUGH 09/19/2023

HC CLAIM #	DATE OF SERVICE	AMT DUE	PAID
23223 INCORRECT PROVIDER	04/21/2023	290.00	000%
23224 INCORRECT PROVIDER	04/22/2023	290.00	000%
23225 INCORRECT PROVIDER	04/23/2023	290.00	000%
23226 INCORRECT PROVIDER	05/03/2023	290.00	000%

APPROVED- REJECTED- 4

YTD

INDIGENT FUND MEETING

SEPTEMBER 19, 2023

TOTAL APPLICATIONS	31	16,430.80
TOTAL APPROVED	22	
TOTAL DENIED	9	

ALBUQUERQUE		
ANESTHESIA ASSOCIATES OF NM		66.75
APPROVED-	1	
DENIED-		

ALAMOGORDO		
GERALD CHAMPION REGIONAL MED CTR		693.00
APPROVED-	1	
DENIED-		

RUIDOSO		
LC AMBULANCE-PRES HEALTH SVCS		
APPROVED-		
DENIED-	5	

RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		15,671.05
APPROVED-	20	
DENIED-	3	

ALBUQUERQUE		
PRESBYTERIAN HOSPITAL		
APPROVED-		
DENIED-	1	

INDIGENT FUND MEETING

SEPTEMBER 19, 2023

TOTAL APPLICATIONS	7	600.36
TOTAL APPROVED	3	
TOTAL DENIED	4	

ALBUQUERQUE		
ANESTHESIA ASSOCIATES OF NM		66.75
APPROVED-	1	
DENIED-		

RUIDOSO		
LC AMBULANCE-PRES HEALTH SVCS		
APPROVED-		
DENIED-	4	

RUIDOSO		
LINCOLN COUNTY MEDICAL CENTER		533.61
APPROVED-	2	
DENIED-		



County of Lincoln

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AGENDA ITEM NO. 7d

September 11, 2023

MEMORANDUM

TO: County Commissioners

FROM: Ira Pearson, Lincoln County Manager

SUBJECT: Resolution 2024-17: 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 2024-17.

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 2024-17.

Tuesday, September 19, 2023

RESOLUTION NO. 2024-17

APPROVAL OF DISPOSITION OF SURPLUS INVENTORY

WHEREAS, the Lincoln County Board of Commissioners meeting in regular session on September 19, 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; with the exception of inventory #8705848 – 2012 Dodge Charger.

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 19th day of September, 2023.

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

Todd F. Proctor, Chairman

Jon F. Crunk, Vice-Chairman

Pierre S. Pfeffer, Member

Samantha J. Serna Member

Mark G. Fischer, Member

Attest:

Shannan Hemphill, County Clerk

**REQUEST FOR DISPOSITION
COUNTY OF LINCOLN - CAPITAL ASSETS
RESOLUTION 2024-17**

9/13/2023

RESOLUTION 2024-17										
LC INV #	DESCRIPTION/ MAKE	MODEL	SERIAL #	DEPT.	ORIGINATING GL	IN SERVICE DATE	PURCHASE PRICE	BOOK VALUE:	REASON FOR DISPOSAL	Mileage
8704692	1996 Chevy 3500	3500 Rescue/Brush	1GBJK34F7TE200142	Hondo Fire Dept.	401-02-2560	4/27/2009	\$24,444.67	\$0.00	Replaced with New Vehicle no longer needed	70,666
8703420	2003 Ford	Expedition	1FMPU16L83LB79588	Lincoln Fire Dept.	401-02-2560	4/22/2003	\$25,081.00	\$0.00	Thrown Rod is not feasible to repair due age and condition	159,462
8706074	Fisher Snowplow	7'6" Blade	1009012042272500.00	Road Dept.	414-91-2973	3/6/2013	\$6,203.00	\$0.00	Not working no longer fits any of the vehicles	
8705848	2012 Dodge Charger	Charger	2C3CDXAT7CH197935	Manger's Dept.	414-91-2927	2/27/2012	\$23,540.00	\$0.00	Exceeds Useful Life/Not Feasible to maintain	172,168
8705369	Sharp Color Copier	MX-M3100N	5012296	LCOES	401-04-2901	8/12/2010	\$5,980.00	\$0.00	Outdated not able to repair	
8705214	1986 Ford Brush Truck	F600	1FDNF60H8GVA4133658	Nogal Fire Dept.	999-99-9999	4/14/1986	\$80,000.00	\$0.00	Did not cost Lincoln County anything was on loan from NM State Forestry and no longer needed will be returning it. FEPP Program	



New Mexico
Department of Finance
and Administration

407 Galisteo St,
Santa Fe, NM 87501
(505) 827-4985

Governor Michelle Lujan Grisham
Cabinet Secretary Wayne Propst

Local Government Division
Wesley Billingsley, Division Director

August 28, 2023

The Honorable Tom Stewart
Lincoln County
P.O. Box 711
Carrizozo, NM 88301

Dear Commissioner Stewart:

The final budget for your local government entity for **Fiscal Year 2023-2024**, as approved by your governing body, has been examined and reviewed. The Department of Finance and Administration, Local Government Division (LGD) finds it has been developed in accordance with applicable statutes and budgeting guidelines, and sufficient resources appear to be available to cover budgeted expenditures. In addition, the Budget Certification of Local Public Bodies rule, 2.2.3 NMAC, requires that your entity's audit or "Agreed Upon Procedures" (per the Tier System Reporting rule, 2.2.2.16 NMAC) for **Fiscal Year 2022** should have been submitted to the Office of the State Auditor as of this time. LGD's information indicates that you are in compliance with this requirement. Therefore, in accordance with Section 6-6-2E NMSA 1978, the LGD certifies your entity's final **Fiscal Year 2023-2024 budget**.

Please take note that state statute requires all revenue sources be expended only for public purposes, and if applicable, in accordance with the Procurement Code, Chapter 13, Article 1, NMSA 1978. Use of public revenue is governed by Article 9, Section 14 of the Constitution of the State of New Mexico, commonly referred to as the anti-donation clause.

Budgets approved by the LGD are required to be made a part of the minutes of your governing body according to Section 6-6-5 NMSA 1978. In addition, Section 6-6-6 NMSA 1978 provides that the approved budget is binding on local officials and governing authorities; and any official or governing authority approving claims or paying warrants in excess of the approved budget or available funds will be liable for the excess amounts.

Finally, as required by Section 6-6-2H NMSA 1978, LGD is required to approve all budget increases and transfers between funds not included in the final approved budget via submission on the Local Government Budget Management System (LGBMS).

If you have questions regarding this matter, please call Rick Chavez of my staff at 505-670-7320, or via email at Rick.Chavez4@dfa.nm.gov.

Sincerely,

DocuSigned by:

Wesley Billingsley

D891C24BB85B4E9

Wesley Billingsley, Division Director
Local Government Division

xc: file

FINANCIAL QUARTERLY REPORT ANALYSIS

ENTITY NAME: Lincoln County
ANALYST NAME: Rick Chavez
Date Received: 7/27/2023
Date Checked: 8/22/2023
Supervisor review: sq 8/22/2023
CHIEF Review: CVC 8/24/23

QUARTER: 1st ☐
 2nd ☐
 3rd ☐
 4th ☒

Action Taken:

- ☐ None required
☒ E-Mail (attach)
☐ Letter (attach)
☐ Conference Call/Site Visit

KEY ISSUES/COMMENTS:

Audit Opinion: FY22 Unmodified
 Number of Material Weakness: 0
 Number of Repeat Findings: 0

Number of Audit Findings: 1
 Number of Significant Deficiency: 0
 Number of Noncompliance Findings: 0

Financial Statements reconcile

Audit Review Letter to Entity - 5/11/23

ITEMS TO REVIEW:

RECAP Page

Cash Balances

- ☒ Verify Ending Cash Balances are NOT in deficit
 DEFICIT Cash triggers MONTHLY REPORTING requirement.

Comments: Beginning Cash Balances agreed with approved budget.

- ☐ Verify Lodgers Tax Report (supporting document) reconciles to LGBMS Data

Lodgers Tax Report reconciles to LGBMS.

Investments

- ☒ Review Investment Schedule ties to recap totals.

Comments: Investment Schedule ties to recap totals.

- ☒ Verify investment activity (reduction or increase) and follow-up with entity.

Comments: Investment activity decreased from the 3rd Quarter.

Transfers

- ☒ Verify Total Transfers net to zero.
 LGBMS flags as "Error" but will allow submittal.

Comments: Total Transfers net to zero.

- ☐ Verify Transfers do NOT exceed budget authority.

Comments: Transfers do not exceed budget authority.

Adjustments

- ☒ Review Adjustment Supporting Schedule ties to recap totals.

Comments: Adjustment Supporting Schedule ties to recap totals.

DETAILED Report

Percentages of Budget vs. Actuals

- ☒ Verify percentage of Budget vs Actuals are within reason per qtr.
 (i.e. 25% for 1st quarter, 50% for 2nd quarter, etc.)

Comments: Percentage of Budget vs Actuals are within reason per qtr.

Expenditures

- ☒ Verify Expenditures do NOT exceed budget authority.

Comments: Verify Expenditures do NOT exceed budget authority.

Other General Fund Major Revenue Sources

Verify actuals are in line with budget

- ☒ Property Taxes (Current, delinquent, etc.)
☐ Small Cities/Small Counties Distribution
☒ Federal PILT (Counties Only)
☒ Legislative Appropriations

Comments: Property Tax Current is at 101.07%. Property Tax Prior Year is at 117.74%. PILT is at 100.00%. Legislative Appropriations is at 40.30%.

Percentage of Variance of Adjusted Budget vs Revenues Expenditures

	Revenues	Expenditures	
GENERAL FUND	100.90%	86.34%	14.56%
Road Fund			0.00%
Jail Fund			0.00%
Overall			0.00%

Comments: General Fund expenditures are sufficient.

GRT Analysis: Variance Entity Actuals/TRD(python report)

- ☒ Customize PYTHON REPORT for variance comparisons

Comments: RP-500 reconciles to LGBMS reporting.

**LINCOLN COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION 2024-18**

**RECOGNIZING THE LINCOLN COUNTY COMMUNITY HEALTH COUNCIL AS THE OFFICIAL
HEALTH PLANNING BODY OF LINCOLN COUNTY**

WHEREAS, the Board of County Commissioners of Lincoln County, met upon notice of duly published meeting September 19, 2023, 08:30 in the Lincoln County Administration Building, 300 Central Avenue, Carrizozo, New Mexico; and

WHEREAS, NMSA 1978 Section 24-IJ-2 (2019) provides for the purpose of the County and Tribal Health Councils Act to improve the health of New Mexicans by encouraging the development of comprehensive, community-based health planning councils and to address local health needs and priorities; and

WHEREAS, NMSA 1978, Section 24-13-4 (2019) provides that the Board of County Commissioners shall recognize a single Health Council for its jurisdiction whose members represent a diverse spectrum of community interests, including individuals, public, private and non-profit entities; and;

WHEREAS, NMSA 1978 24-1J-5 (2019) provides that a Health Council shall prepare a community health plan and a Health Council shall monitor health and health care programs and services in order to identify potential gaps and to reduce potential duplication; collaborate with other entities to develop programs to improve health, advise the Board of County Commissioners regarding policies that affect health; facilitate communication and identify additional resources to improve health; and

WHEREAS, the Board of County Commissioners recognizes the need for a Health Council; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Lincoln County Board of Commissioners recognizes that the mission, purpose and function of a County Health Council and authorizes the County Manager to execute any and all documents to designate Lincoln County Health Council as the official health planning organization for Lincoln County.

PASSED, APPROVED AND ADOPTED this 19th day of September 2023.

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

Todd F. Proctor, Chairman

Jon F. Crunk, Vice-Chairman

Pierre S. Pfeffer, Member

Samantha J. Serna, Member

Mark G. Fischer, Member

Attest:

Shannan Hemphill, County Clerk

Brianna Ventura

From: Gary Stout
Sent: Monday, September 11, 2023 7:30 AM
To: Brianna Ventura; Ira Pearson; Alan P. Morel
Cc: Scott Annala
Subject: FW: Interest in Lincoln Historic Preservation Bd

Replacement for Jacque on LHPB.

From: Marian Carpenter <mame1313@msn.com>
Sent: Saturday, September 9, 2023 8:15 PM
To: Gary Stout <GStout@lincolncountynm.gov>
Subject: Interest in Lincoln Historic Preservation Bd

Dear Mr. Stout:

Following a chat with our neighbor here in Lincoln, Jon Amastae, chairman of the Lincoln Historic Preservation Board, I wish to express an interest in joining this board. My husband and I own and manage the Wortley Hotel in Lincoln as a bed and breakfast. We also live in this lovely old building.

That said, we've become more and more involved in the community since purchasing and moving here at the end of 2022. (We previously lived in Alto.) We are dedicated to preserving the history and architecture of the Lincoln Historic District and would like to be more involved in this endeavor.

Please kindly consider my request to join the Lincoln Historic Preservation Board at the first opportunity.

Thank you,

Marian Carpenter

Marian Carpenter

Gary Carpenter

M's Mobile: (806) 683-8269

G's Mobile: (405) 464-4864

Email: Mame1313@msn.com

Mailing address:

P.O. Box 155; Lincoln, New Mexico 88338

Physical address:

Historic Wortley Hotel B & B

585 Calle La Placita; Lincoln, New Mexico 88338

Landline: (575) 653-4300

**RESOLUTION 2024-20
REPEALING RESOLUTION 2023-58**

**A RESOLUTION SETTING FEES TO BE CHARGED BY LINCOLN
COUNTY IN THE PROVISION OF SOLID WASTE COLLECTION
SERVICES, PURSUANT TO LINCOLN COUNTY'S SOLID WASTE
ORDINANCE; SAID FEES TO BE EFFECTIVE SEPTEMBER 22, 2023
UNTIL REPEALED AND REPLACED.**

WHEREAS, the Board of County Commissioners of the County of Lincoln finds it necessary to provide the efficient and sanitary collection, transportation and disposal of solid waste in Lincoln County; and,

WHEREAS, the Board of County Commissioners of the County of Lincoln finds it necessary to provide a fair and equitable procedure to allocate the cost of solid waste connection among the residents and commercial entities outside the municipalities who use such services; and

WHEREAS, the County of Lincoln has passed, approved, adopted and established a Solid Waste Ordinance providing for the efficient and sanitary collection of solid waste in Lincoln County, providing for mandatory disposal and assessment of fees; and

WHEREAS, Lincoln County's Solid Waste Ordinance provides for the Board of County Commissioners of the County of Lincoln to establish, amend, change and/or alter a system of fees by Resolution and provide for appropriate public input to such system of fees; and

WHEREAS, in the lawful pursuit of collections of delinquent payments for solid waste collection services, Lincoln County's Solid Waste Ordinance entitles the Board of County Commissioners of the County of Lincoln the right of filing a lien upon the tract or parcel of land being served pursuant to the authority granted under §§3-36-1 NMSA 1978, *et seq.*, and §4-37-1 NMSA 1978, *et seq.*; and

WHEREAS, the Board of County Commissioners of the County of Lincoln desires to set the maximum rates which may be charged for Solid Waste Collection services provided under the Lincoln County Solid Waste Ordinance; and,

WHEREAS, the Board of County Commissioners of the County of Lincoln enacts the fees as follows:

Lincoln County Polycart Residential Service	\$26.67 per month, inclusive of g.r.t.
Lincoln County Extra Residential Polycart Service	\$13.33 per month, inclusive of g.r.t.
Lincoln County Residential Service	\$25.00 per month, inclusive of g.r.t.
Administrative Fee for Filing Lien	\$100.00
Administrative Fee for Filing Release of Lien	\$100.00

NOW THEREFORE, BE IT RESOLVED that the maximum rates charged to customers of the Lincoln County Solid Waste Collection service pursuant to the Lincoln County Solid Waste Ordinance are as set forth above. This Resolution is effective as of the 22nd day of September, 2023.

