

## COUNTY OF LINCOLN

### New Mexico Regular Meeting Board of County Commissioners

Preston Stone, Chair  
Dallas Draper, Vice Chair

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

#### Minutes Tuesday, November 20, 2018

Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on November 20, 2018 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

#### 1. Call to Order

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

#### 2. Roll Call

##### Roll Call.

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

**Absent:** Commissioner Allen.

Others present included Nita Taylor, County Manager; Alan Morel, County Attorney; and Rhonda Burrows, County Clerk.

#### 3. Invocation

The invocation was presented by Commissioner Draper.

#### 4. Pledge of Allegiance

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

#### 5. Approval of Agenda

**Motion:** Acceptance of the Agenda and authorized the Chair to move items as necessary,

**Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

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

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

#### 6. Approval of Minutes:

October 16, 2018 – Regular Commission Meeting

November 9, 2018 – Special Commission Meeting

**Motion:** Approve the minutes of the October 16, 2018 Regular Meeting and the November 9, 2018 Special Meeting, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

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

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

#### 7. Approval of Consent Agenda

- a. Payroll/Accounts Payable/Budget/ Expenditures
- b. Treasurer's Financial Report for the Month ending October 31, 2018
- c. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims
- d. Approval of Required 2019 Operational Resolutions:
  - i. Resolution 2018-19 - Establishing 2018 Regular Commission Meetings
  - ii. Resolution 2018- 20- Establishing 2018 County Official Holiday Calendar

- iii. Resolution 2018- 21- Open Meetings Act
- iv. Other 2019 Committee Meetings – Lincoln Historic Preservation Board, Lodger's Tax Committee and the Land and Natural Resources Committee

**Motion:** Approval of the Consent Agenda, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

Commissioner Stewart questioned the change in dates for the February Regular Meeting noting this was an accommodation for one Commissioner.

Nita Taylor, Manager informed Commissioner Willard had requested the change.

There was general discussion regarding the costs associated with tire purchases, tire repairs and other routine vehicle maintenance. Ms. Taylor stated Lincoln County could consider issuance of Requests for Proposals but noted challenges included the convenience of the location for services

Rhonda Burrows, Clerk requested inclusion of a Special Meeting on February 8, 2019 to canvass a Special Mail Ballot Election for the Ruidoso School District.

Commissioner Stewart suggested inclusion of this date in the annual Resolution.

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

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

**EXHIBIT A:** Copies of the Consent Items including Resolution 2018-19, Resolution 2018-20, and 2018-21 are attached hereto in reference thereto made a part hereof.

#### **8. Forest, Land and Natural Resources Matters:**

##### **a. Fort Stanton and Lincoln Historic Sites**

Tim Roberts, Director was unable to attend the meeting.

##### **b. Smokey Bear Ranger District**

Larry Cordova, Wildlife Biologist for the Smokey Bear Ranger District presented an update on behalf of Ranger Jodi Canfield. Mr. Cordova informed the Ski Apache Restoration Project was completed last week. Mr. Cordova stated the District would monitor any potential erosion issues in the spring as a result of the machine activity.

Mr. Cordova stated a review of the South Fork Campground water system concluded there was no need to install a completely new water system and the project was on track for the campground opening in July 2019.

Mr. Cordova advised the Forest Service was in discussion with the City of Alamogordo about a potential land exchange and or land acquisition to facilitate management of recreation areas in the Bonito Lake area. Mr. Cordova also informed the Village of Ruidoso had expressed interest in managing recreation areas in Bonito until the Forest Service could complete the proposed exchange.

##### **c. South Central Mountain RC and D**

Nita Taylor, Manager reported Mr. Merrick was unable to attend this meeting but would attend in December.

Commissioner Willard reported on his attendance at the Wood Industry Summit partially sponsored by South Central Mountain RC and D. Commissioner Willard stated the event was well attended and very informative on current and new technologies in the wood industry.

##### **e Land and Natural Resources Advisory Committee**

Ms. Taylor reported Robert Barber, Chair of LANRAC was participating in the Smokey Bear Collaborative meetings for the Lincoln National Forest Plan Revision on behalf of Lincoln County. Manager Taylor stated Joe Kenmore had attended the last Collaborative meeting and provided important information from his department. Ms. Taylor stated she requested Mr. Kenmore continue to attend future meetings as his insight was helpful.

**9. Consideration of Approval of Intergovernmental Agreement between the Administrative Office of the Courts and the County of Lincoln**

Attorney Morel reminded of the prior discussion in the October Regular Meeting during which the Board of County Commissioners identified several changes to the agreement as presented. Attorney Morel stated the Administrative Office of the Courts had agreed to all of the requested changes including insertion of an effective start date in 2020. Attorney Morel stated 2020 was anticipated as the date when District Court space in the Village of Ruidoso would be available for an exchange of space for the Carrizozo Magistrate Court in the Lincoln County Courthouse.

Attorney Morel noted the agreement also addressed the co-sharing of public restrooms in the current Courthouse as well as the need for additional space for the District Attorney in Ruidoso once courts services began in that location.

**Motion:** Approve the Intergovernmental Agreement between the Administrative Office of the Courts and the County of Lincoln, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Draper.

Chair Stone stated belief Lincoln County was the only County who was considering entering into this type of agreement with the Administrative Office of the Courts at this time.

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

**Yes:** Commissioner Draper, Commissioner Willard.

**No:** Chair Stone, Commissioner Stewart.

Ms. Taylor stated the request to relocate Magistrate Courts in with the District Courts was discussed at a recent County Manager's Affiliate meeting. Ms. Taylor stated to the best of her belief none of the counties participating in the discussion had agreed to the arrangement.

Attorney Morel expressed belief since Commissioner Allen was not in attendance for the vote, she could request reconsideration of the matter. Attorney Morel suggested placing consideration of the agreement on the agenda for next month.

