

## 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, March 19, 2019

Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on March 19, 2019 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 Allen, Commissioner Willard.

**Absent:** Commissioner Draper.

Others present included Nita Taylor, County Manager; Alan Morel, County Attorney; and Whitney Whittaker, County Clerk.

#### 3. Invocation

The invocation was presented by Chair Stone.

#### 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 Allen.

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

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

#### 6. Approval of Minutes:

- a. February 8, 2019 - Special Commission Meeting
- b. February 19, 2019 - Regular Commission Meeting

**Motion:** Approve the minutes of February 8, 2019 Special Meeting and February 19, 2019 Regular Meeting, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

Commissioner Allen questioned the implications of Resolution 2018-35 and amendments as adopted.

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

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

#### 7. Approval of Consent Agenda

- a. Payroll/Accounts Payable/Budget/ Expenditures
- b. Treasurer's Financial Report for the Month ending February 28, 2019

- c. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims
- d. Volunteer Firefighters Annual Report Form
  - i. Arabela Volunteer Fire Department
  - ii. Bonito Volunteer Fire Department
  - iii. Glencoe Volunteer Fire Department
  - iv. Hondo Volunteer Fire Department
  - v. Lincoln Volunteer Fire Department
  - vi. White Oaks Volunteer Fire Department
  - vii. Nogal Volunteer Fire Department
- e. Approval of 2019 Annual Certified County Maintained Mileage by Resolution 2018-40
- f. Approval of Upper Hondo Soil & Water Conservation District Mill Levy Resolution 2018-2019

**Motion:** Approve the Consent Agenda, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

**EXHIBIT A:** Copies of the Consent Items including Resolution 2018-40 and Resolution 2018-2019 are attached hereto in reference thereto made a part hereof.

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

##### **a. Land and Natural Resources Advisory Committee (LANRAC)**

Robert Barber, Chair of LANRAC informed he attended the Mountainair collaborative meeting related to the Cibola Forest Plan Revision. Mr. Barber reported the plan was sent to Washington D.C for review. Mr. Barber stated once reviewed the Cibola District would release the document for public examination. Mr. Barber anticipated the release of the plan around June 1, 2019. Mr. Barber stated ultimately approval of the plan would require two public meetings and a ninety day protest period.

Mr. Barber stated he attended the water monitoring restoration group (CFRP) meeting. Mr. Barber stated the group was in the final phase of improving water and fire protections by trimming an overgrown area located near Corona.

Mr. Barber stated he also attended a meeting with the South Central Mountain RC & D concerning the revision of the Wildlife (Or Wildfire?) Protection Plan. Mr. Barber stated the draft of the plan was expected for review in June 2019 and the final draft approved by the September 2019.

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

Jodi Canfield, District Ranger stated the Smokey Bear Hotshots were fully staffed and ready for the fire season. Ranger Canfield stated as the snow melts they will be hanging MCH pouches to ward off the spruce beetle in the Ski Area. Ranger Canfield stated MCH was a naturally occurring anti-aggregation pheromone of the beetle. Ranger Canfield stated work will begin this summer on riparian restoration in the South Fork Bonito with Upper Hondo. Ranger Canfield stated the work included treatment of invasive plants, planting appropriate trees and shrubs, and seeding native fobs and grasses.

Ranger Canfield informed two pairs of Mexican Spotted Owls moved into the South Fork Campground since the 2012 Little Bear Fire. Ranger Canfield stated in order to re-open the popular camping area the District must complete a formal review. Ranger Canfield stated plans were now to reopen the campground in mid May 2020.

##### **c. Lincoln County Extension Services**

Melanie Gutierrez, Lincoln County Program Director/Extension Associate informed they took twelve kids to the senior leadership retreat in Albuquerque. Ms. Gutierrez stated it was a career based type workshop. Ms. Gutierrez stated staff was working on a shooting sport safety course, getting workshops scheduled for public speaking and also developing a fishing workshop. Ms. Gutierrez stated the afterschool program in Capitan was going well. Ms. Gutierrez stated they introduced a chick hatching project in a classroom in every school district except in Ruidoso.

Ms. Gutierrez stated they were in need of a Family & Consumer Science Agent/Extension Associate.

d. South Central Mountain RC & D

Rick Merrick, Community Forester gave an update on the Community Wildfire Protection Plan (CWPP). Mr. Merrick stated the plan was a way for communities to address and evaluate wildfire risks. Mr. Merrick stated Lincoln County was in the process of updating the 2014 CWPP and was seeking input through a survey from residents on ways to improve the plan.

Mr. Merrick stated they were promoting the Firewise program at the 2019 Home and Garden Show on March 16<sup>th</sup> and 17<sup>th</sup> at the Ruidoso Convention Center.