PASSED, APPROVED AND ADOPTED, this 19th day of September, 2023.

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

Todd F. Proctor, Chairman

Jon F. Crunk, Vice-Chairman

Pierre S. Pfeffer, Member

Samantha J. Serna, Member

Mark G. Fischer, Member

ATTEST:

Shannan Hemphill, County Clerk



County of Lincoln

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

www.lincolncountynm.gov

AGENDA ITEM NO. 7i

SUBJECT:

Lincoln County Solid Waste

a. Approval to File Solid Waste Liens:

1. Rhonda K. Montoya-Gunkel- **\$1,203.48** (Land#320800 Rohnda K. Montoya-Gunkel) (MH# 338025 Rohnda K. Montoya-Gunkel)
2. George Roessner- **\$672.32** (Land# 205920 Kelli Marable & Kenneth Hinojosa) (MH# 205921 Kelli Marable & Kenneth Hinojosa) (Real Estate Contract)
3. Patricia A. Ford- **\$670.50**
4. Alejandro Pena Jr. and Jaquelyne Pena- **\$572.32**
5. Shannon Shay Griffin- **\$612.32**
6. Russell H. Seacat III and Cynthia Seacat- **\$610.78**

b. Approval to Release and Refile Solid Waste Liens:

1. Maria N. Guillen - **\$2,041.33** (Land# 1007381 Maria Medina) (MH# 337375 Maria Medina)
2. Mark Milliorn & Karen Milliorn - **\$2,527.55**
3. Karen Hegarty Mills - **\$1,621.77**
4. Richard R. Montano & Cindy Gomez - **\$1,933.08** (Land# 245675 Richard R. Montano & Cindy Gomez) (MH# 252586 Emiline Montano)
5. Eloy Pat Montes & Patricia I. Montes- **\$2,430.96**
6. Conception A. Morales & Conception G. Morales - **\$2,680.23** (Land# 204770 Conception A. Morales & Conception G. Morales) (MH# 204771 Connie G. Morales)
7. Angela Marietta Smith Mustian - **\$2,711.28**
8. Raina L. Najar aka Raina McDonald - **\$2,365.60** (Land# 203700 Raina L. Najar) (MH# 210092 Raina L. Najar)
9. Steven W. Nesbit - **\$2,401.82**
10. Jack G. Orio Jr. & Kathleen A. Orio - **\$2,601.62**
11. Roy D. Padilla & Rita E. Padilla - **\$2,617.60**
12. W. Ray Parrish - **\$2,062.84**
13. Peter Joshua Payan, Sr. & Cynthia Payan - **\$1,949.39** (Land# 308090 Peter Joshua Payan, Sr. & Cynthia Payan) (MH# 1006878 Peter J. Payan)
14. Jack Pickel - **\$2,680.23**
15. Ima Florence Powell - **\$2,687.09**
16. Pat Preheim - **\$2,500.44**
17. Richard W. Purcella & Frances J. Martinez - **\$2,500.44**
18. Tito Reyes & Edelmira Reyes - **\$2,687.09** (Land# 311500 Tito Reyes & Edelmira Reyes) (MH# 336932 Tito Reyes & Edelmira Reyes)
19. Pete M. Salas, Jr. & Nancy J. Sanchez - **\$4,793.87** (Residence 201 on Land# 251575 Pete M. Salas, Jr. & Nancy J. Sanchez) (Land# 251575 Pete M. Salas, Jr. & Nancy J. Sanchez) (MH# 12764 Bobby & Nancy Sanchez)
20. Frankie G. & Mickie Rena Reynolds - **\$2,572.81**

Tuesday, September 19, 2023

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Rhonda K. Montoya-Gunkel owner and/or reputable 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: Rhonda K. Montoya-Gunkel

4. Property Legal Description: The Lien is claimed upon the following property:

See Exhibit A

Rhonda K. Montoya-Gunkel (Land# 320800) Rhonda K. Montoya-Gunkel (MH# 338025)

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 1203.48 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 of 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, 2019 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

***SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)***

Rhonda K. Montoya-Gunkel

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: George Roessner 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: George Roessner

4. Property Legal Description: The Lien is claimed upon the following property:

See Exhibit A attached Land (205920) Kelli Marable & Kenneth Hinojosa MH (205921)
Kelli Marable & Kenneth Hinojosa Real Estate Contract attached

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 672.32 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, 2021 to August 10, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

George Roessner

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
 Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Patricia A. Ford 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: Patricia A. Ford

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 \$ 670.50 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, 2021 to August 10, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Patricia A. Ford

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
 Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Alejandro Pena Jr. and Jaquelyne Pena 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: Alejandro Pena Jr. and Jaquelyne Pena

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 \$ 572.32 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, 2021 to August 10, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Alejandro Pena Jr. and Jaquelyne Pena

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Shannon Shay Griffin 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: Shannon Shay Griffin

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 \$ 612.32 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, 2021 to August 10, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

***SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)***

Shannon Shay Griffin

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Russell H. Seacat III and Cynthia Seacat** 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: **Russell H. Seacat III and Cynthia Seacat**

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 \$ 610.78 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, 2021 to August 10, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Russell H. Seacat III and Cynthia Seacat

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Maria N. Guillen owner and/or reputable 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: Maria N. Guillen

4. Property Legal Description: The Lien is claimed upon the following property:

See Exhibit A

Maria N. Guillen (Land# 1007381) Maria Madina (MH# 337375)

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2041.33 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 of 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 September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Maria N. Guillen

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
 Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Mark Milliorn & Karen Milliorn owner and/or reputable 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: Mark Milliorn & Karen Milliorn

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2527.55 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Mark Milliorn & Karen Milliorn

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Karen Hegarty Mills owner and/or reputable 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: Karen Hegarty Mills

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 1621.77 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 of 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, 2019 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Karen Hegarty Mills

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Richard R. Montañño & Cindy Gomez owner and/or reputable 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 R. Montañño & Cindy Gomez

4. Property Legal Description: The Lien is claimed upon the following property:

See Exhibit A

Richard R. Montañño & Cindy Gomez (Land# 245675) Emiline Montañño (MH# 252586)

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 1933.08 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Richard R. Montañó & Cindy Gomez

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Eloy Pat Montes & Patricia I. Montes owner and/or reputable 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: Eloy Pat Montes & Patricia I. Montes

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2430.96 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Eloy Pat Montes & Patricia I. Montes

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Conception A. Morales & Conception G. Morales owner and/or reputable 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: Conception A. Morales & Conception G. Morales

4. Property Legal Description: The Lien is claimed upon the following property:

See Exhibit A

Conception A. Morales & Conception G. Morales (Land# 204770) Connie G. Morales (MH# 204771)

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2680.23 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Conception A. Morales & Conception G. Morales

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Angela Marietta Smith Mustian owner and/or reputable 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: Angela Marietta Smith Mustian

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2711.28 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Angela Marietta Smith Mustian

[illegible]

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Raina L. Najar aka Raina McDonald** owner and/or reputable 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: **Raina L. Najar aka Raina McDonald**

4. Property Legal Description: The Lien is claimed upon the following property:

See Exhibit A

Raina L. Najar (Land# 203700) Raina L. Najar (MH# 210092)

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2365.60 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Raina L. Najar aka Raina McDonald

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Steven W. Nesbit owner and/or reputable 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: Steven W. Nesbit

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2401.82 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 of 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, 2016 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Steven W. Nesbit

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Jack G. Orio Jr. & Kathleen A. Orio owner and/or reputable 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: Jack G. Orio Jr. & Kathleen A. Orio

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A (Per Assessors Card – Nothing on file)

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2601.62 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Jack G. Orio Jr. & Kathleen A. Orio

[illegible]

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Roy D. Padilla & Rita E. Padilla owner and/or reputable 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: Roy D. Padilla & Rita E. Padilla

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2617.60 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Roy D. Padilla & Rita E. Padilla

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: W. Ray Parrish owner and/or reputable 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: W. Ray Parrish

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2062.84 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 of 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 September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

***SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)***

W. Ray Parrish

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Peter Joshua Payan, Sr. & Cynthia Payan** owner and/or reputable 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: **Peter Joshua Payan, Sr. & Cynthia Payan**

4. Property Legal Description: The Lien is claimed upon the following property:

See Exhibit A

Peter Joshua Payan, Sr. & Cynthia Payan (Land# 308090) Peter J. Payan (MH# 1006878)

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 1949.39 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 of 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 September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

***SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)***

Peter Joshua Payan, Sr. & Cynthia Payan

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Jack Pickel owner and/or reputable 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: Jack Pickel

4. Property Legal Description: The Lien is claimed upon the following property:

See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2680.23 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Jack Pickel

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Ima Florence Powell owner and/or reputable 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: Ima Florence Powell

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2687.09 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Ima Florence Powell

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Pat Preheim owner and/or reputable 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: Pat Preheim

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2500.44 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Pat Preheim

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: **Richard W. Purcella & Frances J. Martinez** owner and/or reputable 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 W. Purcella & Frances J. Martinez**

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2500.44 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 of 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 September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Richard W. Purcella & Frances J. Martinez

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Tito Reyes & Edelmira Reyes owner and/or reputable 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: Tito Reyes & Edelmira Reyes

4. Property Legal Description: The Lien is claimed upon the following property:

See Exhibit A

Tito Reyes & Edelmira Reyes (Land# 311500) Tito Reyes & Edelmira Reyes (MH# 336932)

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2687.09 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Tito Reyes & Edelmira Reyes

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Pete M. Salas, Jr. & Nancy J. Sanchez owner and/or reputable 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: Pete M. Salas, Jr. & Nancy J. Sanchez

4. Property Legal Description: The Lien is claimed upon the following property:

See Exhibit A

Pete M. Salas, Jr. & Nancy J. Sanchez (Residence on Land# 251575)

Bobby & Nancy Sanchez (MH# 12764 on Land# 251575)

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 4793.87 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Pete M. Salas, Jr. & Nancy J. Sanchez

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public

CLAIM OF LIEN OF THE COUNTY OF LINCOLN

To all concerned and to: Frankie G. & Mickie Rena Reynolds owner and/or reputable 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: Frankie G. & Mickie Rena Reynolds

4. Property Legal Description: The Lien is claimed upon the following property:
See Exhibit A

5. Amount of Lien: After deducting all just credits and offsets, there is now due and owing to Claimant the sum of \$ 2572.81 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 of 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, 2015 to September 19, 2023, the later statement being for service through September 30, 2023. Charges for solid waste collection, transportation, and disposal will continue to accrue.

SIGNATURE/NOTARY PAGE TO CLAIM OF LIEN
(Non-Payment of Solid Waste Collection Services Fees)

Frankie G. & Mickie Rena Reynolds

STATE OF NEW MEXICO)
)ss
COUNTY OF LINCOLN)

Todd F. Proctor, being first duly sworn according to law, upon his oath, deposes and states that he is the Chairman of the Board of County Commissioners of the County of Lincoln, that he has read the statements contained in the Claim of Lien, and that the matters therein contained are true and correct to the best of his knowledge and belief.

THE COUNTY OF LINCOLN

By: _____
Todd F. Proctor
Its: Chairman

Acknowledged, subscribed and sworn to before me on this the _____ day of _____, 20____, by Todd F. Proctor, Chairman of the Board of County Commissioners of the County of Lincoln, for and on behalf of said County.

My Commission Expires:

Notary Public



County of Lincoln

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

www.lincolncountynm.gov

AGENDA ITEM NO. 8

SUBJECT:

Approval of Budget Adjustment for FY 23/24 by Resolution 2024-19

Tuesday, September 19, 2023



County of Lincoln

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

www.lincolncountynm.gov

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, September 19, 2023



County of Lincoln

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

www.lincolncountynm.gov

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, September 19, 2023



County of Lincoln

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

www.lincolncountynm.gov

AGENDA ITEM NO. 11

SUBJECT:

Lincoln County Medical Center

- a. Update – Todd Oberheu
- b. Consideration of Lincoln County Emergency Medical Service (LCEMS) Letter of Support for Funding from the New Mexico Rural Health Care Delivery Fund

Tuesday, September 19, 2023



County of Lincoln

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

www.lincolncountynm.gov

September 19, 2023

New Mexico Human Services Department
P.O. Box 2348
Santa Fe, NM 87504

ATTN: Elisa Wrede, Primary Care Project Manager

Lincoln County is aware that Lincoln County Emergency Medical Service (LCEMS), a division of Lincoln County Medical Center (LCMC), is seeking funding through the New Mexico Rural Health Care Delivery Fund to expand EMS services in Lincoln County to better serve our residents.

LCEMS serves a 5,000 square mile area in a frontier county, of which a significant portion has been designated an “ambulance desert” by the Maine Rural Health Research Center. The development of two (2) additional 24-hour staffed facilities will greatly improve the 911 response to our citizens. Lincoln County fully supports the efforts of LCMC and LCEMS in its efforts to expand its services in our county and better support our residents.

Todd F. Proctor, Chairman

Jon F. Crunk, Vice-Chairman

Mark G. Fischer, Member

Pierre S. Pfeffer, Member

Samantha J. Serna, Member

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. 12

Lincoln County Detention Center

- a. Update – Ross Castleton, Warden
- b. Approval of Detention Center Repairs – Ventura Plumbing, Heating and Cooling

Tuesday, September 19, 2023



County of Lincoln

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AGENDA ITEM NO. 13

SUBJECT:

County Director Reports

Tuesday, September 19, 2023



County of Lincoln

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Director's Report

Date: 09/13/2023

Name: Brianna Ventura

Department: HR/AA

Vacancies in Department: 0

Activities:

- Currently planning Human Resources Affiliate Retreat to be held at the Inn of the Mountain Gods in October.
Began updating all documents pertaining to new salaries. (internal spreadsheets, PERA, State notifications, personnel files, etc)
- NM Edge created a new HR Certification program as of September 1, 2023. Currently enrolled in classes to complete this certification.
- Along with the HR Certification program through NM Edge, I am currently also working on the NM Certified Public Finance Professional and the NM Certified Public Supervisor certifications.
- I have reached out to department heads and elected officials to brainstorm team building ideas that would pertain to individual departments and to the county employees across the board.
- I have also reached out to department heads and elected officials for them to review job descriptions and bring any potential changes to me for review and possibly commission approval.
- Preparing for Open Enrollment beginning October 1, 2023 through October 31, 2023. Any changes made will be effective on January 1, 2024.
- Held quarterly, unannounced drug testing for safety sensitive positions on Wednesday, September 13, 2023.

Future Projects / Plans:

Will begin working on certification through the Society for Human Resource Management (SHRM)
Hoping to work with department heads and elected officials to implement an employee appreciation program.
Work on resolution for additional compensation.



County of Lincoln

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Director's Report

Date: 9/13/2023

Name: Arron Griewahn

Department: OES

Vacancies in Department: 0

Activities:

- August had 31 calls for service - 8 brush fires, 7 MVA's, 4 fire alarms, 6 smoke reports, 3 control burns, 2 gas leaks, and 1 EMS assist.
- All 7 VFD's submitted applications for the State Fire Marshal's Grant. included were applications for water systems, new apparatus, and general fire equipment.
- Brian attended both fire investigator and fire inspector classes and obtained certification in both.
- We took delivery of a new brush truck for the Lincoln Volunteer Fire Department and the truck is in service at the Lincoln station.
- Completed a safety walk through of the main county complex, road department building, and OES office with the rep from NM Counties.
- We had a meeting with the State Fire Marshal and Assistant State Fire Marshal to discuss the current needs of Lincoln County and the future plans for our fire service.
- Joe took the mobile command unit to the racetrack in Ruidoso Downs and assisted with operations over the labor day weekend.