**10. Update: Lincoln County Interagency Board for School Threat Assessment: Ruidoso Chief of Police – Darren Hooker and Lincoln County Sheriff Robert Shepperd**

Darren Hooker, Chief of Police for the Village of Ruidoso provided a brief overview of the group's efforts to address school preparedness. Chief Hooker stated the Interagency Board was formed after an incident at the Mescalero Schools last year. Chief Hooker multiple law enforcement agencies responded and a need was identified to have a plan in place for response from multiple agencies.

Chief Hooker stated law enforcement partners included the New Mexico Department of Game and Fish; the Bureau of Indian Affairs; Mescalero Game and Fish; Lincoln County Sheriff's Department; Ruidoso Downs Police Department; Capitan Police Department, Carrizozo Police Department as well as Ruidoso Police Department. Chief Hooker stated these departments all have law enforcement agents who would and could respond to school incidents in the area. Chief Hooker stated school partners included Mescalero Schools, Ruidoso Schools, Capitan Schools, Carrizozo Schools, Hondo Schools, and Corona Schools. Chief Hooker informed other partners included the District Attorney's Office, County Commissioners, Mayors, Councillors, and State Representatives.

Chief Hooker stated the group had established procedures and protocols in addition to securing maps and points of contact for each school. Chief Hooker stated the Board was also conducting a walk-through of school sites in the area to assess response plans and identify challenges. Chief Hooker stated ideally it would benefit all area law enforcement officers to participate in the walk-throughs. Chief Hooker commented on the variety of security measures currently in place. Chief Hooker stated the ultimate goal was to have a coordinated response to any situation at any school. Chief Hooker stated as the group was established for more than six months they planned to leverage this planning to seek additional funding.

Mike Wood, Undersheriff stated the Lincoln County Sheriff's Department was an active participant in the ongoing cooperative to ensure school safety. Undersheriff Wood thanked Chief Hooker for his leadership.

Undersheriff Wood stated the Lincoln County Sheriff's Office was very interested in continued participation in the Interagency Board particularly at this time to identify challenges. Undersheriff

Wood stated the Lincoln County Sheriff's Office sent a deputy to specialized response training and this deputy would receive certification to provide training to other officers. Undersheriff Wood stated the ongoing meetings helped participants stay focused on the issue.

Commissioner Draper informed he had attended several meetings and expressed appreciation for communication assistance provided by Joe Kenmore, Director of the Office of Emergency Services for Lincoln County. Commissioner Draper stated Senator Bill Burt had attend a meeting at the Ruidoso Schools and offered to assist with the acquisition of any available State funding for various operations.

Chair Stone questioned if those schools who had identified security challenges were working to resolve those issues.

Undersheriff Wood stated belief the schools were all aware and considering options. Undersheriff Wood stated the collaborative group was still in a fact finding mode to both identify security challenges and seek solutions.

Commissioner Draper suggested the group provide a demonstration similar to today's to each School Board to heighten their awareness of the situation.

Chair Stone stated concern about local school preparedness and noted the majority of schools were not built to accommodate the needed security measures. Chair Stone commended the group for their work.

Ms Taylor noted there were a number of statewide initiatives in support of these measures.

#### **11. 9:30 AM: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY OFFICIALS**

Commissioner Stewart stated he had attended the last scheduled Joint Land Use Committee meeting on November 14, 2018. Commissioner Stewart stated the group was seeking an agency to host the website developed by the committee. Commissioner Stewart stated members of the committee agreed to meet on a quarterly basis going forward.

Commissioner Draper stated he had attended an Economic Policy Committee Meeting for a discussion of legislation related to Industrial Revenue Bonds (IRB). Commissioner Draper stated he had questioned language in the proposed bill which extended municipal authority over the issuance of IRB's into unincorporated areas of counties for as much as fifteen miles. Commissioner Draper stated the committee suggested changes to require county approval of any IRB which extended from within a municipality into the unincorporated area of counties.

Rhonda Burrows, Clerk informed she received notice from the auditor selected by the Secretary of State to conduct the post 2018 General Election Audit of Tabulators.. Ms. Burrows stated this was not a recount of the total votes for particular candidates but rather an audit of the machine results by selected precinct for comparison to a hand tally. Ms. Burrows stated she would convene Precinct Officials to conduct the audit on November 27, 2018 in the Conference Room at the Lincoln County Courthouse.

Beverly Calaway, Treasurer reported her office had to date received \$11,075,245.56 in payments of the 2018 Property Taxes. Ms. Calaway stated currently her office had collected approximate thirty five percent of the taxes billed.

Ms. Calaway expressed appreciation for the County Manager and Sheriff's Department's work to update panic buttons in the Treasurer, Clerk, and Assessor's Offices. Ms. Calaway stated the new buttons were directly connected to dispatch in the Sheriff's Department rather than being connected to a third party alarm company which would speed response time significantly.

Walter Hill, Assessor discussed an upcoming presentation hosted by the Assessor's Office on November 27, 2018. Mr. Hill stated Eagle View would provide information about new technology utilizing current and accurate aerial photography to update maps and conduct multiple agency operations including assessment of omitted properties from the tax rolls. Mr. Hill stated invites to the presentation were extended to various Lincoln County departments, municipalities, fire departments, law enforcement and other agencies within Lincoln County who would benefit from the technology.

Sheriff Shepperd discussed the issues associated with the older panic buttons and informed the upgrade would provide a more immediate response to offices and court facilities in the Lincoln County Courthouse

Sheriff Shepperd presented statistics from a High Intensity Drug Task (HIDTA) force report related to the legalization of marijuana. Sheriff Shepperd stated states where marijuana was legalized experienced a sharp increase in traffic fatalities; an increase in youth use of marijuana; an increase in Emergency Room visits and hospitalizations; as well as an increase in violent crimes. Sheriff Shepperd expressed belief the State of New Mexico would likely legalize the recreational use of marijuana and stated while advocates often tout the revenues to states they do not discuss these other implications.

Chair Stone encouraged the citizens of Lincoln County to participate at all levels of government, to seek representation and work to influence major decisions such as the legalization of marijuana.