Mr. Merrick stated the Lincoln County Woodpile Program is rapidly growing with multiple companies utilizing the wood.

e. Upper Hondo Soil & Water Conservation District

Ms. Taylor informed Laura Johnson was unable to attend.

f. Ft. Stanton & Lincoln Historic Sites

Tim Roberts, Director of Lincoln and Fort Stanton Historic Sites discussed the state budget and possible increases for services pending the conclusion to the 2019 Legislative session.

Mr. Roberts discussed the various tours offered including self-guided, private group, Fort Stanton After Dark, and History on Horseback tours. Mr. Roberts reported the Lincoln Visitors Center was revamped with a more comprehensive exhibit and discussed the opening of the new Fort Stanton Hospital exhibit. Mr. Roberts informed the AmeriCorps crew would return this summer to assist with restoration projects.

Mr. Roberts stated they will planned a new event in Fort Stanton on May 4, 2019 when they would host the Rio Bonito Folk Fest.

g. ENMRD – State Forestry

Nick Smokovich, Capitan District Forester stated the AD/Emergency Firefighter position was open until April 12, 2019. Mr. Smokovich stated on April 25, 2019 the Fallen Firefighter Memorial unveiling would be held in Capitan and invited the commission to attend the ceremony. Mr. Smokovich stated the Smokey Bear Days planning was underway for May 3, 2019 and May 4, 2019. Mr. Smokovich stated in 2018 the Smokey Bear Historic Park received 21,298 visitors in the museum.

Mr. Smokovich stated the 2018 Lincoln County WUI grant was well underway with all funds allocated to landowner projects and the District would apply again in 2020.

9. Lincoln County Community Health Council Presentation – Shannon Dictson, Chair

Shannon Dictson, Chair of the Lincoln County Community Health Council presented a copy of the Council's 2018 activities report. Ms. Dictson reported the organization was a nonprofit which received grant funding from various sources. Ms. Dictson stated the Council recently upgraded their website and now has a Facebook activity page. Ms. Dictson discussed several of the Council's projects including sponsorship of a mobile food bank; the health fair; natural helpers program; adopt a mile; and the fitness challenge program.

Ms. Dictson stated the Council recently received a grant from Presbyterian Health Services renewable for three years. Ms. Dictson expressed gratitude for the grant and invited anybody interested to join the Council on April 18, 2019 at the Community Center to provide input on projects which could benefit from the grant.

Commissioner Willard questioned if the council provided any education on the opioid crisis

Ms. Dictson stated some of the priorities of LCCHC include substance abuse, youth engagement, health promotions, access to care, and family stabilization.

10. Consideration of Agreement and Mutual Release for the Return of the Lincoln County Historical Documents by the Members of the McCubbin Family and the Robert G. McCubbin Living Trust

Attorney Morel informed the County of Lincoln became aware certain County documents were to be sold at auction in Arizona. Attorney Morel stated the State of New Mexico also became aware of the sale and were claiming ownership of the documents. Attorney Morel informed the McCubbin Trustees agreed to donate the historical documents to the State of New Mexico and then Lincoln County will work with the State Attorney General to obtain rightful ownership of the historical documents. Attorney Morel stated an Agreement and Mutual Release was drafted for consideration.

**Motion:** Enter into an Agreement and Mutual Release, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

Commissioner Stewart questioned the cost of retrieval.

Attorney Morel stated there were no direct costs associated rather the McCubbin trustee had asked for a tax credit.

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

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

**11. 9:30 A.M.: PUBLIC COMMENT AND OTHER BUSINESS FROM COUNTY OFFICIALS (Items are for discussion only – no action will be taken)**

Commissioner Stewart stated he will continue to work with the military parties and other officials involved to continue the Joint Land Use Study group.

Commissioner Willard stated he received an email on March 13, 2019 from Chair Stone informing of the new seat assignments in the Commission chambers.

Commissioner Willard stated he testified on March 2, 2019 in Santa Fe on HB 223. Commissioner Willard stated he attended the wind meeting in Corona last Friday and attended the SERPTO meeting on March 28, 2019 in Santa Fe.

Beverly Calaway informed the Treasurer's office attended NM Counties Crisis training on March 5, 2019. Ms. Calaway stated the training was at no cost and was very informative. Ms. Calaway stated the second half of the 2018 taxes were due on April 10, 2019 and the office mailed out reminder cards to all the tax payers. Ms. Calaway stated 69% of the 2018 taxes were currently collected.