Future Projects / Plans:

Working on getting additional quotes to move a portable building to Glencoe Station 2 to be used as a meeting room and office

Arabela VFD is having thier annual community meeting and pot luck September 16th

Working with the 64th Civil Support Team on setting up a Haz Mat and WMD exercise in Lincoln County

Still working on upgrades to the White Oaks and Glencoe station water systems

Fire Service Conference in Ruidoso at the end of September



Lincoln County Fire & Emergency Services

Fire Administration



111 Copper Ridge Road Capitan, N.M. 88316 * Office 575-336-8600 * Fax 575-336-8638

- OES will be going to Dona Ana County on the 21st of September to pick up a pumper that is being donated to us.
- We were able to work with the Arabela District in getting two old brush trucks moved down to the Hondo Fire Station and all paperwork submitted to send both trucks to auction.
- Hondo Valley VFD is working on planning a fire education open house/haunted house to take place around Halloween.
- We will be doing a fire standby for the homecoming bonfire at the Hondo Schools September 20th.
- We have been working with Commissioner Pfeffer and Philipe Larue on a possible new type of portable water source we could use.
- Have been working with VFIS and the county to increase our volunteer insurance benefits.
- Will be starting to schedule annual pump test for all the VFD's to take place over the months of October and November.
- Lincoln and Nogal VFD's participated with Capitan VFD in their stuff a truck event to support children with needed school supplies.
- Have been working with Joe Kenmore on transitioning since this will be his last commission meeting.

Public Works Director's Report

September 2023

SOLID WASTE

Collection rate for the July quarter ending September 30, 2023 is at 93%. Attempting to collect \$82,216, 264 letters were sent out and in one week we collected \$4,112. This is from accounts that have been overdue by three quarters or more. Intent to file lien letters are still going out with a 60% response to clear their account. There are seven (7) new liens to be filed this month and twenty (20) to be released and refiled.

Hondo compactor is still inoperable. The new power unit is not like the old ones. Different wiring has caused a delay. The control switches are also exposed to the public and need to be covered up and locked out from the public.

LODGERS TAX

Lincoln County has been overpaid for eight (8) lodging vendors for three (3) months, starting in October 2022. Working with the Treasurer's office, we are seeking to refund three (3) vendors this month. The other five (5) vendors will be in the future.

Using Granicus, we are continuing to find and enroll new lodging vendors. We anticipate going live with Granicus very soon.

AirBNB money is still being reported to the Village of Ruidoso, for county properties. We are continuing to advise the vendors that they are still responsible for paying lodgers tax to the county. We give the vendors as much information as possible to avoid having them pay twice.

PLANNING

Alarm permits are scheduled to be mailed out starting in October. This is for the 2024 calendar year.

There has been an opening on the Lincoln Historic Preservation Board and a new member has already expressed interest in filling the void.

Continuing to take in Property Plats and applications for new construction. Have been signing off on applications to construct if there is no question about being in a flood plain. Certificates of elevation are requested if there is a question.

Respectfully submitted,

Scott Annala
Lincoln County
Acting Public Works Director



County of Lincoln

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Director's Report

Date: _____

Name: _____

Department: _____

Vacancies in Department: _____

Activities:

- _____

- _____

- _____

- _____

- _____

- _____

- _____

Future Projects / Plans:



County of Lincoln

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Director's Report

Date: 9/13/23

Name: Renee Montes

Department: Senior Center

Vacancies in Department: No vacancies at this time

Activities:

- Submitted 2025-2029 ICIP for all five sites.
- Renovations at the Corona Site are in progress with approximately 50% completion.
- Grant for Hondo equipment is in progress. We are waiting on installation of some equipment. Other equipment items will be ordered, waiting on NOO approval to proceed.
- Home delivery vehicles have been ordered. We are waiting on delivery. Estimated deliver date is October 2023
- Senior Initiative Food pantry at Ruidoso Downs September 26th, 4th Tuesday of each month.
-
-

Future Projects / Plans:

NMAAA meeting September 21, 2023



County of Lincoln

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AGENDA ITEM NO. 14

SUBJECT:

Approval of Order Setting Property Tax Rates – 2023 Property Tax Year

Tuesday, September 19, 2023

MOTION TO CERTIFY 2023 PROPERTY TAX RATES
AS SET FORTH IN THE CERTIFICATE OF PROPERTY TAX RATES ISSUED BY
THE STATE OF NEW MEXICO DEPARTMENT OF FINANCE & ADMINISTRATION

WHEREAS, on September 8, 2023, the County of Lincoln received an Order from the State of New Mexico Department of Finance & Administration along a Certificate of Property Tax Rates setting the 2023 Property Tax Rates for all governmental units imposing rates in Lincoln County; and

WHEREAS, immediately upon receipt of the Certificate of Property Tax Rates, it was determined that the tax rates set out in the Certificate were incorrect; and

WHEREAS, immediately after receipt of the Certificate of Property Tax Rates, it was determined that the Lincoln County Assessor's Office failed to deduct the exemptions from gross tax values of all properties located in Lincoln County; and

WHEREAS, tax rates are determined by assessed gross taxable values minus exemptions in order to set the property tax rates for each taxable entity; and

WHEREAS, immediately after discovery of the error, the County of Lincoln contacted the Lincoln County Assessor, the Lincoln County Treasurer, the State of New Mexico Department of Finance & Administration, the Public Education Department, and the State of New Mexico Taxation and Revenue Department in an effort to correct the error in the Certificate of Property Tax Rates for the County of Lincoln and was advised that the error could not be corrected due to the fact that the Department of Finance & Administration, the Public Education Department, Property Tax Division, adjacent counties, school districts, and municipalities have all utilized the tax rates as certified by the Lincoln County Assessor in setting their tax rates and budgets; and

WHEREAS, the Board of County Commissioners are required by NMSA 1978 § 7-38-34 and in accordance with NMAC 3.6.50.11, (D) to certify the tax rates to the Local Government Division of the Department of Finance & Administration; and

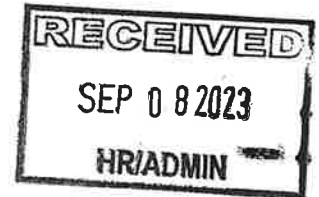
Based upon the foregoing information, I move that the County of Lincoln certify the Certificate of Property Tax Rates as certified by the County Assessor and forwarded to Lincoln County on September 8, 2023, with full knowledge that the tax rates are incorrect but cannot be corrected at this late date.

By:
Its:



Michelle Lujan Grisham
GOVERNOR

State of New Mexico
Department of Finance & Administration
180 Bataan Memorial Building
Santa Fe, New Mexico 87501
Phone: (505) 827-4985
Fax: (505) 827-4984
www.nmdfa.state.nm.us



Wayne Propst
Cabinet Secretary

September 1, 2023

The Honorable Todd Proctor
Lincoln County
P.O. Box 711
Carrizozo, NM 88301

Order Setting Property Tax Rates - 2023 Property Tax Year

Dear Commissioner Proctor,

Pursuant to NMSA 1978, Sections 7-37-7(A) and 7-38-33(A), I issue this order setting the 2023 tax rates in the attached Certificate of Property Tax Rates (Certificate) for all governmental units imposing rates in your county.

NMSA 1978, Section 7-38-34 requires the Board of County Commissioners (Board) to issue and deliver to the County Assessor its own written order imposing these rates within five days of its receipt of this rate-setting order. **Before the Board issues its order, the county is responsible for ensuring that the rates are correct and must notify the Local Government Division of the Department of Finance and Administration of any errors, in accordance with 3.6.50.1 (D) NMAC.** To further those efforts, please immediately share the Certificate with all governmental units (other than the State) that have rates included in the Certificate, so that they may also check the accuracy of their rates. In addition, please note that the "percentage change I" used as specified in NMSA 1978, Section 7-37-7.1 (A) for yield control calculations this year was the statutory maximum of 5% due to inflation and typically calculates higher mill rates.

Any questions concerning or suspected errors in the rates should be immediately brought to the attention of the Local Government Division's Budget and Finance Bureau Chief, Cordelia Chavez, at 505-231-7246; or Special Projects Analyst, Catrina Chavez, at 505-479-1247.

Sincerely,

DocuSigned by:
A handwritten signature in blue ink that reads "Wayne Propst".
6EB4D858A89A432

9/1/2023

Wayne Propst
Secretary of Finance & Administration

cc: Property Tax Division, Taxation & Revenue Department (via email)
County Assessor (via email)
County Treasurer (via email)

Enclosure(s): Certificate of Property Tax Rates

Certificate of Property Tax Rates in Mills

Lincoln County
Tax Year 2023

OVERALL COUNTY NET TAXABLE VALUE: \$1,676,714,893

Property Classification	Residential	Non-Residential	Residential	Non-Residential	Residential	Non-Residential
Tax District	13 IN R	13 IN NR	13 OUT R	13 OUT NR	20 R	20 NR
Municipality	Corona (Village)	Corona (Village)				
Public School District	Corona	Corona	Corona	Corona	Hondo	Hondo
College District						
Taxable Value	2,354,278	3,341,321	6,396,006	38,869,947	25,799,421	19,989,344
Mill Levies for State, County, Municipality, and School District						
State Debt Service	1.360	1.360	1.360	1.360	1.360	1.360
Total State	1.360	1.360	1.360	1.360	1.360	1.360
County Debt Service	-	-	-	-	-	-
County Operational	5.090	8.213	5.090	8.213	5.090	8.213
Special Mill Levy	2.750	2.750	2.750	2.750	2.750	2.750
Total County	7.840	10.963	7.840	10.963	7.840	10.963
Municipal Debt Service	-	-	-	-	-	-
Municipal Operational	3.428	4.049	-	-	-	-
Total Municipal	3.428	4.049	0.000	0.000	0.000	0.000
School Building (House Bill 33 Levy)	-	-	-	-	-	-
School Capital Improvement (Senate Bill 9 Levy)	1.909	1.981	1.909	1.981	1.943	1.919
School District Debt Service	-	-	-	-	7.162	7.162
School District Ed. Tech. Debt Service	-	-	-	-	-	-
School District Operational	0.477	0.495	0.477	0.495	0.465	0.480
Total School District	2.386	2.476	2.386	2.476	9.570	9.561
Total State, County, Municipal and School District	15.014	18.848	11.586	14.799	18.770	21.884

Tax District	13 IN R	13 IN NR	13 OUT R	13 OUT NR	20 R	20 NR
Mill Levies for College and Hospital						
College District Debt Service	-	-	-	-	-	-
College District Operational	-	-	-	-	-	-
Total Higher Education	0.000	0.000	0.000	0.000	0.000	0.000
Lincoln County Medical Center						
Hospital Debt Service	-	-	-	-	-	-
Hospital Operational	1.945	1.765	1.945	1.765	1.945	1.765
Lincoln County Rural Clinics						
Hospital Debt Service	-	-	-	-	-	-
Hospital Operational	0.583	0.529	0.583	0.529	0.583	0.529
Total Hospital	2.528	2.294	2.528	2.294	2.528	2.294
Total College and Hospital	2.528	2.294	2.528	2.294	2.528	2.294
Grand Total State, County, Municipal, Public School, College, Hospital	17.542	21.142	14.114	17.093	21.298	24.178
Mill Levies for Other Taxing Entities						
Alpine Village Sanitation District						
Special District Debt Service	-	-	-	-	-	-
Special District Operational	-	-	-	-	-	-
Sun Valley Water and Sanitation District						
Special District Operational	-	-	-	-	-	-
Chaves SWCD						
Special District Operational (Not Yield Controlled)	-	-	1.000	1.000	1.000	1.000
Carizozo SWCD						
Special District Operational (Not Yield Controlled)	-	-	1.000	1.000	1.000	1.000
Claunuch-Pinto SWCD						
Special District Operational (Not Yield Controlled)	-	-	1.000	1.000	-	-
Guadalupe SWCD						
Special District Operational (Not Yield Controlled)	-	-	1.000	1.000	-	-

Upper Hondo SWCD									
Special District Operational (Not Yield Controlled)									
								0.750	0.750
Total Other	0.000	0.000	4.000	4.000		2.750			
Grand Total	17.542	21.142	18.114	21.093		24.048			26.928

Property Classification	Residential	Non-Residential	Residential	Non-Residential	Residential	Non-Residential
Tax District	28 IN R	28 IN NR	28 OUT R	28 OUT NR	28RU IN R	28RU IN NR
Municipality	Capitan (Village)	Capitan (Village)			Ruidoso (Village)	Ruidoso (Village)
Public School District	Capitan	Capitan	Capitan	Capitan	Capitan	Capitan
College District						
Taxable Value	25,518,108	8,797,499	404,744,545	108,105,635	177,771	2,358,429
Mill Levies for State, County, Municipality, and School District						
State Debt Service	1.360	1.360	1.360	1.360	1.360	1.360
Total State	1.360	1.360	1.360	1.360	1.360	1.360
County Debt Service	-	-	-	-	-	-
County Operational	5.090	8.213	5.090	8.213	5.090	8.213
Special Mill Levy	2.750	2.750	2.750	2.750	2.750	2.750
Total County	7.840	10.963	7.840	10.963	7.840	10.963
Municipal Debt Service	-	-	-	-	1.500	1.500
Municipal Operational	2.949	3.324	-	-	5.068	3.962
Total Municipal	2.949	3.324	0.000	0.000	6.568	5.462
School Building (House Bill 33 Levy)	-	-	-	-	-	-
School Capital Improvement (Senate Bill 9 Levy)	-	-	-	-	-	-
School District Debt Service	1.042	1.042	1.042	1.042	1.042	1.042
School District Ed. Tech. Debt Service	1.254	1.254	1.254	1.254	1.254	1.254
School District Operational	0.232	0.391	0.232	0.391	0.232	0.391
Total School District	2.528	2.687	2.528	2.687	2.528	2.687
Total State, County, Municipal and School District	14.677	18.334	11.728	15.010	18.296	20.472

Tax District	28 IN R	28 IN NR	28 OUT R	28 OUT NR	28RU IN R	28RU IN NR
Mill Levies for College and Hospital						
College District Debt Service	-	-	-	-	-	-
College District Operational	-	-	-	-	-	-
Total Higher Education	0.000	0.000	0.000	0.000	0.000	0.000
Lincoln County Medical Center						
Hospital Debt Service	-	-	-	-	-	-
Hospital Operational	1.945	1.765	1.945	1.765	1.945	1.765
Lincoln County Rural Clinics	-	-	-	-	-	-
Hospital Debt Service	-	-	-	-	-	-
Hospital Operational	0.583	0.529	0.583	0.529	0.583	0.529
Total Hospital	2.528	2.294	2.528	2.294	2.528	2.294
Total College and Hospital	2.528	2.294	2.528	2.294	2.528	2.294
Grand Total State, County, Municipal, Public School, College, Hospital	17.205	20.628	14.256	17.304	20.824	22.766
Mill Levies for Other Taxing Entities						
Alpine Village Sanitation District						
Special District Debt Service	-	-	-	-	-	-
Special District Operational	-	-	6.204	6.204	-	-
Sun Valley Water and Sanitation District	-	-	0.978	0.978	-	-
Chaves SWCD	-	-	-	-	-	-
Special District Operational (Not Yield Controlled)	-	-	1.000	1.000	-	-
Carrizozo SWCD	-	-	-	-	-	-
Special District Operational (Not Yield Controlled)	-	-	1.000	1.000	-	-
Claunuch-Pinto SWCD	-	-	-	-	-	-
Special District Operational (Not Yield Controlled)	-	-	-	-	-	-
Guadalupe SWCD	-	-	-	-	-	-
Special District Operational (Not Yield Controlled)	-	-	-	-	-	-