Chair Stone reminded those providing public comment would have three minutes to speak and should they wish to continue they could ask a different speaker to yield time.

Melanie Gutierrez, Lincoln County Extension Service provided a brief overview of annual activities conducted by the Extension Service in Lincoln County. Ms. Gutierrez stated activities included 15,000 personal contacts; 53,000 social media contacts through posts or pages; 250 participants assisted in the Lincoln County Fair.

Ms. Gutierrez discussed a recent meeting in Capitan attended by approximately forty ranches with representatives of the New Mexico Livestock Board, the State Veterinarians Office, and the New Mexico State University Extension office. Ms. Gutierrez stated the topic of discussion was the increased presence of Bovine Trichomoniasis and resulting financial losses to the ranching industry. Ms. Gutierrez stated the Extension Service planned to provide some educational opportunities regarding the disease and its impact in the near future.

Sierra Baca, Family and Consumer Science Agent reported on 4H activities noting Lincoln County had two members elected to the State Officer team. Ms. Baca discussed the various indoor projects she assists 4H Members with including baking, sewing, and posters. Ms. Baca reported 4H members received numerous first place awards for their County Fair entries.

Dianne Martin, resident of Enchanted Forest and member of the Wild Horse Observers Association stated belief there was value to having the Department of Transportation install additional signage Highway 48 to protect drivers and wildlife. Ms. Martin presented statistics regarding traffic incidents in the area and noted there was good evidence certain signage could reduce the rate of speed in a particular area.

Chair Stone recessed the Regular Meeting at 9:58 AM and reconvened at 10:11 AM.

**12. Request for County Maintenance Agreement with NMDOT for the Potential Placement of Radar Feedback Signs, Along with Wildlife Crossing Signs – Francisco Sanchez, P.E., Assistant District Engineer**

Ms. Taylor reminded of prior discussion during the November 9, 2018 Special Meeting of a request from Lincoln County residents to the New Mexico Department of Transportation (DOT) for additional signage on a segment of State Highway 48. Ms. Taylor stated DOT had agreed to place additional "Wildlife Crossing" signs and radar feedback signs but had requested Lincoln County assume responsibility for ongoing maintenance. Ms. Taylor stated a DOT representative was present to address the Board of County Commissioners' request for additional information.

Francisco Sanchez, Assistant District Engineer stated the DOT completed a traffic study of the area which included the last five years of crash data for this segment of Highway 48. Mr. Sanchez stated the study revealed the severity of accidents in this corridor were low with a majority being animal related. Mr. Sanchez stated the DOT was looking at all solutions not just radar feedback signs for placement. Mr. Sanchez informed all states were governed by a Uniform Traffic Control Devices Manual which dictated federal requirements as adopted by the states.

Mr. Sanchez pointed out the study revealed eighty five percent of the traffic in the area was within the posted speed limit. Mr. Sanchez stated the DOT was concerned an increase in prevalence of radar feedback signs would reduce their effectiveness at some point. Mr. Sanchez stated as the majority of traffic was compliant with posted speeds the DOT was recommending the placement of flashing beacon units to alert the public to the high animal traffic in the area.

Mr. Sanchez informed it was standard policy for the DOT to request assumption of ongoing maintenance for signage requested by the jurisdictional entity. Mr. Sanchez stated the DOT was requesting Lincoln County agree to assume maintenance of the flashing beacon units recommended for this area.



Commissioner Willard questioned the power source and maintenance requirements for this type of unit.

Mr. Sanchez stated the DOT was trending to placement of solar powered units which require minimal maintenance. Mr. Sanchez stated typically these units required batter replacements every three to five years and replacement of solar panels every seven to ten years.

Chair Stone questioned the need for placement of the flashing beacons in light of the traffic study findings. Chair Stone noted the area was designated as a "Safety Corridor" with double fines for speeding.

Commissioner Draper suggested a greater presence of law enforcement as an effective deterrent to speeding.

Sheriff Robert Shepperd stated this particular roadway was heavily traveled by law enforcement agencies working in Lincoln County. Sheriff Shepperd stated although he would like to have additional staff to assign to the area, as a State Highway it was not a priority for the Lincoln County Sheriff's department. Sheriff Shepperd acknowledged the high incidence of traffic accidents associated with animals but pointed out these accidents occurred on all roads in the area. Sheriff Shepperd stated the taming of wildlife by visitors and residents resulted in increased numbers on roadways in urban areas. Sheriff Shepperd discussed the impact of increased signage but expressed belief signage was not necessarily a solution. Sheriff Shepperd stated there were also discussions occurring with DOT Secretary Church regarding the responsibility of the State of NM to maintain right of way fencing and perhaps to consider game fencing in the area.

Jeff Honeycutt, Road Superintendent questioned if Lincoln County should agree to maintain the beacons who would bear responsibility for replacement in the event a vehicle destroyed a sign.

Mr. Sanchez stated under the terms of the standard DOT maintenance agreement Lincoln County would have the responsibility for replacing the unit. Mr. Sanchez stated the approximate cost of the flashing beacons was \$15,000.

Ms. Taylor stated currently there was not clear picture of the financial costs of maintenance and requested the DOT provide a list of counties who had entered into similar agreements.

Chair Stone requested the DOT provide information regarding other agreements by the December Regular Meeting.

### 13. Lincoln County Transfer of Handicapped Ramps to Capitan Schools

Ms. Taylor stated Sean Wooten, Superintendent of Capitan Municipal Schools requested Lincoln County transfer ownership of a surplus handicap ramp/bleacher to the Capitan Schools. Ms. Taylor stated currently the ramp was stored on County property near the Capitan Clinic and Lincoln County Fairgrounds. Ms. Taylor stated Fair Board members had reported they had not utilized the ramp in years and it was no longer needed.