Walter Hill, Assessor introduced Raymond Monreal as the new Title examiner. Mr. Hill stated the Assessor's office will mail the Notices of Value April 1, 2019. Mr. Hill informed he will report to the Commission the results of the annual Assessor Review at the next meeting.

Kathleen Phillips Hellman, resident read from the State of New Mexico Constitution the oath of office. Ms. Phillips Hellman stated support for the proposed Resolution and our President's decision to build a wall. Ms. Phillips Hellman stated the Sheriff's office was the first line of defense in Lincoln County and there is a need to increase the number of Lincoln County Sheriff employees.

Karol Williams, resident of Capitan stated she attended a border security meeting in Deming sponsored by the New Mexico Cattle Growers. Ms. Williams expressed belief we have a national emergency at the border and first line responders, their families, and other New Mexico residents are exposed to health risks, livestock risks, damage to property, illegal drugs and human trafficking. Ms. Williams expressed support for Resolution 2018-39.

AnnElla Hatter, resident of White Oaks stated she also attended the border meeting. Ms. Hatter stated people are at risk and we need to educate how to legally cross the border. Ms. Hatter stated there was a risk to the community by allowing illegals to cross the border and we need to protect the kids of this country.

Cynthia Black, member of the Republican Party and Republican Women of Lincoln County expressed support for the proposed Resolution. Ms. Black stated our nation was being invaded, controlled by cartels and other Central America entities. Ms. Black stated our Governor recalled the National Guard this year and we are feeling the effects. Ms. Black stated we simply have to stand for what is right.

Patsy Sanchez, resident supported for the proposed Resolution. Ms. Sanchez also discussed New Horizons' need for financial assistance.

Joe Eby, resident of the Village of Ruidoso for over 32 years, informed he was born in South Korea. Mr. Eby stated he sees the current border situation as an invasion and lost culture. Mr. Eby stated his support for stronger border security Resolution 2018- 39.

Mike Wood, Undersheriff informed one of Lincoln County's deputies returning from National Guard service at the border expressed belief there was a crisis although he is not allowed to discuss the situation in detail. Mr. Wood stated he can see changes in the border drug culture not only from a peace officers perspective but also from family man's view as well.

Commissioner Draper joined the meeting telephonically at 9:51 AM

**12. Approval of Resolution 2018-39 – Supporting the Presidential Declaration of a National Emergency Concerning the Southern Border of the United States**

Ms. Taylor stated on February 15, 2019 the President of the United States declared a National emergency along the southern border. Ms. Taylor stated the majority of National Guard troops previously deployed to the border still remain recalled by the Governor of the State of New Mexico. Ms. Taylor stated in addition, the Attorney General of the State of New Mexico, with the support of the Governor committed public funds to join fifteen other states in a lawsuit challenging the Declaration seeking to block the diversion of federal funds to border security.

Ms. Taylor stated state law Section 4-37-1 NMSA 1978, grants Counties the powers necessary to provide for the safety preserve the health, promote prosperity and improve moral, order, comfort and convenience in the County and for its inhabitants.

**Motion:** Approve Resolution 2018-39, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

General discussion on the language of the Resolution.

Commissioner Stewart withdrew the motion, Commissioner Allen withdrew her second.

**Motion:** Table approval of Resolution 2018-39 for clarification of language and reconsideration at next meeting, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

Commission Draper left the meeting telephonically at 10:09 AM.

**13. Lincoln County Medical Center Update**

**Jaynes Schedule Narrative- Summary of Status**

Ms. Taylor stated LCMC Replacement Hospital Project Manager Mike McDonald and Senior Project Superintendent Ernesto Rodriguez were not in attendance today.

Ms. Taylor stated Lincoln County officials and staff could schedule a tour of the hospital facility.

**Finances**

Ms. Taylor reported on the summary of expenses paid through the end of February 2019 with year to date expenditures totaling \$5,772,115.41. Ms. Taylor stated Jaynes' Pending Pay Application #10 for work completed in February in the amount of \$1,114,738.00 would increase expenditures to \$6,886,853.41.

**Next Steps**

Ms. Taylor reported on the number of tasks completing by the end of February and Mid-March.

- a. Apply flashing at exterior openings; March 27,
- b. Install miscellaneous roof accessories; March 28
- c. Install exterior window glazing systems; April 18<sup>th</sup>
- d. Install exterior stone veneer, areas AHJ west elevation; all levels

**Original estimated costs**



Ms. Taylor informed staff would amend the estimated asbestos abatement costs once the award was granted.

#### General LCMC/ PHS Update

Todd Oberhue, Chief Executive Officer for Lincoln County Medical Center provided an update on the hospital. Mr. Oberhue stated he did a tour last week and was very impressed. Mr. Oberhue stated Presbyterian recently purchased \$150,000 of equipment.