Upper Honda SWCD

Special District Operational (Not Yield Controlled)	-	-	0.750	0.750	-	-
Total Other	0.000	0.000	9.932	9.932	0.000	0.000
Grand Total	17.205	20.628	24.188	27.236	20.824	22.766

Property Classification	Residential	Non-Residential	Residential	Non-Residential	Residential	Non-Residential
Tax District	3 IN R	3 IN NR	3/35 OUT R	3/35 OUT NR	35 IN R	35 IN NR
Municipality	Ruidoso (Village)	Ruidoso (Village)			Ruidoso Downs (City)	Ruidoso Downs (City)
Public School District	Ruidoso	Ruidoso	Ruidoso	Ruidoso	Ruidoso	Ruidoso
College District	ENMU Ruidoso	ENMU Ruidoso	ENMU Ruidoso	ENMU Ruidoso	ENMU Ruidoso	ENMU Ruidoso
Taxable Value	473,526,594	223,023,604	132,192,882	41,061,534	37,466,563	27,694,018
Mill Levies for State, County, Municipality, and School District						
State Debt Service	1.360	1.360	1.360	1.360	1.360	1.360
Total State	1.360	1.360	1.360	1.360	1.360	1.360
County Debt Service	-	-	-	-	-	-
County Operational	5.090	8.213	5.090	8.213	5.090	8.213
Special Mill Levy	2.750	2.750	2.750	2.750	2.750	2.750
Total County	7.840	10.963	7.840	10.963	7.840	10.963
Municipal Debt Service	1.500	1.500	-	-	3.556	3.556
Municipal Operational	5.068	3.962	-	-	4.672	7.227
Total Municipal	6.568	5.462	0.000	0.000	8.228	10.783
School Building (House Bill 33 Levy)	-	-	-	-	-	-
School Capital Improvement (Senate Bill 9 Levy)	1.937	1.812	1.937	1.812	1.937	1.812
School District Debt Service	5.933	5.933	5.933	5.933	5.933	5.933
School District Ed. Tech. Debt Service	-	-	-	-	-	-
School District Operational	0.325	0.407	0.325	0.407	0.325	0.407
Total School District	8.195	8.152	8.195	8.152	8.195	8.152
Total State, County, Municipal and School District	23.963	25.937	17.395	20.475	25.623	31.258

Tax District	3 IN R	3 IN NR	3/35 OUT R	3/35 OUT NR	35 IN R	35 IN NR
Mill Levies for College and Hospital						
College District Debt Service	1.250	1.250	1.250	1.250	1.250	1.250
College District Operational	1.880	1.691	1.880	1.691	1.880	1.691
Total Higher Education	3.130	2.941	3.130	2.941	3.130	2.941
Lincoln County Medical Center						
Hospital Debt Service	-	-	-	-	-	-
Hospital Operational	1.945	1.765	1.945	1.765	1.945	1.765
Lincoln County Rural Clinics						
Hospital Debt Service	-	-	-	-	-	-
Hospital Operational	0.583	0.529	0.583	0.529	0.583	0.529
Total Hospital	2.528	2.294	2.528	2.294	2.528	2.294
Total College and Hospital	5.658	5.235	5.658	5.235	5.658	5.235
Grand Total State, County, Municipal, Public School, College, Hospital	29.621	31.172	23.053	25.710	31.281	36.493
Mill Levies for Other Taxing Entities						
Alpine Village Sanitation District						
Special District Debt Service	-	-	-	-	-	-
Special District Operational	-	-	-	-	-	-
Sun Valley Water and Sanitation District						
Special District Operational	-	-	-	-	-	-
Chaves SWCD						
Special District Operational (Not Yield Controlled)	-	-	-	-	-	-
Carrizozo SWCD						
Special District Operational (Not Yield Controlled)	-	-	-	-	-	-
Claunuch-Pinto SWCD						
Special District Operational (Not Yield Controlled)	-	-	-	-	-	-
Guadalupe SWCD						
Special District Operational (Not Yield Controlled)	-	-	-	-	-	-

Upper Hondo SWCD							
Special District Operational (Not Yield Controlled)							
		-	-	0.750	0.750	-	-
Total Other	0.000		0.000	0.750	0.750	0.000	0.000
Grand Total	29.621		31.172	23.803	26.460	31.281	36.493

Property Classification	Residential	Non-Residential	Residential	Non-Residential
Tax District	7 IN R	7 IN NR	7 OUT R	7 OUT NR
Municipality	Carrizozo (Town)	Carrizozo (Town)		
Public School District	Carrizozo	Carrizozo	Carrizozo	Carrizozo
College District				
Taxable Value	11,794,345	15,231,212	18,078,898	50,192,939
Mill Levies for State, County, Municipality, and School District				
State Debt Service	1.360	1.360	1.360	1.360
Total State	1.360	1.360	1.360	1.360
County Debt Service	-	-	-	-
County Operational	5.090	8.213	5.090	8.213
Special Mill Levy	2.750	2.750	2.750	2.750
Total County	7.840	10.963	7.840	10.963
Municipal Debt Service	-	-	-	-
Municipal Operational	5.740	4.245	-	-
Total Municipal	5.740	4.245	0.000	0.000
School Building (House Bill 33 Levy)	-	-	-	-
School Capital Improvement (Senate Bill 9 Levy)	1.900	2.000	1.900	2.000
School District Debt Service	5.340	5.340	5.340	5.340
School District Ed. Tech. Debt Service	-	-	-	-
School District Operational	0.300	0.500	0.300	0.500
Total School District	7.540	7.840	7.540	7.840
Total State, County, Municipal and School District	22.480	24.408	16.740	20.163

Tax District	7 IN R	7 IN NR	7 OUT R	7 OUT NR
Mill Levies for College and Hospital				
College District Debt Service	-	-	-	-
College District Operational	-	-	-	-
Total Higher Education	0.000	0.000	0.000	0.000
Lincoln County Medical Center				
Hospital Debt Service	-	-	-	-
Hospital Operational	1.945	1.765	1.945	1.765
Lincoln County Rural Clinics	-	-	-	-
Hospital Debt Service	-	-	-	-
Hospital Operational	0.583	0.529	0.583	0.529
Total Hospital	2.528	2.294	2.528	2.294
Total College and Hospital	2.528	2.294	2.528	2.294
Grand Total State, County, Municipal, Public School, College, Hospital	25.008	26.702	19.268	22.457
Mill Levies for Other Taxing Entities				
Alpine Village Sanitation District				
Special District Debt Service	-	-	-	-
Special District Operational	-	-	-	-
Sun Valley Water and Sanitation District	-	-	-	-
Special District Operational	-	-	-	-
Chaves SWCD	-	-	-	-
Special District Operational (Not Yield Controlled)	-	-	1.000	1.000
Carrizozo SWCD	-	-	-	-
Special District Operational (Not Yield Controlled)	-	-	1.000	1.000
Claunuch-Pinto SWCD	-	-	-	-
Special District Operational (Not Yield Controlled)	-	-	1.000	1.000
Guadalupe SWCD	-	-	-	-
Special District Operational (Not Yield Controlled)	-	-	-	-

Upper Hondo SWCD				
Special District Operational (Not Yield Controlled)				
	-	-	0.750	0.750
Total Other	0.000	0.000	3.750	3.750
Grand Total	25.008	26.702	23.018	26.207

13 / 13



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:

Lodger's Tax:

a. Approval of Lodger's Tax Funding Requests:

1 White Mountain Christmas at the Flying J Ranch

Request: \$7,500.00

Date(s) of Event: November 24-December 31, 2023

Presenter: James Hobbs

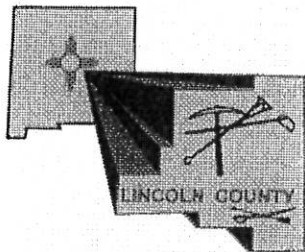
b. Approval of Refunds to Lodging Tax Vendors Due to Duplicate Payments:

1 Nicole Abshire in the Amount of **\$829.10**

2 Ofer Molad in the Amount of **\$534.14**

3 Scott & Jane Christensen in the Amount of **\$172.25**

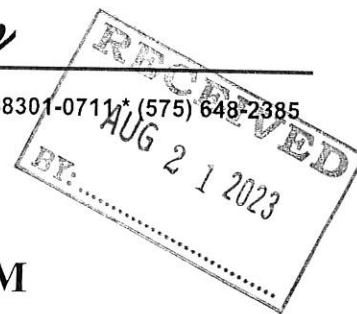
Tuesday, September 19, 2023



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County of Lincoln

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LODGER'S TAX REQUEST FORM

Name of Event: White Mountain Christmas Date(s) of Event: Nov 24, to Dec 31, 2023

Name of Organization(s) applying for Funding: Elvin J. Ravello, Inc

Amount Requested: 7,500.00 Total estimated cost of the Event listed above? \$ 225,000

Describe Event: Winter Christmas Themed Meal and Show. Property decorated with close to 10,000 Christmas lights. Santa Claus for the kids - WINTER HAYRIDE - LIGHTING TOUR - ELVIN J. RAVELLO CHRISTMAS SHOW

Have Lincoln County Lodger's Tax funds been requested for this event before? ☒ YES ☐ NO

List past year years' requested funding amount(s):

Year: <u>2022</u>	Amount requested: <u>5,000</u>	Amount funded: <u>5,000</u>
Year: <u> </u>	Amount requested: <u> </u>	Amount funded: <u> </u>
Year: <u> </u>	Amount requested: <u> </u>	Amount funded: <u> </u>
Year: <u> </u>	Amount requested: <u> </u>	Amount funded: <u> </u>

How will the Event track the utilization of County lodging as a result of the Event? THRU ONLINE BOOKINGS - TICKETS

Are there any in-kind or matching funds anticipated for the event? ☒ YES ☐ NO

Describe: Elvin J. Advertising Budget up to \$15,000

Have you requested funding from other sources? ☐ YES ☒ NO Amount Requested?

Please list the anticipated amounts to be used for advertising:

Newspaper: <u> </u>	Radio: <u> </u>	Social Media: <u> </u>
Internet: <u> </u>	Printing: <u> </u>	Other: <u>TU</u>

Total amount of Out-of-County advertising: \$ 9,000

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: James Hobbs Date: 8/21/23

Address: Box 2505 City: Ruidoso State: NM Zip: 88

Phone: 575-937-0552 Email: foxingj ranch@outlook.com

Signature: 

Email this form to: mwilliams@lincolncountynm.gov



White Mountain Christmas at the Flying J Ranch 2023

November 24th thru December 31st,

19 selected dates for 2023

November 24,25

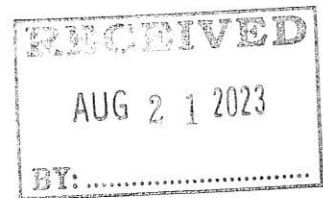
December 1,2

8,9

15,16

20,21,22,23,25

26,27,28,29,30,31



2022 ATTENDANCE INFORMATION

18 Nights

6,486 Total Attendees 341 average (does not include non paid 3yrs and under)

DEMOGRAPHICS 2022:

There were 1052 total bookings over 14 days. Average booking 4.6 people

Demographic info derived from sampling approximately 23% of bookings over the 14 days.

We sampled until a clear pattern emerged.

Sample Bookings

Texas	136	56%
New Mexico	54	22%
Other States	11	4%
Local	44	18%

Note: Local bookings sampled included Ruidoso, Alto, Capitan, Roswell, Alamogordo, etc.

New Mexico bookings included Albuquerque, Las Cruces, Clovis, Carlsbad, Hobbs, etc.

NOTE: In 2021 we closed the last 4 days of event due to covid

Estimated Cost for Requested Funds

White Christmas at Flying J Ranch

Nov. 24 - Dec. 31, 2023

Newspaper

Total Estimated Amount Needed:	\$0.00
Lodgers' Tax Request	\$0.00

TV

Total Estimated Amount Needed:	\$7,500.00
Lodgers' Tax Request	\$0.00

Social Media

Total Estimated Amount Needed:	\$0.00		
Lodgers' Tax Request	\$0.00		
Webpage		Yes	No
Facebook		Yes	No
Instagram		Yes	No
Other		Yes	No

Internet - Consists of digital marketing including ads on different websites

Total Estimated Amount Needed:	\$0.00
Lodgers' Tax Request	\$0.00

Printing - This consists of Flyers, banners, posters maps & brochures

Total Estimated Amount Needed:	\$0.00
Lodgers' Tax Request	\$0.00
Estimated no. of Flyers	\$0.00
Estimated no. Banners	\$0.00
Billboard Advertising	
Billboard Sign	

Other - This consists of outside Porta Potty's and Security

Total Estimated Amount Needed:	\$0.00
Lodgers' Tax Request	\$0.00
Porta Potty's	\$0.00
Security	\$0.00

Total Lodgers' Tax Requested	\$0.00
------------------------------	--------

These are all estimated costs, all estimated costs are subject to change

SUMMARY OF COMMITTEE'S RECOMMENDATION

We recommend this award because:

New	YES	NO
Previous Event proved successful to Lincoln Co.	YES	NO
Substantial Reach Beyond Lincoln County	YES	NO
Benefits an area of Lincoln County not usually associated with events	YES	NO
Where: _____		

Additional considerations from individual committee members, or the committee, that influenced the recommendation :

Any questions an individual commissioner may have, or information they may want, call Michelle Williams at 575 258 5934 or email mwilliams@lincolncountynm.gov to discuss prior to BOCC meeting.

Exectued this 26th day of August, 2023
by John Hemphill
Lodgers' Tax Committee



County of Lincoln

Planning Department • 109 Kansas City Rd • Ruidoso NM 88345

August 30, 2023

Lincoln County Treasurer
c/o Sherrie Huddleston
Carrizozo, NM

Good morning,

I have been reviewing a file regarding Evolve and Nicole Abshire, aka Abshire United, LLC fka STR-216. When Evolve took over some of the STR's in Lincoln County, they were sending the Lincoln County Treasurer a check in one lump sum with no breakdown of properties. Your office was also receiving money from the STR owner at the same time.

October 2022

Check #3191 was received on Nov. 21 from Evolve in the amount of \$2066.00 and this included \$55.34 for 147 Jarratt Dr.

However, Ms. Abshire was sent a late notice of \$100.00 that she paid via check #130 received on Jan. 20, 2023.

November 2022

On December 2 Ms. Abshire paid via Point & Pay the amount of \$264.97 plus a \$6.62 cc fee for a total of \$271.59 for November Lodgers' Tax.

Check #5012 was received on Dec. 27 from Evolve in the amount of \$6,888.48 and this included \$217.19 for 147 Jarratt Dr.

There was no late fee charged to Evolve for the late payment.

December 2022

On January 20, 2023 Ms. Abshire submitted check #129 in the amount of \$464.13 for the December Lodgers' Tax.

Check #5452 was received on Jan. 30 from Evolve in the amount of \$12,778.35 and this included \$327.16 for 147 Jarratt.

There was not late fee charged to Evolve for the late payment.

Your office had no way of seeing the double payments simply because you did not have break down of the properties.