**Motion:** Authorize the transfer of ownership of the ramp to Capitan Municipal Schools, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

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

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

### 14. Status of the American La France Fire Truck – Housed in Lincoln County

Ms. Taylor informed Lincoln County had acquired a La France Fire Truck a number of years of ago with the intent of having it restored. Ms. Taylor stated Asset Manager Toni Foligno conducted research to determine who actually owned the fire truck; the status of the restoration to be conducted by Fort Stanton, Inc. and the Pine Top Care Club; and the timeline moving forward.

Ms. Taylor provided copy of Ms. Foligno's research which included a request received in 2007 from the Santa Fe Fire Department requesting transfer of the vehicle as it was determined the vehicle was the City of Santa Fe's first motorized apparatus. Ms. Foligno's notes indicated the request was denied based on a request from Fort Stanton, Inc. to retain the vehicle. Further research in 2016 and 2017 revealed the vehicle was not currently stored inside or covered and no restoration work was done.

Commissioner Stewart stated he was dismayed by the deterioration of the fire truck which he towed from Ponderosa, New Mexico during his tenure as County Manager. Commissioner

Stewart stated Lincoln County had promised the State Fire Marshall the vehicle would be restored and preserved but in fact it had deteriorated since Lincoln County took ownership.

There was discussion regarding the options to transfer ownership to the Santa Fe Fire Department as previously requested or to issue Requests for Proposals for restoration.

Chair Stone acknowledged Lincoln County had accepted responsibility for this vehicle but commented on the pressing need for storage space for current fire equipment.

**Motion:** Return the La France Fire Truck to the Santa Fe Fire Department, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

Commissioner Draper questioned if the vehicle was still on private property and if so did the Pine Top Car Club have knowledge of the deterioration.

Toni Foligno, Assets Clerk reported she and OES staff conducted an inventory inspection two years ago and received assurance the truck would be properly stored.

**Commissioner Stewart withdrew the motion; Commissioner Willard with his second.**

**Motion:** Provide notice to the Pine Top Car Club, agencies involved, and the public they have thirty days to provide a preservation plan or ownership of the truck would be transferred to the Santa Fe Fire Department, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

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

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

#### 15. Replacement Hospital Update

Jim Klein, Owner's Representative for the hospital construction project provided a brief update on activities including the construction of retaining walls, footings, and underground utilities. Mr. Klein stated Jaynes planned to begin pouring concrete in the next two weeks. Mr. Klein stated the project was approximately three weeks behind scheduled but expressed belief the gap in the timeline would shorten as construction progressed.

Bobby George of Dekker/Perich/Sabatini informed they received notice from the subcontractor who was responsible for placement of door hardware of a discrepancy in the drawings and specifications which led to the incorrect identification of hardware. Mr. George stated the "hardware set" specifications in the hospital remodel specifications were the same as those utilized in the construction of the Emergency Medical Services building. Mr. George stated these specifications were carried over to the plans for the hospital in error by his firm. Mr. George stated there was also a failure to notice the discrepancy by the builder and by the contracting vendor. Mr. George stated belief it was not productive to engage in a discussion of what entity was responsible but preferred to focus on identifying a solution. Mr. George stated after identifying the correct specifications additional bids were obtained for the hardware. Mr. George stated new bids resulted in an approximate \$320,000 discrepancy in the bid for this portion of the construction project. Mr. George pointed out if the original specifications were correct it would have resulted in an increased original bid.

Mr. George discussed the current status of construction and stated to date the project had not encountered significant problems. Mr. George stated at this stage of the project there was minimal intrusion on the \$800,000 contingency funds set aside for the project. Mr. George stated members his firm; Gordon James, from Jaynes Corporation; and others involved had researched the associated cost for the correct hardware. Mr. George stated they had worked with vendors and others to reduce markups and had reduced the financial discrepancy to approximately \$270,000. Mr. George stated if Lincoln County approved the use of contingency funding for the hardware the project would still have approximately \$500,000 in contingency funds remaining. Mr. George stated Dekker/Perich/Sabatini would continue to work to identify additional cost savings on the project.

Chair Stone questioned if the remaining contingency funding was sufficient to carry the project through completion.

Jim Klein, Owners Representative stated although he could not provide a flat assurance he was confident there were no major upcoming challenges to the project although there were sure to be smaller ones.

Commissioner Willard questioned if Dekker/Perich/Sabatini had errors and omissions insurance.

Mr. George confirmed the firm did have insurance but noted the deductible was higher than the estimated cost. Mr. George discussed issues in identifying culpability between his firm, the builder and subcontractor. Mr. George again suggested it was best for the project's outcome to not initiate a legal process.

**Motion:** Approve the change order, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

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

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

Mike McDonald, Jaynes Corporation reported on the major project accomplishment of completing the foundations which allowed for the erection of steel to begin. Mr. McDonald stated additionally with weather improving they had gained some ground on the timeline. Mr. McDonald anticipated some weather challenges in the winter months but stated the project team would plan for those events. Mr. McDonald discussed the need to bring utilities into the new construction site from El Paso Road through the current hospital facility. Mr. McDonald stated they were working to coordinate actual work with all entities involved to minimize impact.

Todd Oberheau, CEO for Lincoln County Medical Center discussed Presbyterian's work to finalize their contribution for furniture, fixtures, and equipment. Mr. Oberheau stated costs for these components were likely to exceed the \$8.1 million originally estimated but not significantly.

Mr. Oberheau stated after discussions in the October Regular Meeting and some intervention by Commissioner Willard, the Ruidoso Municipal Schools provided additional parking at the Nob Hill site for Lincoln County Medical Center staff and visitors.

Commissioner Stewart stated he was pleased to see the new Presbyterian Hospital in Santa Fe was proceeding without cost to Santa Fe County.

Commissioner Draper informed Lincoln County had included a Capital Outlay request to the Legislature to assist with project shortfalls. Commissioner Draper requested support for the request from Presbyterian during the upcoming Legislative Session.

Troy Clark, Presbyterian thanked the construction team and commented on the excellent team work. Mr. Clark stated this was a different type of project for Presbyterian as the facility was county owned and the project was county funded. Mr. Clark stated Presbyterian would support Lincoln County's Legislative Capital Outlay request during the upcoming session.

