

COUNTY OF LINCOLN

New Mexico Special Meeting Board of County Commissioners

Preston Stone, Chair
Dallas Draper, Vice Chair

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

Minutes Friday, November 9, 2018

Minutes of the Special Meeting of the Lincoln County Commission held at 10:00 AM on September 24, 2018 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

1. Call to Order

Chair Stone called the Special Meeting of the Board of County Commissioners to order at 10:02 AM.

2. Roll Call

Roll Call.

Present: Chair Stone, Commissioner Stewart, Commissioner Willard.

Absent: Commissioner Allen, Commissioner Draper.

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

3. Invocation

The invocation was presented by Chair Stone.

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 Stewart, **Seconded by** Commissioner Willard.

Vote: Motion carried by unanimous vote (summary: Yes = 3).

Yes: Chair Stone, Commissioner Stewart, Commissioner Willard.

Motion: Recess the Board of County Commissioners and convene the Lincoln County Canvass

Board, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

Vote: Motion carried by unanimous vote (summary: Yes = 3).

Yes: Chair Stone, Commissioner Stewart, Commissioner Willard.

6. Canvass November 6, 2018 General Election Votes

Rhonda Burrows, Clerk presented the 2018 General Election results for Lincoln County for review and approval. Ms. Burrows thanked the vote technicians, Deputy Clerks, and poll officials for their critical assistance in the conduct of elections in Lincoln County.

Ms. Burrows informed there were 13,812 registered voters in Lincoln County eligible to cast a ballot during the General Election. Ms. Burrows stated 7,956 ballots were issued of which 1044 were Absentee Voters; 3816 were issued at one of the two Early Vote Sites; and 3096 were issued on Election Day at the six vote center locations.

Ms. Burrows stated the 2018 General Election voter turnout in Lincoln County was 57.60% as compared to the statewide turnout of 54.87%.

Ms. Burrows stated final vote totals included thirty four hand tallied ballots of which eleven were submitted by military and overseas citizens. Ms. Burrows stated Lincoln County issued eight provisional ballots of which six were recommended for qualification, one was unreturned, and one was rejected as ineligible.

Ms. Burrows presented detailed canvass reports including Ballots Cast by Precinct; Ballots Cast by Candidate or Question; and the final Canvass of Returns for review. Ms. Burrows also presented reconciliation reports, rosters, and tabulator tape results by site for inspection.

There was a general discussion regarding the upcoming redistricting process.

Motion: Adjourn the Canvass Board and reconvene the Regular Meeting, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Willard.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Stone, Commissioner Stewart, Commissioner Willard.

Motion: Approve the Lincoln County Certificate of Canvass Results for the 2018 General Election;

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

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Stone, Commissioner Stewart, Commissioner Willard.

EXHIBIT A: Copy of the Certificate of Canvass Results is attached hereto in reference thereto made a part hereof.

7. Approval of County Maintenance of NM-DOT "Wildlife Crossing" Signs on NM 48

Attorney Morel stated at the request of local residents concerned for the safety of wild horses, the New Mexico Department of Transportation (DOT) had agreed to place additional signage on Highway 48 near the intersection of Highway 220. Attorney Morel stated in addition to "Wildlife Crossing" signs the DOT agreed to place "Radar Feedback Signs" as a deterrent to exceeding the speed limit. Attorney Morel stated in exchange for purchase and placement of the additional signage, the DOT had requested Lincoln County assume maintenance of the "Radar Feedback Signs".

Nita Taylor, Manager stated she had inquired as to whether it was common for counties to assume maintenance for DOT signage and learned this was a common practice.

Commissioner Stewart questioned the placement and effectiveness of the signage as proposed.

Commissioner Willard questioned the scope of the maintenance work involved.

There was a general discussion regarding the low light hazardous conditions on the road, various signage options, and maintenance requirements.

Ms. Taylor stated she would request Tim Parker, Engineer for District II DOT appear at the next Regular Meeting to provide additional information.

Motion: Table discussion until the next Regular Meeting, **Action:** Approve, **Moved by** Chair Stone, **Seconded by** Commissioner Willard.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

Yes: Chair Stone, Commissioner Stewart, Commissioner Willard.

8. Direction Re: Submitting Capital Appropriation Bond Questionnaire for Appropriation ID: 15-0798 for \$70,810 for Residential Care Facility Serving Developmentally Disabled Adults in Carrizozo, Lincoln County

Attorney Morel informed New Horizon's had requested and received a Legislative Capital Appropriation during 2015 for \$70,810 for improvements on the County owned building. Attorney Morel stated the New Mexico State Board of Finance had contacted Lincoln County with a request to complete a Capital Appropriations Bond Questionnaire and provide copy of an executed lease agreement between the entities prior to including the appropriation in their upcoming issuance of severance tax notes for funding.

Attorney Morel reminded of prior discussions and actions including Lincoln County commissioning a fair market value study which set the value of the premises as \$810,000 and the "Reasonable Market Rent" value as \$125,000 yearly. Attorney Morel discussed efforts to identify offsets to

the rental value which were acceptable by the State Board of Finance. Attorney Morel noted services provided by New Horizons but reimbursed by other funding streams were not acceptable as offsets. Attorney Morel also discussed an exception to the State of New Mexico's Anti-Donation clause for expenditures related to "the sick and indigent" residing within the State of New Mexico.

Attorney Morel suggested he and the Manager discuss this exception with the State Board of Finance; clarify the facility was utilized for the care of sick and indigent; and seek approval of an agreement reflecting this exception.

Commissioner Stewart stated the primary problem for timely submission of the requested documentation was the lack of an executed agreement. Commissioner Stewart recommended inclusion of clarifying language in the lease agreement specifying the provision of services for the sick and indigent in exchange for lease payments.

Commissioner Stewart questioned if there was sufficient time to negotiate with the State Board of Finance if an agreement was approved at the next Board of County Commissioner's meeting.

Manager Taylor stated there was not sufficient time to negotiate and obtain approval of an agreement prior to the current bond sale but the Lincoln County could request a reauthorization of those funds pending finalization of the lease agreement.

Chair Stone questioned if Lincoln County could request a representative from the State Board of Finance come to Lincoln County and review the New Horizon's facility.

Attorney Morel stated Lincoln County had dealt with a specific attorney in the past and he would invite her to come and review the site.

There was a general consensus to finalize the lease agreement as quickly as possible.

Patsy Sanchez, Board Member for New Horizons provided comments regarding the State of New Mexico's lack of attention to the care of the mentally disabled. Ms. Sanchez suggested in her remarks the State of New Mexico consider purchasing the facility from Lincoln County.

Sarah Gnatkowski, Board Member for New Horizons stated although the facility received payment for services through State and Federal funding there were additional expenditures for insurance, bonding, and other operational requirements which might serve as offsets. Ms. Gnatkowski requested prior notification to New Horizons Board Members of any future discussions regarding the facility.

9. Signing of Official Documents

10. Next meetings:

- a. November 20, 2018 - Regular Commission Meeting

11. Adjournment

There being no further business to come before the Board of County Commissioners, Chair Stone adjourned the meeting at 11:08 AM.

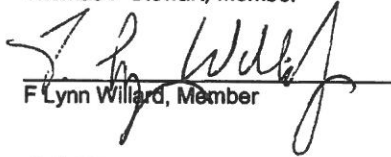
County of Lincoln
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F Lynn Willard, Member

ATTEST:


Rhonda Burrows, County Clerk

November 20, 2018
Date Approved