It seems to me that Ms. Abshire should receive a refund as follows:

\$100.00 – late fee Oct.

\$264.97 – Nov. Lodgers' Tax

\$464.13 – Dec. Lodgers' Tax

\$829.10 – Total

Denise and I met last week, and she has all the copies in her file to reflect these payments, however, I have attached copies herewith for record purposes.

Please let me know if you have any questions or see any discrepancies I have may overlooked.

Sincerely,



Michelle Williams

Lincoln County Lodgers' Tax Administrator



Scott Annala

Acting Public Works Director



County of Lincoln

Planning Department • 109 Kansas City Rd • Ruidoso NM 88345

September 8, 2023

Re: Overpayment of Lodgers' Tax

Lincoln County Treasurer
c/o Sherrie Huddleston
Carrizozo, NM

Good morning,

I have been reviewing a file regarding Evolve STR-227 and Ofer Molad f/k/a STR-174. When Evolve started managing some of the STR's in Lincoln County, they sent the Lincoln County Treasurer a check in one lump sum with no breakdown of properties. Your office was also receiving money from the STR Owners and/or Avalara at the same time.

October 2022

Check #3191 was received on Nov. 21, 2022, from **Evolve** in the amount of \$2066.00 and this included \$50.04 for 127 Stanton Meadow Lane. This was for the October Lodgers' Tax.

Check #2122113 was received on Nov. 29, 2022, from **Avalara** in the amount of \$70.36 for 127 Stanton Meadow Lane. This was for the October Lodgers' Tax.

November 2022

Check #5012 was received on Dec. 27, 2022, from **Evolve** in the amount of \$6,888.48 and this included \$163.64 for 127 Stanton Meadow Lane. This was for November Lodgers' Tax.

Check #2126154 was received on Dec. 27, 2022, from **Avalara** in the amount of \$131.11 for 127 Stanton Meadow Lane. This was for the November Lodgers' Tax.

December 2022

Check # 5452 was received on Jan. 20, 2023 from **Evolve** in the amount of \$12,778.35 and this included \$119.06 for 127 Stanton Meadow Lane. This was for December Lodgers' Tax.

Check #2131447 was received on Jan. 30, 2022 from **Avalara** in the amount of \$173.57 for 127 Stanton Meadow Lane. This was for December Lodgers' Tax.

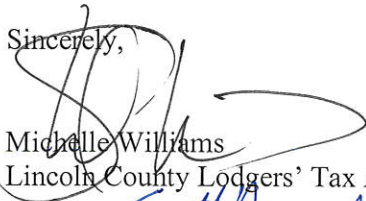
January 2023

Check #5736 was received on Feb. 22, 2022, from *Evolve* in the amount of \$11,211.38 and this included \$228.48 for 127 Stanton Meadow Lane. This was for January Lodgers' Tax.

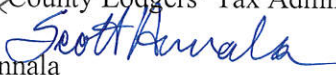
Check #2134978 was received on Feb. 28, 2023 from *Avalara* in the amount of \$159.10 for 127 Stanton Meadow Lane. This was for January Lodgers' Tax.

After reviewing this with Scott Annala we believe that the owners should receive a refund of \$534.14. Please review and let us know of any questions or discrepancies I may have overlooked.

Sincerely,



Michelle Williams
Lincoln County Lodgers' Tax Administrator



Scott Annala
Acting Public Works Director



County of Lincoln

Planning Department • 109 Kansas City Rd • Ruidoso NM 88345

September 8, 2023

Re: Overpayment of Lodgers' Tax
STR-227 f/k/a STR-20

Lincoln County Treasurer
c/o Sherrie Huddleston
Carrizozo, NM

Good morning,

I have been reviewing a file regarding Evolve and Scott & Jane Christensen STR-20. When Evolve took over some of the STR's in Lincoln County, they sent the Lincoln County Treasurer a check in one lump sum with no breakdown of properties. Your office was also receiving money from the STR owner at the same time.

October 2022

Check #3191 was received on Nov. 21, 2022, from Evolve in the amount of \$2066.00 and this included \$172.25 for 132 Paso Monte.

On Nov. 22, 2022, Mr. Christensen submitted a payment via Point & Pay in the amount of \$172.25.

Your office had no way of seeing the double payments simply because you did not have a breakdown of the properties.

After reviewing this with Scott Annala we believe that the owners should receive a refund of \$172.25. Please review and let us know of any questions or discrepancies I may have overlooked.

Sincerely,

Michelle Williams
Lincoln County Lodgers' Tax Administrator

Scott Annala
Acting Public Works Director



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:

Approval of Prior Year Invoices:

- a. Vital Records Control (VRC) (3 invoices) - **\$410.87**
- b. Total Destruction, LLC - **\$31.17**

Tuesday, September 19, 2023

69274938

Invoice Date: 5/31/2023

Invoice Number: 3531539



Accounts Payable
LINCOLN COUNTY FINANCE DEPARTMENT (LCFD1)
PO Box 711
Carrizozo, NM 88301

ACTIVITY SUMMARY

0.00 CONTRACTED ACCESSES PER MONTH	\$0.00
0.00 TOTAL ACCESSES	\$0.00

NEW BOX SUMMARY

0.00 CONTRACTED INDUCTIONS PER MONTH	\$0.00
0.00 TOTAL NEW BOXES (for a total of 0.00 cubic feet)	\$0.00

DESTRUCTION SUMMARY

0.00 CONTRACTED BIN SIZE 1 PER MONTH	\$0.00
0.00 TOTAL BIN SIZE 1 ROTATIONS/LBS	\$0.00
0.00 CONTRACTED BIN SIZE 2 PER MONTH	\$0.00
4.00 TOTAL BIN SIZE 2 ROTATIONS/LBS	\$220.00
3.00 TOTAL RPS - RECYCLE FEE	\$8.85

Received by Lincoln County

SEP 11 2023

FINANCE DEPARTMENT

DELIVERY SUMMARY

0.00 CONTRACTED STANDARD DELIVERIES PER MONTH	\$0.00
0.00 TOTAL STANDARD DELIVERIES	\$0.00
1.00 TOTAL FSC - FUEL FEE	\$4.90

OTHER SERVICES

Invoice Total \$233.75

This invoice represents charges in advance for the "Standard Monthly Fee" which includes Contracted Storage and Services for 6/1/2023 to 6/30/2023 and charges in arrears for "Additional Storage" and any Service Transactions with a date from 5/1/2023 to 5/31/2023 inclusive.

Please Note: A sharp increase in fuel cost has forced us to implement a fuel surcharge effective July 1, 2021 to partially offset the increased operating expense. We will continue to monitor fuel prices and adjust the fuel surcharge accordingly.

Please Remit To: Vital Records Control

Dept. 5874
PO Box 11407
Birmingham, AL 35246-5874
TX : 915-534-3959 AR : 901-363-6555
ar@vrcnetwork.com

69274938

Invoice Date: 5/31/2023

Invoice Number: 3531539



Accounts Payable
LINCOLN COUNTY FINANCE DEPARTMENT (LCFD1)

INVOICE SUMMARY
(69274938) LINCOLN COUNTY FINANCE DEPARTMENT (LCFD1)
Invoice #3531539 (May 31, 2023)

Contracted Storage:	0.00	Additional Storage Amount:	\$0.00
Additional Storage:	0.00	Total Additional Storage Amount:	\$0.00
Total Storage:	0.00	Standard Monthly Fee	\$0.00
		Total Storage Fee	\$0.00

Sub BG	Dept Code	Dept Name	Storage Used	Storage Percent	Storage Fee	Services	Destruct Services	Box Sales	Recycle Charge	Fuel Fee	Min Adjust	Late Fee	Sales Tax	Total
LCFD1	000000000...	300 CENTRAL AVE. - CARRIZOZO ...	0.00	0%	\$0.00	\$0.00	\$165.00	\$0.00	\$8.85	\$4.90	\$0.00	\$0.00	\$0.00	\$178.75
LCFD1	000000000...	LINCOLN COUNTY FINANCE DEPART...	0.00	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LCFD1	000000000...	109 KANSAS CITY RD- RUIDOSO (...)	0.00	0%	\$0.00	\$0.00	\$55.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$55.00
		Total	0.00	0%	\$0.00	\$0.00	\$220.00	\$0.00	\$8.85	\$4.90	\$0.00	\$0.00	\$0.00	\$233.75

69274938

Invoice Date 7/31/2023

Inv # 3645800

V R C

DEPARTMENT/LOCATION:

SHERIFF DEPT
300 CENTRAL AVE
CARRIZOZO, NM 88301

Open Billing Items =

Description	Date	Code	Qty	Unit	Total	Comments
Small Bin		DB1	0	\$0.00	\$0.00	
Medium Bin	5/15/2023	DB2	1	\$55.00	\$55.00	SAR 4861340
Large Bin		DB3	0	\$0.00	\$0.00	
Recycle Fee	5/15/2023	RPS	1	\$2.95	\$2.95	SAR 4861340
Fuel Fee	5/15/2023	FSC	1	\$1.63	\$1.63	SAR 4861340
Grand Total					\$59.58	

69274938

Invoice Date 7/31/2023

Inv # 3645800

V R C

DEPARTMENT/LOCATION:

CLERK/ASSESSORS

300 CENTRAL

CARRIZOZO, NM 88301

Open Billing Items =

Description	Date	Code	Qty	Unit	Total	Comments
Small Bin		DB1	0	\$0.00	\$0.00	
Medium Bin	5/15/2023	DB2	2	\$55.00	\$110.00	SAR 4861340
Large Bin		DB3	0	\$0.00	\$0.00	
Recycle Fee	5/15/2023	RPS	2	\$2.95	\$5.90	SAR 4861340
Fuel Fee	5/15/2023	FSC	1	\$1.64	\$1.64	SAR 4861340
Grand Total					\$117.54	



INVOICE

AP

Received by Lincoln County

Total Destruction, LLC
2600 Kelley Ave.
Alamogordo, NM 88310
Tel: (575) 434-1066
Email: totaldestructioninc@yahoo.com
Website: www.totaldestructioninc.com

SEP 11 2023

Attn: ACCOUNTS PAYABLE
109 KANSAS CITY RD- RUIDOSO
LINCOLN COUNTY FINANCE DEPARTMENT
PO Box 711
Carrizozo, NM 88301

FINANCE DEPARTMENT

Contract No.:

Acct Code:

Customer #: LCFD1-000000000S
Invoice No: 0020099
Invoice Date: 01/09/2023
Purchase Order No: _____
Terms: NET 30

Services:

January , 2023

Amount

28.88

Tax

2.29

Subtotal

31.17

Total Services:

31.17

PLEASE PAY THIS AMOUNT----->

\$31.17

We sincerely Appreciate your business. Thank You!

Prior Year



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:

Acknowledgement of New Mexico County Insurance Authority Pool Multi-Line and Law Enforcement Deductibles

Tuesday, September 19, 2023



NEW MEXICO COUNTY INSURANCE AUTHORITY POOL
Administered by New Mexico Counties

August 22, 2023

Dear Multi-Line and Law Enforcement NMCIA Members,

At its August 9, 2023 meeting the New Mexico County Insurance Authority (NMCIA) Board of Directors voted to increase member deductibles for insurance claims involving buildings and building contents, effective January 1, 2024. This change is primarily the result of property reinsurance premiums increasing dramatically for NMCIA (the pool), given the increasing number of property claims our reinsurer is receiving.

The minimum per claim deductible for non-Class A county members in the property coverage program will be \$5,000 instead of \$2,500. Class A county members minimum per claim deductible will increase to \$50,000 from \$25,000 in the property coverage program.

Please note that the Pool's per claim Self-Insured Retention increased from \$250,000 to \$350,000, effective July 1, 2023, due to several high dollar losses in the spring of this year.

The minimum deductibles for damage to county-owned vehicles are not changing at this time.

Also, the NMCIA Board approved an increase in the minimum deductible for all Law Enforcement coverage members of \$50,000 effective January 1, 2024. As you may recall, during renewals last year the board approved an increase in deductibles for all members, but we heard concerns from some of our small counties that we did not provide sufficient time for budgets to reflect this change.

Insurance companies still operating in the law enforcement liability market in other states are mandating minimum deductibles of \$250,000 per claim, or in some cases even more.

Please reach out to me or your NMCIA Board representative with any questions about the new changes.

Sincerely,

Taylor Horst
Risk Management Director

601 Rio Grande Blvd NW
Albuquerque, NM 87104

877-983-2101
505-983-2101
Fax: 505-983-4396

NMCOUNTIES.ORG



County of Lincoln

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

www.lincolncountynm.gov

AGENDA ITEM NO. 18

SUBJECT:

Consideration and Approval of Resolution 2024-21 a Resolution of the County Board of Commissioners in Support of the Second Amendment to the United States Constitution

Tuesday, September 19, 2023

RESOLUTION 2024-21

RESOLUTION OF THE LINCOLN COUNTY BOARD OF COMMISSIONERS IN SUPPORT OF THE SECOND AMENDMENT TO THE UNITED STATES CONSTITUTION

WHEREAS, the Lincoln County Board of Commissioners recognizes the paramount importance of the Second Amendment to the United States Constitution, which safeguards the individual right of law-abiding citizens to keep and bear arms; and

WHEREAS, the Lincoln County Board of Commissioners reaffirms its steadfast support for the Constitution of the United States as the supreme law of the land, defending the rights and freedoms of all American citizens; and

WHEREAS, the Lincoln County Board of Commissioners strongly opposes recent actions taken by the Governor of New Mexico, Michelle Lujan Grisham, which have unjustly abolished the rights of legal, law-abiding concealed and open carry citizens; and

WHEREAS, the Lincoln County Board of Commissioners acknowledges the absence of an effective impeachment process in the state of New Mexico, a situation that has regrettably resulted in a lack of accountability for the Governor's actions, including the illegal infringement upon the rights of citizens; and

WHEREAS, the Lincoln County Board of Commissioners is deeply concerned that the unchecked actions of the Governor, especially in times of emergency, has led to decisions that undermine the protection of citizens' rights and has resulted illegal government authority; and

WHEREAS, the Lincoln County Board of Commissioners is committed to ensuring that elected officials prioritize the rights of innocent citizens over empowering criminals, and advocates for accountability in government; and

WHEREAS, the Lincoln County Board of Commissioners believes in the importance of legal open carry and legal concealed carry as a means for law-abiding citizens to exercise their Second Amendment rights;

NOW THEREFORE, BE IT RESOLVED by the Lincoln County Board of Commissioners that:

1. The Lincoln County Board of Commissioners unequivocally reaffirms its support for the Second Amendment to the United States Constitution, recognizing its fundamental role in preserving the right of law-abiding citizens to keep and bear arms.
2. The Lincoln County Board of Commissioners further reaffirms its unwavering support for the Constitution of the United States, upholding the rights and freedoms of all American citizens.
3. The Lincoln County Board of Commissioners hereby condemns and rebukes the recent actions of Governor Michelle Lujan Grisham that have unjustly stripped legal, law-abiding concealed and open carry citizens of their rights.