#### 16. Manager's Report

1. **Hat's Off to Shannan Hemphill:** The Manager provided comments in praise of Shannan Hemphill received from the Administrative Secretary of Lincoln County Medical Center.
2. **First Savings Lease:** The Manager contacted First Savings Bank NM Divisional President, Daryl Lindsay requesting an update on their interest in leasing a portion of the Lincoln County Extension building. The bank has a number of real estate initiatives in place across their geographical area at the time and they have not focused on the potential to locate in Carrizozo. Mr. Lindsay would like for the County to keep the option open until the bank can focus on this location.
3. **CDBG Start Up letter:** Our Southeastern New Mexico Economic Development District partner, Dora Batista, provided Lincoln County with the Community Development Block Grant start-up letter in conjunction with the 2018 CDBG Grant Agreements. The Manager reported the letter details the tasks necessary to establish the project with the State's CDBG accounting system. This letter followed the mandatory 2018 Implementation Workshop held on October 16, 2018 attended by Senior Center Director Renee Montes. Once the County receives the grant the key personnel working on the project will be Finance Director Punkin Schlarb and Director of Planning and Project Management Samantha Mendez. The Manager commented on Lincoln County's strong partnership with Hubert Quintana, Dora Batista and the SNMEDD staff and informed all eight of the CDBG applications submitted by SNMEDD received grant awards. The Manager stated of the total \$13,210,000 funds distributed, eight SNMEDD grantees received thirty five percent of the awarded funds with the grant applications from Corona, Tatum and the County of Lincoln scoring in the top five of all applications submitted.
4. **New Mexico Counties (NMC) Events:** The Better Informed County Officials (BIPO) Conference was scheduled for December 4<sup>th</sup> - 6<sup>th</sup>, 2018. The Manager stated BIPO



was an excellent learning opportunity for newly elected officials and a great refresher for seasoned public officials. The Legislative Conference was scheduled for January 15 – 17, 2018. As normal, this conference falls during the time of the normal third Tuesday Commission Meeting day (January 15); so the Commission meeting day has been scheduled for January 22<sup>nd</sup>.

5. **New Mexico Counties Claims System Conversion:** NMC announced its final conversion from its 12-year old claims system to a new Risk Management Information System (RMIS), which will result in their provisioning the member Counties with better access into the claims system.
6. **Volunteer Fire Departments:** The State Fire Marshal's Office awarded a \$100,000 Grant to four of the County's Volunteer Fire Departments: Arabela, Bonito, Hondo and White Oaks. During the County's presentation to our Legislative Team for 2019 Capital Outlay consideration, we pledged to notify them of any Fire Marshal Grants awarded to White Oaks, and reduce our Capital Outlay request by the same amount. The Nogal Fire Department is considering the purchase of land located adjacent to its Main Station and will present a proposal to the Board of County Commissioners in December.
7. **2018 State Homeland Security Grant Program Sub-Grant Award:** Lincoln County was awarded the 2018 SHSGP Grant in the amount of \$32,982.76 for the upgrade (radios, generators, etc.) of a dispatch trailer housed at the Office of the Emergency Services.

Joe Kenmore, Director Office of Emergency Services informed the dispatch trailer would receive upgrades to allow coverage for any dispatch entity within the southern part of the State. Mr. Kenmore stated the grant was a 100% grant and also included annual maintenance funding. Mr. Kenmore stated there were only two of these dispatch trailers in the State. Mr. Kenmore informed the State Fire Marshall's Office requested Lincoln County expand capabilities to assist with communications in the Southern part of the State when needed.

**Motion:** Accept the 2018 State Homeland Security Grant, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

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

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

8. **Z\*Trans Public Transportation – Routes in Lincoln County:** The Manager provided a schedule of routes for service in Lincoln County beginning on November 5, 2018. Mr. Joe Hardin will provide initial ridership information for the December Commission meeting.
9. **New Horizons:** As a result of discussion and actions during the November Special Meeting, the Manager notified the Department of Finance and Administration and the State Board of Finance (SBOF) of the decision not to include Capital Outlay Appropriation No. 15-0798 in the December Bond Sale, as no current Agreement which meets SBOF requirements was in place. After the Commission discussion at that meeting Attorney Morel provided the most recently drafted agreement to New Horizons Board President, who signed it and returned it on November 16, 2018. The Manager stated although the terms of the agreement do not meet the defined SBOF requirements, she and the Attorney were setting a meeting with SBOF representatives to discuss the unique services provided by New Horizons to its physically and mentally impaired tenants.
10. **PILOT Discussions with Corona and Carrizozo School Districts:** During the October Regular Commission Meeting the Manager informed Commissioners of a change in circumstances which required presentation of new information and a new proposal for Payment in Lieu of Taxes from Pattern Energy. Resulting information and spreadsheets are prepared for presentation at the December Regular Meeting. The Manager will meet with the school districts to review.

Chair Stone recessed the Regular Meeting at 12:00 PM and reconvened at 1:00 PM

#### 16. **Manager's Report (continued)**

##### 11. **Departmental Updates:**

**Jeff Honeycutt, Road Superintendent** provided an update on the completion of various road striping projects noting the new revised standard requiring the striping of double lines would result in increased costs. Mr. Honeycutt stated the Road Department was working to complete phase one of a three phase process to chip seal Alpine Village Road.

Mr. Honeycutt stated further progress would depend on a prolonged phase of good weather. Mr. Honeycutt stated he hired Walter Garfield to fill the new position of Lead Blade Man in the department. Mr. Honeycutt stated Mr. Garfield would continue as a district blade man in addition to this support staff position. Mr. Honeycutt stated he received pit permit renewals from the Bureau of Land Management yesterday.

Mr. Honeycutt stated he was negotiating a new maintenance agreement with the Lincoln National Forest as the current agreement had expired. Mr. Honeycutt stated belief the USFS would not have funding for maintenance and therefore he was exploring options to exchange for maintenance for access to materials.

**Billie Jo Guevara, Administrative Assistant and Human Resources Director** stated current the open positions included Operator II positions in the Road Department; a Sheriff's Deputy position, and an opening for an Appraiser in the Assessors Department. Ms. Guevara stated she received two weeks' notice from the current records coordinator in the Sheriff's Department and the position would be advertised for applicants

Ms. Guevara requested clarification of the approved meeting dates for 2019.

There was a general consensus to establish the February Regular Meeting date on February 19, 2019 and add a Special Meeting to canvass votes on February 8, 2019.

**Joe Kenmore, Director of the Office of Emergency Services** reported on a recent training exercise for response to breach of a gas line on Bogle Road. Mr. Kenmore noted the primary problem identified during the exercise was the lack of phone service in the area. Mr. Kenmore stated OES conducted a Fire Apparatus Driving certification course for local firefighters. Additionally the department continued to assist with Homeland Security trainings and continued to participate in the Preparedness Meetings for School Safety. Mr. Kenmore stated OES was also working to assist the Lincoln Fire Department with their ISO review; submitting quotes for fire apparatus funded by State Fire Marshall grants; and assisting with administration of the four \$100,000 grants.

**Punkin Schlarb, Finance Director** reported she and Rhonda Edwards attended a Department of Finance and Administration workshop on the new budget reporting system. Ms. Schlarb stated additionally the department had ordered new software to tighten internal controls.

#### **17. Resolution 2018-22 Budget Adjustment FY 18-19**

Punkin Schlarb, Finance Director informed as per NM State Statute counties may request adjustments to their budgets to accommodate changes in financial operations during the fiscal year. Ms. Schlarb detailed the adjustments to the Fiscal Year 2018-2019 budget.

**Motion:** Adopt Resolution 2018-22, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

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

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

**EXHIBIT B:** Copy of Resolution 2018-22 is attached hereto in reference thereto made a part hereof.

#### **18. Approval of Prior Year FY 17-18 Invoice from C & JS Tire and Auto Service**

Ms. Taylor informed C & JS Tire and Auto Service submitted Invoice 1-19369 and 1-19739 on October 16, 2018 for services rendered in March and April of 2018.

**Motion:** Approve payment of the invoices, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Draper.

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

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

#### **19. Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinance**

No action taken.

#### **20. Executive Session Pursuant to the Open Meetings Act: Discussion of all Threatened and/or Pending Litigation Section 10-15-1, Sub-Paragraph 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).**

**Motion:** To close the meeting for the purposes of an Executive Session to discuss all Threatened and/or Pending Litigation Section 10-15-1 H (7); and Discussion of the purchase, acquisition or disposal of real property or water rights by the public body, Section 10-15-1, Sub-Paragraph H.(8).

New or Updated Matters since last report \*

1. **\*Rancho Ruidoso Valley Estate Homeowners' Association v. Roy Padilla, et. al – D-1226-CV-2017-00195** Complaint filed by RRVEHA for foreclosure of the Homeowners' Association Assessment Lien. The County is a named Defendant due to the filing of a GSWA lien on March 22, 2006, and a L.C. Solid Waste Lien filed on December 16, 2016 for non-payment of solid waste services and potential ad valorem taxes due and owing. The County's Answer to Complaint for Foreclosure was filed September 1, 2017. The U.S. Dept. of Agriculture filed its Answer to Complaint February 2, 2018 requesting the Court's findings that its Claim of Lien is a first and priority lien. Certificate as to the State of the Record and Nonappearance entered by the court on March 28, 2018 noting the nonappearance of Defendants Roy Padilla and Rita Padilla. June 4, 2018 - Judgment by Default for Foreclosure entered by Judge Blankinship which provides that L.C.'s liens are priority liens and entitled to payment from the proceeds of the foreclosure sale. June 4, 2018 - Order Appointing Peter Baca as Special Master also entered June 4, 2018. Order for Judicial Sale was filed August 1, 2018. Notice of Sale on Foreclosure was filed October 5, 2018. The Foreclosure Sale will take place on November 15, 2018 @ 10:00 a.m. at the front steps of the 12<sup>th</sup> Judicial District Courthouse in Carrizozo.
2. **\*Rancho Ruidoso Valley Estates Homeowner's Association v. Diane K. Medcalf, Pioneer Bank, FSB, and the County of Lincoln, NM D-1226-CV-2017-00242** Complaint filed by RRVEHA September 12, 2017 for Foreclosure of the Homeowner's Association Assessment Lien. The County's Answer to Plaintiff's Complaint for Foreclosure was filed October 12, 2017. Plaintiff's Complaint was served upon Defendant Diane Medcalf on September 14, 2017 and upon Defendant Pioneer Bank on September 16, 2017.
3. **\*Benny Ray Runnels v. Lincoln County D-1226-CV-2017-00328** Civil Complaint filed December 6, 2017. Plaintiff is pro se, claiming from County the amount of \$308,000.00. Summons was hand delivered by Plaintiff to County December 6, 2017. A Hearing took place February 1, 2018 on the County's Motion to Dismiss and the merits of the Defendant's Complaint at which time the Judge ruled in favor of the County and the case was Dismissed Without Prejudice. The Defendant filed an Amended Civil Complaint in the same case on February 6, 2018. A Motion to Dismiss in Lieu of Answer was filed on February 20, 2018. A Hearing was set on the Motion to Dismiss to take place on June 13, 2018 which was vacated and reset for August 29, 2018. Judge Blankinship is the presiding Judge. Order of Dismissal without Prejudice was filed August 1, 2018. The August 29, 2018 Hearing was dismissed. Plaintiff filed a new Summons-Complaint in the 12<sup>th</sup> Judicial District Court naming the County of Lincoln on September 10, 2018. The County's Motion to Dismiss was filed September 18, 2018. On November 5, 2018, County filed its Request for a Hearing on its Motion to Dismiss.
4. **\*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. Defendant George Romero filed an Answer to the Complaint on April 30, 2018 asserting a Counterclaim to be filed in the U.S. District Court. Judge Counts is the presiding Judge. May 15, 2018 – Lincoln County filed its Answer to Announcement of Counterclaims by Defendants Roger Romero and George Romero. Plaintiff's Request for Judicial Inquiry was filed June 22, 2018 and a Judicial Inquiry Hearing took place September 4, 2018.
5. **\*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. Judge Counts is the presiding Judge. A Procedural Order on the Petition for Writ of Habeas Corpus was entered September 6, 2018. County filed its Motion to Dismiss the Petition on October 9, 2018. On October 19, 2018, Petitioner filed his Response to the Motion to Dismiss, and on November 5, 2018, Lincoln filed its Reply to the Response to the Motion to Dismiss and requested a hearing on the Motion to Dismiss.
6. **\*Pioneer Bank v. Jessica Quintana, and Lincoln County D-1226-CV-2018-00058** Complaint to Foreclose and Collection of Note was filed on March 22, 2018. Lincoln County filed its Answer to the Complaint on April 20, 2018 asserting that any County liens are first and priority liens which should be ordered paid from the proceeds of the foreclosure sale. Judge Bryant is the presiding Judge. Stipulated Motion for Withdrawal and Substitution of Plaintiff's Counsel was filed May 15, 2018.