4. The Lincoln County Board of Commissioners expresses its profound concern about the absence of an effective impeachment process in New Mexico, which has resulted in a lack of accountability for the Governor's actions, including the unjust infringement upon the rights of citizens.
5. The Lincoln County Board of Commissioners calls for the immediate revocation of emergency orders and the powers of the Governor to mandate legislative meetings for the extension of emergency orders, in accordance with the New Mexico Constitution.
6. The Lincoln County Board of Commissioners urges Governor Michelle Lujan Grisham to reverse her actions and engage in a constructive dialogue with the people to develop balanced policies that respect the rights of legal open carry and legal concealed carry citizens while addressing the issue of illegal firearm possession.
7. The Lincoln County Board of Commissioners emphasizes the importance of electing officials who prioritize the rights of innocent citizens over empowering criminals and who uphold the principles of accountability in government.
8. The Lincoln County Board of Commissioners asserts that most recent actions taken by the Governor of New Mexico, Michelle Lujan Grisham, which have unjustly abolished the rights of legal, law-abiding concealed and open carry citizens and the lack of accountability for the Governor has permitted decisions that diminish the protection of citizens' rights and grant undue government authority, in direct violation of the New Mexico Constitution and the United States Constitution.

PASSED, APPROVED AND ADOPTED, this 19th day of September, 2023.

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

Todd F. Proctor, Chairman

Jon Crunk, Vice-Chairman

Pierre S. Pfeffer, Member

Samantha J. Serna, Member

Mark G. Fischer, Member

ATTEST:

Shannan Hemphill, County Clerk



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:

Consideration and Approval to Purchase Vehicles:

- a. Capitan Senior Citizen's Center - **\$34,284.00**
- b. Carrizozo Senior Citizen's Center - **\$48,429.00**
- c. Corona Senior Citizen's Center - **\$34,284.00**
- d. Hondo Senior Citizen's Center - **\$30,000.00**

Tuesday, September 19, 2023



STATE OF NEW MEXICO
Aging & Long-Term Services Department
Governor Michelle Lujan Grisham
Jen Paul Schroer, Secretary Designate
Sarah Jacobs, Deputy Cabinet Secretary

August 28, 2023

Lincoln County
Ira Pearson
County Manager
P.O. Box 711
Carrizozo, NM 88301
lpearson@lincolncountynm.gov

Re: A22-G5324 CAPITAN SENIOR CTR-VEH, \$34,284.00, Reversion date: 6/30/2026

Dear Manager Pearson;

In the Laws of 2022, the Lincoln County was appropriated bond funding, “to purchase and equip vehicles for the senior center in Capitan in Lincoln county;”. The New Mexico State Board of Finance has completed the sale of the bonds and the project is ready to commence according to the legislative intent. Grantee’s must be in compliance with the following:

Executive Order 2013-006

Enacted in 2013 by the New Mexico Governor, such order establishes uniform funding criteria, grant management, and oversight requirements for grants appropriated through the state capital outlay process. The Executive Order provides that:

1. State agencies must determine that a grantee has adequate accounting methods and procedures to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds [E.O. ¶2(A)(3)(a)].
2. In the event a state agency has identified deficiencies in the grantee’s accounting methods and procedures that raise concerns about the grantee’s ability to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds:
 - a. The state agency must determine that it can impose and has the resources to implement special grant conditions that will adequately address the deficiencies [E.O. ¶2(A)(3)(b)]; or
 - b. The state agency must determine that another appropriate entity is able and willing to act as a fiscal agent for the grant [E.O. ¶2(A)(3)(c)].

After reviewing the Lincoln County 2022 Audit, it has been determined that no special grant conditions are required for this grant to commence.

Please submit the Scope of Work for the above-referenced project **by September 7, 2023**, so that we may initiate the Intergovernmental Grant Agreement and the project can proceed in a timely manner. The Scope of Work Template (fillable form) and Scope of Work instructions can be found at <http://www.nmaging.state.nm.us/capital-outlay.aspx>.

For questions, please contact Monica Cordova at 505-709-7982 or Monica.Cordova@altsd.nm.gov for PSA’s -2,3, and 6 or Roxanne Lucero at 505-487-3730 or Roxanne.Lucero@altsd.nm.gov for PSA’s -1,4 and 5, or Elizabeth.Chavez@altsd.nm.gov, at 505-365-3804 for all PSA’s.

Sincerely,

Elizabeth Chavez
Capital Outlay Bureau Chief



STATE OF NEW MEXICO
Aging & Long-Term Services Department
Governor Michelle Lujan Grisham
Jen Paul Schroer, Secretary Designate
Sarah Jacobs, Deputy Cabinet Secretary

August 28, 2023

Lincoln County
Ira Pearson
County Manager
P.O. Box 711
Carrizozo, NM 88301
lpearson@lincolncountynm.gov

Re: A22-G5325 CARRIZOZO SENIOR CTR-VEH, \$48,429.00, Reversion date: 6/30/2026

Dear Manager Pearson;

In the Laws of 2022, the Lincoln County was appropriated bond funding, "to purchase and equip vehicles for the Carrizozo senior center in Lincoln county;". The New Mexico State Board of Finance has completed the sale of the bonds and the project is ready to commence according to the legislative intent. Grantee's must be in compliance with the following:

Executive Order 2013-006

Enacted in 2013 by the New Mexico Governor, such order establishes uniform funding criteria, grant management, and oversight requirements for grants appropriated through the state capital outlay process. The Executive Order provides that:

1. State agencies must determine that a grantee has adequate accounting methods and procedures to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds [E.O. ¶2(A)(3)(a)].
2. In the event a state agency has identified deficiencies in the grantee's accounting methods and procedures that raise concerns about the grantee's ability to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds:
 - a. The state agency must determine that it can impose and has the resources to implement special grant conditions that will adequately address the deficiencies [E.O. ¶2(A)(3)(b)]; or
 - b. The state agency must determine that another appropriate entity is able and willing to act as a fiscal agent for the grant [E.O. ¶2(A)(3)(c)].

After reviewing the Lincoln County 2022 Audit, it has been determined that no special grant conditions are required for this grant to commence.

Please submit the Scope of Work for the above-referenced project **by September 7, 2023**, so that we may initiate the Intergovernmental Grant Agreement and the project can proceed in a timely manner. The Scope of Work Template (fillable form) and Scope of Work instructions can be found at <http://www.nmaging.state.nm.us/capital-outlay.aspx>.

For questions, please contact Monica Cordova at 505-709-7982 or Monica.Cordova@altsd.nm.gov for PSA's -2,3, and 6 or Roxanne Lucero at 505-487-3730 or Roxanne.Lucero@altsd.nm.gov for PSA's -1,4 and 5, or Elizabeth.Chavez@altsd.nm.gov, at 505-365-3804 for all PSA's.

Sincerely,

A handwritten signature in black ink that reads "Elizabeth Chavez". The signature is written in a cursive, flowing style.

Elizabeth Chavez
Capital Outlay Bureau Chief



STATE OF NEW MEXICO
Aging & Long-Term Services Department
Governor Michelle Lujan Grisham
Jen Paul Schroer, Secretary Designate
Sarah Jacobs, Deputy Cabinet Secretary

August 28, 2023

Lincoln County
Ira Pearson
County Manager
P.O. Box 711
Carrizozo, NM 88301
lpearson@lincolncountynm.gov

Re: A22-G5326 CORONA SENIOR CTR-VEH, \$34,284.00, Reversion date: 6/30/2026

Dear Manager Pearson;

In the Laws of 2022, the Lincoln County was appropriated bond funding, “to purchase and equip vehicles for the Corona senior center in Lincoln county;”. The New Mexico State Board of Finance has completed the sale of the bonds and the project is ready to commence according to the legislative intent. Grantee’s must be in compliance with the following:

Executive Order 2013-006

Enacted in 2013 by the New Mexico Governor, such order establishes uniform funding criteria, grant management, and oversight requirements for grants appropriated through the state capital outlay process. The Executive Order provides that:

1. State agencies must determine that a grantee has adequate accounting methods and procedures to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds [E.O. ¶2(A)(3)(a)].
2. In the event a state agency has identified deficiencies in the grantee’s accounting methods and procedures that raise concerns about the grantee’s ability to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds:
 - a. The state agency must determine that it can impose and has the resources to implement special grant conditions that will adequately address the deficiencies [E.O. ¶2(A)(3)(b)]; or
 - b. The state agency must determine that another appropriate entity is able and willing to act as a fiscal agent for the grant [E.O. ¶2(A)(3)(c)].

After reviewing the Lincoln County 2022 Audit, it has been determined that no special grant conditions are required for this grant to commence.

Please submit the Scope of Work for the above-referenced project **by September 7, 2023**, so that we may initiate the Intergovernmental Grant Agreement and the project can proceed in a timely manner. The Scope of Work Template (fillable form) and Scope of Work instructions can be found at <http://www.nmaging.state.nm.us/capital-outlay.aspx>.

For questions, please contact Monica Cordova at 505-709-7982 or Monica.Cordova@altsd.nm.gov for PSA’s -2,3, and 6 or Roxanne Lucero at 505-487-3730 or Roxanne.Lucero@altsd.nm.gov for PSA’s -1,4 and 5, or Elizabeth.Chavez@altsd.nm.gov, at 505-365-3804 for all PSA’s.

Sincerely,

Elizabeth Chavez
Capital Outlay Bureau Chief



STATE OF NEW MEXICO
Aging & Long-Term Services Department
Governor Michelle Lujan Grisham
Jen Paul Schroer, Secretary Designate
Sarah Jacobs, Deputy Cabinet Secretary

August 28, 2023

Lincoln County
Ira Pearson
County Manager
P.O. Box 711
Carrizozo, NM 88301
lpearson@lincolncountynm.gov

Re: A22-G5327 HONDO SENIOR CTR-VEH, \$30,000.00, Reversion date: 6/30/2026

Dear Manager Pearson;

In the Laws of 2022, the Lincoln County was appropriated bond funding, “to purchase and equip vehicles for the Hondo senior center in Lincoln county;”. The New Mexico State Board of Finance has completed the sale of the bonds and the project is ready to commence according to the legislative intent. Grantee’s must be in compliance with the following:

Executive Order 2013-006

Enacted in 2013 by the New Mexico Governor, such order establishes uniform funding criteria, grant management, and oversight requirements for grants appropriated through the state capital outlay process. The Executive Order provides that:

1. State agencies must determine that a grantee has adequate accounting methods and procedures to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds [E.O. ¶2(A)(3)(a)].
2. In the event a state agency has identified deficiencies in the grantee’s accounting methods and procedures that raise concerns about the grantee’s ability to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds:
 - a. The state agency must determine that it can impose and has the resources to implement special grant conditions that will adequately address the deficiencies [E.O. ¶2(A)(3)(b)]; or
 - b. The state agency must determine that another appropriate entity is able and willing to act as a fiscal agent for the grant [E.O. ¶2(A)(3)(c)].

After reviewing the Lincoln County 2022 Audit, it has been determined that no special grant conditions are required for this grant to commence.

Please submit the Scope of Work for the above-referenced project **by September 7, 2023**, so that we may initiate the Intergovernmental Grant Agreement and the project can proceed in a timely manner. The Scope of Work Template (fillable form) and Scope of Work instructions can be found at <http://www.nmaging.state.nm.us/capital-outlay.aspx>.

For questions, please contact Monica Cordova at 505-709-7982 or Monica.Cordova@altsd.nm.gov for PSA’s -2,3, and 6 or Roxanne Lucero at 505-487-3730 or Roxanne.Lucero@altsd.nm.gov for PSA’s -1,4 and 5, or Elizabeth.Chavez@altsd.nm.gov, at 505-365-3804 for all PSA’s.

Sincerely,

Elizabeth Chavez
Capital Outlay Bureau Chief



County of Lincoln

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

www.lincolncountynm.gov

AGENDA ITEM NO. 20

SUBJECT:

Consideration and Approval of the County of Lincoln's Code of Ethics

Tuesday, September 19, 2023

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

CODE OF ETHICS

The County of Lincoln, New Mexico Board of Commissioners (hereinafter “Commissioners”) hereby adopts the following Code of Ethics:

1. Commissioners shall recognize that the chief function of our Commission, at all times, is to serve the best interests of all people of the County of Lincoln.
2. Commissioners recognize that as elected representatives of the people, they establish local government policies while responsibility for policy execution rests with the appointed officials and employees. The Commission acts as a body in setting policy and directing the Manager. The Commissioners will not involve themselves in personnel matters and the daily operations of the County.
3. Commissioners should be dedicated to the highest ideals of honor and integrity in all public and personal relationships, in order that the Commission may merit the respect and confidence of other Elected officials, County officials, County employees and of the public.
4. Commissioners will refrain from all political activities which undermine public confidence in professional administrators.
5. Commissioners shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest. Commissioners will protect the confidentiality of matters discussed in closed session.
6. Commissioners will keep the community informed on local issues, encourage communications between the citizens and all local government officers, emphasize friendly and courteous service to the public, and seek to improve the quality and image of public service.
7. Commissioners shall handle all matters in the best interest of the County and on the basis of merit so that fairness and impartiality govern the Commissioners’ decisions.
8. Commissioners shall recognize that public office is a public trust. A member shall not leverage his or her position for personal gain or benefit. A Commissioner will not accept anything of value to influence their position and to avoid the appearance of impropriety. Commissioners shall recuse themselves if they have any personal interest in matters before the Commission.

9. Commissioners shall be diligent in safeguarding public funds and assets. Commissioners shall strive to make wise decisions in budgeting and spending, including personal expenses that are reimbursed by the County.

10. Commissioners recognize that they are composed of individuals with a wide variety of backgrounds, personalities, values, opinions and goals. Despite this diversity, all have chosen to serve in public office and have the obligation to preserve and protect the well-being of the County and its citizens.

11. Every Commissioner has the right to an individual opinion, which should be respected by the other Commissioners. Commissioners should assume the other members of the Commission have the appropriate motives and interest of the public in mind and not criticize differing opinions because they believe them to be lacking in judgment or improperly motivated.

12. Commissioners pledge to enter each public discussion in front of them without prejudice or preconceived opinions so as to allow proper public input for the betterment of the County as a whole.

13. Commissioners should act as cooperatively as possible and may be required, from time to time, to modify to some extent their positions so that a decision can be reached. Compromise in a Commissioner's position does not indicate dishonesty or lack of integrity, but does indicate a recognition of the realities involved in reaching a consensus or decision in the best interests of the County,

PASSED, APPROVED AND ADOPTED, this ____ of ____, 2023.

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

Todd F. Proctor, Chairman

Jon F. Crunk, Vice- Chairman

Mark G. Fischer, Member

Pierre S. Pfeffer, Member

ATTEST:

Samantha J. Serna, Member

Shannan Hemphill, Clerk

Proposed process for handling workplace allegations against a commissioner

1. County attorney and county manager find out what the complainant needs in the short term to feel comfortable. The county is not obligated to honor any request made by the complainant, but if there are reasonable steps such as a short stress leave, or removal of the complainant from a job duty that requires direct contact with the elected official, those options should be considered.
2. Speak with the commission member. It is often more effective if the county attorney speaks with the commission member alone (rather than with the county manager) to explain candidly the county's potential liability without causing embarrassment to the commission member. The key points to convey are (a) the nature of the allegations, (b) the county's legal obligation to investigate the allegations, and (c) advice to cease contact with the complainant, to the extent possible, and not to take any action that could possibly be perceived as retaliatory.
3. Initiate an investigation by a third-party, neutral investigator (COG attorney). Investigating allegations made against an elected official should follow normal county policy, except that the elected official cannot be compelled to participate in the investigation. An investigation report should be prepared and the results should be shared first with the commission member and then with the full BOCC. In most situations, it would also be appropriate to share the report with the County Manager.
4. If the allegations are sustained by the investigator, the county attorney or county manager should explain to the commission member why such conduct puts the county at risk and may put the commission member individually at risk too.
5. If the allegations are sustained, the complainant's supervisor, in consultation with the county manager, should determine what can be done to protect the complainant from future harassing conduct. The complainant's input should be sought, and no action taken to protect them should appear punitive. For example, alteration of job duties may be considered, but only if the complainant wants that to occur.

By dealing with this issue now, head on, we can (1) reassure county employees that they will be protected, (2) make clear to the BOCC it has a responsibility to all county employees and ignoring such responsibility puts the county at risk, and (3) send a clear message to each commissioner that any such activity will be acted upon.



County of Lincoln

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

www.lincolncountynm.gov

AGENDA ITEM NO. 21

SUBJECT:

Discussion and Direction Establishing Lincoln County Priorities Regarding Federal Funding

Tuesday, September 19, 2023



CAPGOV PROPOSAL & PROFESSIONAL SERVICES FEE AGREEMENT

FOR

FEDERAL GOVERNMENT RELATIONS & LOBBYING SERVICES

RESPECTFULLY SUBMITTED FOR CONSIDERATION TO

LINCOLN COUNTY, NM

JUNE 26, 2023

INTRODUCTION

Capitol Government Solutions, LLC (CAPGOV®) is a full-service government relations firm in Washington, D.C. Our offices are located on Capitol Hill, a short walk from the U.S. Capitol.

CAPGOV advises its clients through the legislative and executive processes to accomplish each client's specific objective(s): whether the client's aim is federal funding, legislative, policy, procurement, federal agency disputes or regulatory/rulemaking. CAPGOV specializes in helping its clients secure federal funding to meaningfully offset the cost of priority projects. To date, CAPGOV has secured over \$3.5 billion in direct federal funding for its clients.

CAPGOV is uniquely qualified and positioned to help Lincoln County maximize its federal funding and resolve matters that touch the federal government. CAPGOV has strong ties to New Mexico and has experience working on a broad range of issues in the state. As such, CAPGOV enjoys strong, well-established relationships with the New Mexico federal delegation. CAPGOV will work closely with Lincoln County to develop and execute multi-pronged, politically tuned strategies to build robust support in Congress for the County's objectives.

Based on a series of consultations with Lincoln County, CAPGOV has a general understanding of several County priorities with respect to the federal government, including:

1. Secure federal funding for—and otherwise address matters associated with—pole replacement to facilitate broadband expansion in the County;
2. Resolve matters related to FEMA funding intended to benefit Lincoln County that is currently being withheld at the state level;
3. Secure federal funding to expand water storage capacity of each of the County's fire stations; AND

INTRODUCTION (continued)

4. Secure funding for an “emergency services” structure/facility to accommodate first responders in the event of future fire or other emergencies.

CAPGOV has extensive experience working through similar issues and has successfully secured federal funding for like projects. For each priority, CAPGOV can assist Lincoln County to meaningfully increase the likelihood of success. A brief, high-level overview of CAPGOV’s initial approach to assist the County is provided below. The approach will be adjusted as needed, as CAPGOV and the County move through the process for each initiative.

1. Pole Replacement

Federal funding is available to the County to help cover the cost of pole replacement. Federal funding opportunities include competitive grants, congressional directed spending and community funded projects, e.g. earmarks. Additionally, there are political and oversight levers the County can pull to bring down the cost of pole replacement by tactfully applying congressional pressure and bring certain matters to the attention of the FCC. In CAPGOV’s experience with rural broadband expansion, this approach has a positive result for the client. CAPGOV will also review the program requirements under which the broadband expansion is being funded to confirm such costs can lawfully be passed on to the County.

2. FEMA Funding

FEMA funding that has been appropriated by congress to benefit Lincoln County’s fire recovery. Currently, this federal funding is being withheld by the state of New Mexico. This is an unfortunate—but not terribly uncommon—situation when federal funds intended to benefit counties and other local governments are administered by the state. The most effective paths forward include: (1) working with congressional in-state staff to apply pressure on the state; (2) redressing the matter with FEMA officials in Washington, DC with the intention of having FEMA headquarters exert pressure via oversight mechanisms on the state to release funds to the County; and (3) passing federal congressional bill language instructing the state to release the funds to Lincoln County. Through one or a combination of these efforts, CAPGOV can work with the County to ensure that those funds are released by the state.

3. Fire State Water Storage

There are a couple of competitive grant programs available to local governments to fund emergency services projects such as this. It is likely that such projects will either be expanded or more robustly funded given the prevalence of fires across the country—the West in particular. In addition to competitive the grants that CAPGOV will help identify, advise on and secure political support for, there are at least two federal budget accounts eligible for congressional directed spending and community funded projects that can fund this effort. CAPGOV specializes in congressional legislative funding. CAPGOV will execute most of the work on behalf of the County for this year-long process.

4. Emergency Services Facility

This project is more complicated to fund through federal competitive funding. The project is eligible, however, for funding under at least one federal budget account open to congressional directed spending and community funded projects, e.g. earmarks. While the path to funding is narrower, CAPGOV is confident that by working closely with key congressional staff in Washington, D.C., CAPGOV can ultimately help the County secure federal funding for this important project.

Nothing is guaranteed when working with congress and federal agencies. That said, given the scope, scale and specifics of the County’s federal objectives outlined herein, CAPGOV conservatively expects that the County will see 900% return on investment within 24 months, if not sooner. CAPGOV welcomes the opportunity to leverage its experience and relationships to benefit Lincoln County.

CAPGOV PERSONNEL

CAPGOV associates have worked for Congress, for the Pentagon, the State Department and other Executive Agencies. As such, our team consists of legislative and policy experts that have extensive experience in representing clients across the entire gambit of federal processes. The impressive education, training and career experiences of our team are not, however, what primarily sets us apart from the competition. There are many capable, experienced and well-credentialed government relations firms in Washington. What sets CAPGOV apart is our level of dedication to our clients' federal agenda and an unparalleled commitment to spending the necessary time and energy required to ensure every potential opportunity is seized. This approach provides our clients with a distinct competitive advantage in the process.

PERSONNEL TO BE ASSIGNED TO LINCOLN COUNTY

Nick Crockett, CAPGOV President & Founding Principal

Mr. Crockett will personally oversee and perform essentially all substantive work on behalf of the County. CAPGOV staff will play a support role. Mr. Crockett will seek his team's advice and counsel when their expertise or contacts will benefit the County.

Considering Lincoln County's anticipated Washington agenda, Mr. Crockett has the requisite experience and relationships with relevant members of Congress, their staff, congressional committee staff and relevant federal agency personnel. Mr. Crockett is prepared to leverage these contacts and relationships developed over the past twenty years to advance the County's objectives.

Mr. Crockett's Bio is provided on the following page.

Greg Seeley, CAPGOV New Mexico In-state Director of Federal Funding

Mr. Greg Seeley will assist Lincoln County with federal matters as needed. For example, when in person interactions with New Mexico-based congressional staff will advance the County's priorities, Mr. Crockett will likely rely on Mr. Seeley.

BIO

Mr. Nicholas L Crockett, President & Founding Principal

As President and founding principal of Capitol Government Solutions, Mr. Crockett will direct all efforts to ensure that Lincoln County's federal priorities are advanced in a proactive and strategic manner. Since establishing the firm in 2007, Mr. Crockett's federal relations practice has concentrated on representing small businesses, nonprofits and public entities such as municipalities, public utilities, transportation authorities and institutions of higher education.

Mr. Crockett's practice focuses on helping his clients secure federal funding. Additionally, Mr. Crockett advises clients through federal executive agency and congressional processes, develop and implement federal strategies to achieve policy and legislative objectives, pass Congressional authorizations and attain (at the administrative/agency level) favorable administrative rulemaking and official guidance.

Mr. Crockett has secured more than \$3.5 billion for his nonprofit clients over the past 15 years.

Prior to establishing Capitol Government Solutions, Mr. Crockett was a partner at the D.C. law and lobbying firm, Lee & Smith, PC. During his tenure at Lee & Smith, Mr. Crockett served as the firm's Director of Legislative and Policy Initiatives.

Over the past twenty years, Mr. Crockett has been actively involved in the political process and has worked in key positions on numerous political campaigns and on Capitol Hill.

Mr. Crockett earned a Bachelor of Arts with Distinction from the University of Virginia, double majoring in Spanish Literature and in Latin American Political Science, with a minor in Economics. Mr. Crockett also received a Juris Doctor from the University of Virginia. He is a frequent lecturer on the federal legislative process for organizations across the country. Additionally, Mr. Crockett provides training and counsel to clients and to D.C. lobbying firms regarding federal lobbying disclosure law, ethics and best practices. Mr. Crockett, with his wife and children, currently split their time between family homes in the Shenandoah Valley and Washington DC area.



SCOPE OF SERVICES

CAPGOV shall provide all effort and materials necessary to pursue Lincoln County's legislative objectives in Washington, D.C. Lincoln County personnel shall have access to CAPGOV Washington, DC offices, as needed.

- CAPGOV will, under the Direction of the County Manager, coordinate and oversee all of the County's federal lobbying activities in Washington, DC;
- CAPGOV will advise the County Manager and County Commissioners on federal matters;
- CAPGOV will monitor for federal funding opportunities, including "programmatic" funding, congressionally directed spending (Senate), Community Funded Projects (House) competitive grants and other federal programs that align with the County's needs and objectives;
- CAPGOV will perform the necessary legislative research, identify federal budget accounts and other opportunities that further the County's priorities;
- CAPGOV will assist and advise the County in drafting, preparing and submitting federal congressional appropriations requests, including: Programmatic Requests (budget plus-ups), Congressionally Directed Spending and Community Funded Projects;
- CAPGOV will, on behalf of the County, formally submit and brief professional congressional staff in Washington, DC on the County's direct appropriations requests to Senate and House offices in support of the federal funding initiatives the County pursues;
- CAPGOV will shepherd congressional appropriations request(s) through the year-long federal appropriations process including at the following stages: individual member offices, corresponding House and Senate appropriations subcommittees, House and Senate full committee mark-up, the Conference Committee level, through to the President's signature;
- CAPGOV will review grant solicitations or other government programs to determine eligibility requirements and advise Lincoln County on actions that must be taken to ensure compliance and a timely submission;
- CAPGOV will work with County personnel to determine how to assemble the most competitive proposal/application possible;
- CAPGOV will help map out a working timeline and ensure the various required components of the agenda are executed on schedule;
- CAPGOV will assist the County to create a politically calibrated narrative to help leverage political support for its requests;
- CAPGOV will schedule congressional visits and accompany County representative to Capitol Hill to advocate for County priorities;
- CAPGOV will secure political support from Congressional offices, such as formal congressional letters of support for the County's competitive grants or other federal programs, as appropriate;
- CAPGOV will work with project stakeholders, as warranted, in order to leverage any potential coalition's political capital to increase the competitiveness of Lincoln County requests;

SCOPE OF SERVICES (continued)

- CAPGOV will work with the County to acquire letters of support from important local, state and regional partners when doing so will increase the likelihood of success;
- CAPGOV will make agency inquiries as needed;
- CAPGOV will assist the County with agency or congressional inquiries made prior to award announcement;
- CAPGOV will assist County officials with post-award management issues that ensue; and
- CAPGOV will provide other reasonable, related assistance to Lincoln County.

(INTENTIONALLY LEFT BLANK)

CONTRACT DETAILS & DISCLOSURES

DISCLOSURE REGARDING “LOBBYING” ACTIVITIES

The Federal Lobbying Disclosure Act of 1995, as amended, and the Honest Leadership and Open Government Act of 2007 require that CAPGOV make certain disclosures to the U.S. Senate and the U.S. House of Representatives including any fees and costs which are incurred for “lobbying” as defined by federal law. These are public documents. Under the Byrd Amendment, federal monies may not be expended to pay for “lobbying” activities. For example, lobbying fees may not be paid out of the proceeds of a federal transaction and must be paid with non-Federal dollars. CAPGOV will register, track, monitor and report all lobbying activity on behalf of Lincoln County and file Quarterly LD-2 Reports with Congress, in strict compliance with federal law, LDA Guidance and best practices.

DISCLOSURE OF POTENTIALLY RELEVANT, CURRENT/RECENT CLIENTS

Space Dynamics Laboratory (Albuquerque, NM and Logan, UT)
Town of Mountainair, NM
New Mexico Trade Alliance
Rockbridge County, VA
Lexington, VA
Buena Vista, VA
BARC Electric Cooperative (Virginia)
BARC Connects (Broadband) (Virginia)
Maury Service Authority (Virginia)
North Dakota State University
City of Orem, UT
Park City, UT
Utah Transit Authority
Utah State University
ARUP Laboratory (University of Utah)
Snow College (Utah)
Municipal Water Districts of Orange County, CA
KalVista Pharmaceuticals, Ltd. (U.K.)
Livewire Innovation, Inc. (Utah)
Elinor Coatings, LLC (North Dakota)

CONTRACT FEE

CAPGOV is mindful that Lincoln County has limited resources and is a trusted steward of the public's tax dollars. The proposed pricing reflects this sensitivity. CAPGOV's approach when pricing this Proposal is simply: what is the lowest possible price CAPGOV can offer Lincoln County while still providing CAPGOV's trademark level of service and dedication?

With respect to Lincoln County—given Mr. Crockett's established relationships and extensive experience working with the New Mexico congressional delegation and their staff, coupled with Mr. Crockett's applicable experience working on similar initiatives—CAPGOV is prepared to offer its services at a reduced cost. From time to time, CAPGOV will take on a client such as Lincoln County at a reduced fee out of a commitment to help entities that stand to benefit from federal representation but are sometimes deterred by the prohibitive market rate of such services.

CAPGOV will provide Washington Representation (lobbying and non-lobbying consulting), in accordance with the Scope of Services, at the fixed-fee retainer rate of \$4,999 per month (\$59,988 annually) paid in monthly installments. This amount represents a 40% discount compared to what CAPGOV would typically charge for comparable representation.

Of this amount, \$49,988 will be for "lobbying" services as defined by federal law.

BILLING & PAYMENT

A fixed-fee retainer is standard in the federal lobbying /consulting profession. Fixed-fee agreements enable clients to budget for lobbying and related expenses and remove what would otherwise be significant fee fluctuations and the uncertainty that are inherent to hourly billing agreements.

A Services Summary will accompany CAPGOV's monthly Invoice. CAPGOV's Services Summary and corresponding Invoice will be transmitted by the first business day of each month following the month of completed services. For example, services rendered during the month of July will be reported and billed to the County by the first business day of August. It is expected that Lincoln County will pay Invoices within thirty (30) days of receipt.

EXPENSES

The Contract Fee includes all expenses reasonably related to executing this Agreement's Scope of Services. This amount includes all reasonable expenses related to representing the County, including travel to Lincoln County from Washington, D.C. once annually. If the County requires Mr. Crockett to travel outside the DC area more than once per contract cycle, then those additional travel expenses shall be borne by the County.

RENEWAL

This contract will be eligible for renewal after a period of one year. If there is no indication of a desire to terminate the contract after one year, this contract will automatically renew pursuant to the terms outlined in this Agreement. Upon renewal, the Contract Fee will increase by five percent (5%) each year.

TERMINATION

Both parties have the right to terminate the contract upon ninety (90) days written notice to the other party.

ACCEPTANCE

If the foregoing arrangements is acceptable, please indicate by signing and returning this Proposal and Fee Agreement. By signing this Proposal and Fee Agreement you represent that you are a duly authorized representative and have the authority to execute this agreement on behalf of the County. This Agreement shall be binding upon Capitol Government Solutions, LLC and Lincoln County, NM. Once signed, this Proposal will constitute a Fee Agreement, which can be modified at any time by mutual consent. It is anticipated that this Agreement will take effect upon execution.