7. **Brack Rains v. Lincoln County D-1226-CV-2018-00179** Complaint for Violation of New Mexico Whistleblower Protection Act filed June 6, 2018. The County was served July 10, 2018. Judge Bryant was recused from presiding over the case by Plaintiff and Judge Counts was assigned to preside over the case. County's Answer to the Complaint and Jury Demand (12 person) was filed August 9, 2018.

**Lincoln County Ordinance Violations:**  
**Alan P. Morel: 12<sup>th</sup> Judicial District Attorney's Office**  
**Special Prosecutor**

8. **\*State of NM v. Matthew N. Corp M-30-MR-2018-00048** Violation of County Ordinance 2014-04 Contraband Ordinance. May 23, 2018 – The Defendant was charged with 1 count of possession of contraband. The Arraignment hearing scheduled to take place on June 6, 2018 was continued until July 11, 2018, at which time a Pre-Trial Hearing was scheduled for August 14, 2018, and was subsequently rescheduled to October 23, 2018. On October 23, 2018, the Pre-Trial Hearing was rescheduled for November 20, 2018.

9. **\*State of NM v. Kimberly Conner M-30-MR-2018-00043** Violation of County Ordinance 2008-08 Animal Control Ordinance. A Citation was filed May 14, 2018 charging the Defendant with 1 count of Dog Running at Large. An Arraignment took place June 6, 2018 at which time the Defendant pled "Not Guilty." A Pre Trial Hearing was scheduled for July 3, 2018 before Judge Vega, however a Stipulated Motion to Continue Defendant's Pre-Trial Hearing and Order to Continue Pre-Trial Hearing was filed June 29, 2018. Pre-Trial Hearing took place July 31, 2018 before Judge Vega at which time a Final Pre-Trial Hearing was scheduled for October 23, 2018 with a Jury Trial scheduled for October 24, 2018. On October 23, 2018, Judge Vega heard Defendant's Motion for a Continuance of the Final Pre-Trial Hearing and the October 24, 2018 Jury Trial. The Motion was granted and the Final Pre-Trial was rescheduled for December 11, 2018 with the Jury Trial to take place on January 7, 2019.

10. **\*State of NM v. Anthony D. Vega M-30-2018-00106** Violation of County Ordinance 2014-04 Contraband Ordinance. Complaint was filed July 13, 2018. Defendant is charged with 1 count of possession of contraband due to Defendant arriving back after furlough in possession of tobacco. A Pre-Trial Hearing was scheduled before Judge Vega August 28, 2018 at which time the Defendant appeared via telephone. A Pre-Trial Hearing took place September 25, 2018 which was continued and a new Pre-Trial Hearing is scheduled for October 23, 2018. On October 23, 2018 the Pre-Trial Hearing was re-scheduled for November 20, 2018.

11. **State of NM v. Robert Salas M-30-MR-2018-00126** Violation of County Ordinance 2014-04 Contraband Ordinance. Complaint was filed August 20, 2018 by Lincoln County Sheriff's Deputy Samuel Hanna. Defendant is charged with 1 count of possession of contraband-Marijuana. The Defendant pled "Not Guilty" on August 23, 2018 to the charge. A Pre-Trial Hearing took place September 25, 2018 at which time a Final Pre-Trial Hearing was scheduled for December 11, 2018, with a Jury Trial scheduled for January 7, 2019.

**Tort Claims Notices Received or Threatened**

**2018**

**Duke, Arnold** – Harrisburg Document recovery

**Manfredi, Anthony** – Threat of litigation involving employment matters.

**Warren, Judy Yates** – Tort Claim Notice received January 8, 2018 from Attorney Gary Mitchell alleging Lincoln County Sheriff's Department and Lincoln County Detention Center's failure to provide immediate necessary medical care.

**Corpening, Melissa** – Tort Claim Notice received January 30, 2018 alleging road management failure by Lincoln County Road Department.

**Brownell, Johnathon L.** – Tort Claim Notice received February 1, 2018 alleging Claimant die not receive proper medical care while incarcerated at Lincoln County Detention Center.

**Estate of Marlysa Sanchez** – Tort Claim Notice received February 2, 2018 from Attorney Andrew P. Ortiz alleging Lincoln County Emergency Medical Services' providing service below the "standard of care."

**Anonymous Group of Capitan residents** – Tort Claim Notice received February 21, 2018 alleging violations of County Ordinance 2016-02: accumulation of unacceptable solid waste.

**Ford, Richard E.** – Tort Claim Notice received September 26, 2018 from Attorney Gary Mitchell alleging damages due to the Lincoln County Sheriff's Department's alleged unlawful entry, wrongful taking of monies, and civil rights violations that took place on or about June 25, 2018.