I am delighted by the prospect of representing Lincoln County. If you have any questions or would like to discuss any aspect of this Proposal or Fee Agreement, please do not hesitate to contact me.

Respectfully submitted,



Nicholas L. Crockett
President & Founding Principal
Capitol Government Solutions, LLC

ACCEPTED AND AGREED TO:

By: _____
Lincoln County, NM

Name: _____

Title: _____

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. 22

SUBJECT:

Discussion and Direction for the Need to Obligate the Local Assistance and Tribal Consistency Fund (LATCF)

Tuesday, September 19, 2023



County of Lincoln

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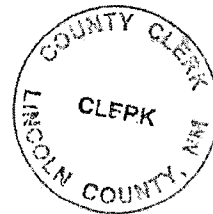
AGENDA ITEM NO. 23

SUBJECT:

Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinances:

- a. 2023 Noisy Water Winery Local Economic Development Act (LEDA) Project Ordinance
- b. Repealing Lincoln County Ordinance No. 2020-02 (2020 Noisy Water Winery Local Economic Development Act (LEDA) Project)

Tuesday, September 19, 2023



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**COUNTY OF LINCOLN, NEW MEXICO
ORDINANCE NO. 2020-02**

**NOISY WATER WINERY
LOCAL ECONOMIC DEVELOPMENT ACT (LEDA) PROJECT ORDINANCE**

IT IS HEREBY ORDAINED by the Board of County Commissioners of the County of Lincoln, New Mexico as follows:

SECTION 1. SHORT TITLE.

This Ordinance shall be cited as the “Noisy Water Winery LEDA Ordinance” and shall be referred to herein as the “Ordinance” or “this Ordinance.”

SECTION 2. AUTHORITY.

This Ordinance is enacted pursuant to the New Mexico Constitution, Article IX, Section 14(D), the Local Economic Development Act, NMSA 1978, Chapter 5, Article 10; and the County of Lincoln, New Mexico Economic Development Ordinance, No. 2009-2.

SECTION 3. DEFINITIONS.

- A. “Board” means the Board of County Commissioners of the County of Lincoln, New Mexico.
- B. “County” means the County of Lincoln, New Mexico.
- C. “EDD” means the New Mexico Economic Development Department.
- D. “LEDA” means the Local Economic Development Act, NMSA 1978, Chapter 5, Article 10.
- E. “Project” means LEDA’s assistance to Noisy Water Winery with the costs associated with its land, building and infrastructure needs, and to provide job and career opportunities that will benefit the community and contribute to its long-term economic growth and sustainability.
- F. “Property” means the real property located at 104 Alto Pines Trail, Alto, New Mexico 88312.
- G. “NWW” means Noisy Water Winery.

SECTION 4. FINDINGS.

A. NWW has submitted an application for economic assistance as required by Section 7 of County Ordinance 2009-02.

B. The Board has reviewed the application and hereby determines that the Project warrants the economic assistance set forth in this Ordinance, as well as the Local Economic Development Project Participation Loan Agreement attached as *Exhibit A* hereto, based upon the following factors:

- i. NWW is a qualifying entity under LEDA, in that it is “an industry for the manufacturing, processing or assembling of agricultural or manufactured products” as provided for in NMSA 1978, § 5-10-3(G)(1);

- ii. NWW agrees to maintain twenty-five (25) positions and a minimum of one hundred eighty-seven thousand five hundred dollars (\$187,500.00) in quarterly payroll;
- iii. NWW is an expanding business; and
- iv. The economic assistance to be provided under this Ordinance and the Local Economic Development Project Participation Agreement is permissible under LEDA, in that it represents direct or indirect assistance for infrastructure and building for the Project.

SECTION 5. APPROVAL OF PROJECT AND PROJECT PARTICIPATION LOAN AGREEMENT

Subject to the contingencies as set forth in Section 7 of this Ordinance, the Board hereby approves of the Project and the Local Economic Development Project Participation Agreement; provided, however, the County Manager is authorized to negotiate and agree to on behalf of the County non-substantive changes to the Local Economic Development Project Participation Loan Agreement as set forth in Section 8 of this Ordinance.

SECTION 6. ECONOMIC ASSISTANCE TO BE PROVIDED

Subject to the provisions of this Ordinance and the Local Economic Development Project Participation Agreement, the County shall provide the following assistance to NWW for the Project:

A. Ninety thousand dollars (\$90,000.00), via a grant from EDD to County for the purposes of a loan to NWW for a period not to exceed two (2) years to be used for NWW's property leases and mortgage payments. Said loan shall be without interest, provided that NWW maintains twenty-five (25) positions and a minimum of one hundred eighty-seven thousand, five hundred dollars (\$187,500.00) in quarterly payroll throughout the duration of the loan repayment.

SECTION 7. CONTINGENCIES

The economic assistance to be provided under this Ordinance and the Local Economic Development Project Participation Loan Agreement are contingent upon the following:

A. EDD's approval of NWW's loan application for ninety thousand dollars (\$90,000.00) for the Project; and

B. EDD and the County entering into an Intergovernmental Agreement, pursuant to which EDD grants ninety thousand dollars (\$90,000.00) to the County for the Project.

SECTION 8. DELEGATION OF AUTHORITY TO COUNTY MANAGER

The Board hereby delegates to the County Manager the authority to:

A. execute on behalf of County the Intergovernmental Agreement between County and EDD pursuant to which EDD grants ninety thousand dollars (\$90,000.00) to County for the Project; and

B. execute on behalf of County the Local Economic Development Project Participation Loan Agreement attached hereto as Exhibit A; provided, however County Manager is authorized to negotiate and agree to non-substantive changes to either the Project Participation Loan Agreement or Intergovernmental Agreement; and

C. County Manager shall work with the Lincoln County Treasurer to establish the Noisy Water Winery LEDA Grant fund, in which all revenue and expenditures associated with Project shall be accounted for.

SECTION 9. PROJECT REVENUE FUND.

Any unexpended balance remaining in the Noisy Water Winery LEDA Grant fund as of the date set forth in the Intergovernmental Agreement between the County and EDD shall revert to EDD.

SECTION 10. SEVERABILITY

It is hereby declared to be the intention of the County that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance shall be deemed severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or otherwise invalid by the valid judgment of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences paragraphs or sections hereof.

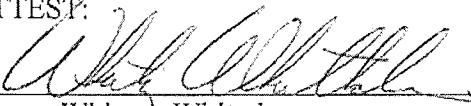
SECTION 11. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after the recording in the Public Records of Lincoln County.

PASSED, APPROVED AND ADOPTED this the 28th day of May, 2020.

BOARD OF COUNTY COMMISSIONERS OF LINCOLN COUNTY, NEW MEXICO

By: Approved Telephonically
Dallas Draper, Chair

ATTEST:

By: Whitney Whittaker
Lincoln County Clerk



LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION LOAN AGREEMENT

THIS LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION LOAN AGREEMENT (the "Agreement") is entered into as of the 28th day of May, 2020, by and between the COUNTY OF LINCOLN (the "County"), a political subdivision of the State of New Mexico (the "State"), and NOISY WATER WINERY (the "Company").

WHEREAS, the purpose of the Local Economic Development Act ("LEDA"), NMSA 1978, §§ 5-10-1, et. seq. (the "Act"), is to provide public support for economic development to foster, promote and enhance local economic development efforts;

WHEREAS, the County anticipates receiving an appropriation of funds (the "Appropriation") allocated from the State to convey these funds to the benefit of the Company;

WHEREAS, the County will act as fiscal agent for the State's appropriation supporting the Project (the State's "contribution") and will use the funds appropriated by the State, pursuant to §5-10-3 of the Act, to convey the funds to the Company, for the Company's property leases and mortgages payments.

NOW THEREFORE, the parties agree as follows:

1. Goals and Objectives. The objective is to create and support an economic development project that fosters, promotes and enhances local economic development efforts. The goal is that the project will provide jobs and career opportunities that will benefit the community and contribute to its long-term economic growth and sustainability.
2. The Company Contribution. The Company agrees for its contribution to this economic development project to maintain 25 positions and a minimum of \$187,500 in quarterly payroll.

If payroll falls below 90% of the above payroll in any quarter, the loan interest will escalate to 3% interest from the date of execution. If payroll falls below 80% of the above payroll in any quarter, interest on the loan will be 6% from the date of execution. If payroll falls below 70% of the above payroll in any quarter, the loan will become immediately due and payable.

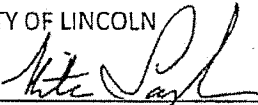
3. The State Contribution; Procedure for Disbursement of the State Contribution. The State of New Mexico Economic Development Department has agreed to loan to the Company the sum of ninety thousand dollars (\$90,000) for a period not to exceed two years from the date hereof to be used for the Company's property leases and mortgages payments. Said loan shall be without interest, provided the terms of Section 2 are met, and will be repaid in whole at the end of this two (2) year agreement.
 - A. Disbursements in the amount of \$11,250 will occur starting with the execution of all documentation and will continue quarterly until all funds are distributed. All disbursements beginning with disbursement number 2 (two) (the second disbursement to the Company) will require proof that the mortgage and/or lease are current.



4. Security. As security for the faithful performance and payment of all of Company's obligations under this Agreement, the Company shall furnish to the County, and maintain during the entire term of this Agreement, a lien against their winery equipment. Security will be held in place until loan is repaid in full.
5. Fees. Each party shall bear its own costs and expenses in connection with the negotiation, execution and delivery of this Agreement or any amendment of this Agreement.
6. Quarterly Requirements. The Company is required to submit online to the New Mexico Economic Development Department copies of its unemployment insurance reports on a quarterly basis.
7. Effective Date. This Agreement will be effective as of execution and shall terminate now later than two years from that date.
8. Liability. No party shall be responsible for liability incurred as a result of the other party's acts or omissions. Nothing herein shall operate or be deemed to alter or expand any liabilities or obligations under the applicable provisions of the New Mexico Tort Claims Act (NMSA 1978 §§ 41-4-1, et seq.), or to waive any Immunities, limitations or required procedures thereunder. Nothing in this Agreement constitutes a waiver of any party's right to seek judicial relief.
9. Notice. All notices or other written communications, including requests for disbursement, that are required or permitted to be given pursuant to this Agreement must be in writing and delivered personally, by a recognized courier service, by recognized overnight delivery service, by electronic mail, or by registered or certified mail, postage prepaid, to the parties at the addresses shown in the signature block of this Agreement. If notice is mailed it will be deemed received on the earlier or actual receipt or on the third business day following the date of mailing. If a notice is hand-delivered or sent by overnight delivery service, it will be deemed received upon actual delivery. A party may change its notice address by written notice to the other party to this Agreement.
10. Amendments. This Agreement shall not be altered, changed or amended, except by instrument in writing executed by all of the Parties hereto.
11. Governing Law. This Agreement shall be governed by the laws of the State of New Mexico.

IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the date first written above.

COUNTY OF LINCOLN



Nita Taylor, County Manager

5/28/2020
Date

Address for Notice:

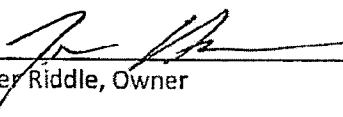
County of Lincoln
Attn: Nita Taylor
P.O. Box 711
Carrizozo, NM 88301

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Approved as to form: 

Alan Morel, County Attorney

NOISY WATER WINERY


Jasper Riddle, Owner

5/28/20
Date

Address for Notice:

Noisy Water Winery

Attn: Jasper Riddle

2342 Sudderth Dr.

Ruidoso, New Mexico 88345

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County of Lincoln

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AGENDA ITEM NO. 24

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); and Limited Personnel Matters; Section 10-15-1, Subparagraph (H)(2) and Discussion and Direction Regarding Solid Waste Request for Proposals, Section 10-15-1, Subparagraph (H)(6)

Tuesday, September 19, 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

September 19, 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 DISCUSSION AND DIRECTION REGARDING SOLID WASTE REQUEST FOR PROPOSALS, SECTION 10-15-1, SUBPARAGRAPH (H)(6)

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 and, the case is still pending.

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 receiving 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 took place on May 1, 2023. A ruling on the Motion to Dismiss has yet to be entered.

13. **Board of County Commissioners of Catron County, et al v. Secretary Robert E. Doucette, Jr., Cause No. D-725-CV-2023-00085**. A Complaint for Declaratory Judgment was filed on June 30, 2023 requesting that GSD’s Health Plan Assessments to Counties are unconstitutional and void. The case is still pending.

14. ***Kurtis Grassie v. Michael Wood, Cause No. D-1226-CV-2023-00122** - Loss of employment with the Lincoln County Sheriff's Office commencing on June 23, 2022. Settlement was reached on 8/31/23 and a Notice of Dismissal with Prejudice was filed on September 13, 2023 concluding this matter.

15. ***Rex E. Beard v. Michael Wood in his official capacity of the Sheriff of the Lincoln County Sheriff's office, Cause No. D-1226-CV-2023-00169** A Verified Petition for Writ of Mandamus was filed on July 10, 2023 by Attorney Freda Howard McSwane alleging that LCSO Deputies have not been legally sworn in. On September 7, 2023, a Stipulated Order of Dismissal was entered by Judge Lara concluding this matter.

16. **Brandon A. Gonzales and Kevin D. Trapp, on behalf of themselves and other similarly situated v. Lincoln County Board of County Commissioners, and Lincoln County Sheriff's Office, Michael Wood, John Doe #1, John Doe #2, Cause No. D-1226-CV-2023-00192** A Complaint alleging improper oaths of office given to the Sheriff, Sheriff's Deputies, for false arrest, false imprisonment, and denial of due process as guaranteed by the NM Constitution was filed on July 28, 2023 by Attorneys Lauren Temple and Luke Ragsdale. The case is still pending.

17. ***KC Dorgan and Sara Cummins v. Deputy Levi Wrye, Yancy Darby, Matthew Cude and Lincoln County Sheriff's Department, Cause No. @-1226-CV-2023-00147** A Third-Party Complaint was filed by Third-Party Plaintiffs, KC Dorgan and Sara Cummins, on July 25, 2023 by Attorneys Freda Howard McSwane, and Edward Dev Bunn, Jr. alleging negligent infliction of emotional distress, violation of due process rights, and loss of financial resources. Lincoln County defendants filed their Motion to Dismiss Third-Party Complaint on September 13, 2023. The case is still pending.

18. **New Horizons Building in Carrizozo, NM**

19. **Deer Park Valley Special Paving Assessments & Delinquencies**

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.

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.

Vargas, Luis A. – Tort Claim Notice received June 7, 2023, alleging personal injuries sustained during a motor vehicle collision as a result of a large pothole. Claimant alleges that the Village of Ruidoso, Lincoln County and/or the State of New Mexico may have an exposure for liability in connection with this loss.

Sambrano, Patrick – Tort Claim Notice and Intent to Sue received August 4, 2023, alleging violation of Claimant's 5th and 6th Amendments of the U.S. Constitution, violations of Article II, Section 10, 13, 14, and 18 of the NM Constitution, false reporting, and indifference to the impact and consequences of Claimant's arrest based on false pretenses, and detained for 72 days before his arraignment.

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.

2021

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

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AGENDA ITEM NO. 25

SUBJECT:

Approval to Negotiate with Potential Solid Waste Provider(s)

Tuesday, September 19, 2023



County of Lincoln

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

www.lincolncountynm.gov

AGENDA ITEM NO. 26

SUBJECT:

County Manager:

- a. Consideration of Hiring a Temporary County Manager and Contract Negotiations
- b. Consideration of Entering into Negotiations for County Manager Position

Tuesday, September 19, 2023