**Russell, Eric** – Tort Claim Notice received September 28, 2018 alleging damages related to an incident involving the Lincoln County Sheriff's Department and Claimant's dog.

**\*Steward, Tynel** – Tort Claim Notice received November 1, 2018 alleging that while incarcerated at Lincoln County Detention Center, the Claimant (i.) was attacked due to the negligence, reckless, and/or intentional actions of jailers and other county employees, (ii.) has not



received adequate medical care, and (iii.) is being held in inhumane conditions of confinement, including, but not limited to, sewage gas, overcrowding, and sleeping conditions.

**\*Windstream** – Tort Claim Notice received November 13, 2018 alleging that Windstream Facilities at 147 Pfingsten Rd., Nogal, N.M. sustained damage as a result of the negligent acts or omissions by employees or agents of Lincoln County. Alleges that on or about September 22, 2018, Lincoln County was installing a culvert and damaged a Windstream Cable.

**\*Windstream** – Tort Claim Notice received November 13, 2018 alleging that Windstream Facilities at 148 Nogal Canyon Rd., Nogal, N.M. sustained damage as a result of the negligent acts or omissions by employees or agents of Lincoln County. Alleges that on or about September 27, 2018, Lincoln County was installing a culvert and damaged a Windstream Cable.

## **2017**

**Powell, Majel F.** – Tort Claim Notice received January 6, 2017 alleging adverse road management by a Lincoln County Road Department employee.

**Emerald Correctional Management, LLC** – Notice of Default filed April 7, 2017 due to Emerald Correctional Management, LLC's Default of Agreement between Emerald and the County of Lincoln for Emerald's operation of Lincoln County Detention Center.

**McKenzie, Brian** – Tort Claim Notice received May 1, 2017 from Attorney W. Chris Nedbalek alleging deprivation of Claimant's constitutional rights "and possibly other substantive and procedural rights under the US Constitution and the New Mexico Constitution..." while incarcerated at Lincoln County Detention Center.

**Lacy, Jim and Judy** – Tort Claim Notice received May 8, 2017 from Attorney W. Chris Nedbalek alleging "...property damage and an "...unconstitutional seizure under the 4<sup>th</sup> amendment of the US Constitution and an unconstitutional 'taking' under the 5<sup>th</sup> amendment to the US Constitution and a violation of other federal and state constitutional provisions, and statutes, regulations, rules, and common practices" during a fugitive search conducted by the New Mexico State Police.

**Solarczyk, Frank** – Tort Claim Notice received August 21, 2017 alleging unlawful arrest, unlawful detention, negligence, false imprisonment, abuse of process, battery, cruel and unusual punishment, negligent and intentional infliction of emotional distress, violation of civil rights, violation of due process rights under the U.S. and New Mexico Constitutions, and other related torts and actions during Claimant's incarceration at Dona Ana and Lincoln County Detention Centers.

**Montoya, Joseph** – Tort Claim Notice received August 25, 2017 alleging great bodily harm during Claimant's incarceration at Lincoln County Detention Center.

**Martin, Stephen Wayne** – Tort Claim Notice received August 25, 2017 naming Clerk Rhonda Burrows. Additional document received September 15, 2017 from Mr. Martin referencing same cause.

**Ryen, Kenneth Lloyd** – Tort Claim Notice received October 18, 2017 alleging violation of Article II, Section 10 of the New Mexico Constitution: Plaintiff was allegedly held in custody at LCDC for 15 days, November 10-25, 2015, and alleging paperwork to hold Plaintiff did not contain a cause number.

## **2016**

**New Mexico Department of Transportation** - Tort Claim Notice received December 9, 2016 involving property damage sustained to NMDOT property during a Lincoln County employee's transport of County equipment.

**Estate of Hector Acosta-Jimenez** – Tort Claim Notice received December 27, 2016 alleging negligence and/or failure to provide immediate necessary medical care, and/or allowing the death of Mr. Acosta-Jimenez while incarcerated at the Central New Mexico Correctional Facility and/or Lincoln County Detention Center.

## **2015**

**Davis, Jack and Rema** – Verbal Threat against the County issued July 21, 2015 due to ongoing flooding at their private property.

**Action:** Approve, **Moved by** Commissioner Draper, **Seconded by** Commissioner Stewart.

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

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

Chair Stone recessed the Regular Meeting and convened the Closed Session at 1:26 PM.

Chair Stone adjourned the Closed Session and reconvened the Regular Meeting at 2:25 PM.



Commissioner Stewart attested that 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.

**21. Update: Lincoln County FY17-18 Audit**

Commissioner Stewart stated there was a consensus to direct the County Manager to file with the State Auditor her response to their letter of November 8, 2018 alleging violation of the State Procurement Code for the current Solid Waste Contract.

Commissioner Stewart stated there was also consensus to direct Lincoln County's current auditor to review and report on the issue while notifying the State Auditor of the potential late filing of the current audit.

**22. Request to Amend Road Easement between the Stevens Revocable Trust and the County of Lincoln**

Attorney Morel stated a representative of the Stevens Revocable Trust requested the Board of County Commissioners take no action at this time and move the discussion to the December Regular Meeting.

**23. Signing of Official Documents**

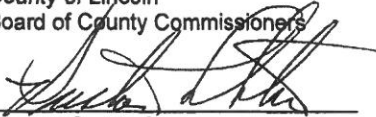
**24. Next meetings:**

- a. December 18, 2018
- b. January 22, 2019
- c. February 8, 2019
- d. February 19, 2019
- e. March 19, 2019

**25. Adjourn**

There being no further business to come before the Board of County Commissioners, Chair Stone adjourned the meeting at 2:30 PM.

County of Lincoln  
Board of County Commissioners

  
Preston Stone, Chair

  
Dallas Draper, Vice Chair

  
Elaine Allen, Member

  
Thomas F Stewart, Member

  
F Lynn Wilford, Member

ATTEST:

  
Rhonda Burrows, County Clerk



December 18, 2018  
Date Approved