Mr. Oberhue stated they were in the process of starting up a test project in the Hondo Schools to provide one hour for a school based clinic. Mr. Oberhue stated he was currently working out the details with Region IX and Hondo Schools. Mr. Oberhue stated the Hondo clinic was now open two days a week with Nurse Practitioner Linda Owen, and the Capitan Clinic was open five days a week with Nurse Practitioner Suzanne Dennehy.

Mr. Oberhue asked for a letter of Support for the Carrizozo Clinic to receive funding resources for rural areas in New Mexico.

There was a general discussion regarding funding sources for the hospital.

**Motion:** Direct the Manager to write a letter of support as requested, **Action:** Approve, **Moved** by Commissioner Stewart, **Seconded** by Commissioner Allen.

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

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

#### 14. Award RFP 18-19-006 for Abatement Services (Asbestos and Lead-Based Paint) for Lincoln County Hospital

Ms. Taylor reminded RFP 18-19-006 for abatement services for the Lincoln County Hospital was published in the Lincoln county News on February 21, and posted on the County's website. Ms. Taylor stated responses were due on March 14, 2019 and a mandatory pre-posed meeting was held on site at the hospital on March 5, 2019. Ms. Taylor also stated a mandatory pre-proposal meeting was held on site at the hospital on March 5, 2019 and was attended by representatives of six abatement companies.

Ms. Taylor reported all six abatement companies responded to the RFP and the evaluation committee reviewed the responses and sought clarification on several items to get a clear understanding of the offers. Ms. Taylor stated the evaluation committee consisted of herself as County Manager, Owner's Representative for this project, Jim Klien: and Lincoln County's Abatement Oversight Consultant, David Charlesworth.

1. GranCor Environmental	92
2. GWC Construction, Inc	86
3. Spray Systems Environmental	71
4. Horsley Specialties Inc.	70
5. Southwest Abatement	62
6. Keers	61

Ms. Taylor stated the Evaluation point summary sheet illustrated the Total Bid Amount to be the key diver of the award, as it was 40% of the total points awarded. Ms. Taylor stated GranCor unit rates were substantially lower than those offered by GWC Construction.

**Motion:** Award Bid for RFP 18-19-006 to GranCor Environmental for Abatement Services, **Action:** Approve, **Moved** by Commissioner Willard, **Seconded** by Commissioner Allen.

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

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

#### 15. Board of Registration Meeting Minutes and Findings – Elections Clerk Shannan Hemphill

Shannan Hemphill, Bureau of Elections Clerk provided a review of the purge process and copy of the minutes for the Board of Registration Meeting held on March 1, 2019.

Ms. Hemphill reminded the Board of County Commissioners appointed the members and alternates to serve on the Board of Registration during the February Regular Meeting. Ms. Hemphill stated the Board of Registration consisting of Charles Nesbitt III, Joe Eby and Stephen Duffy convened on March 1, 2019 to review the voter purge list of 498 registered voters in Lincoln County.

Ms. Hemphill explained voters eligible for the purge list were mailed a confirmation mailing in August of 2016, had not updated their registration, and had not voted in any election since the mail out. Ms. Hemphill stated the practice was consistent with Federal and State Statutes.

Ms. Hemphill stated after an examination of the list and supporting documentation, the Board of Registration found no discrepancies and reported no objections to the list as presented. Ms. Hemphill stated the Board of Registration certified the list of 498 voters for removal from the voter registration rolls of Lincoln County. Ms. Hemphill stated after removal of the purged voters there were 13,465 registered voters in Lincoln County.

**16. Opioid Litigation Presentation & Approval of Cooperative Purchase Agreement Between Socorro County and Lincoln County and Ratification of Legal Services Contract for Opioid Investigation and Litigation with Robles, Rael & Anaya, P.C. and Baron & Budd, P.C.**

Attorney Morel reminded of the previously discussed opioid crisis in the County including the possibility of joining existing Opioid Litigation efforts in the state. Attorney Morel stated the Cooperative Purchasing Agreement between Socorro County and Lincoln County enables Lincoln County to purchase services using Socorro's County's competitively awarded contracts.

Attorney Morel stated Attorney Luis Robles would present an overview of the Opioid Litigation status, as well as discuss the process.

Luis Robles, Attorney from Robles, Rael & Anaya P.C. and Baron & Budd, P.C. stated there was a mass tort litigation trial set for a county in Ohio. Attorney Robles stated the outcome from this one case would determine the value of all the cases going forward. Attorney Robles stated he was working with thirteen counties in the State of New Mexico.

**Motion:** Enter into an agreement to join litigation, **Action:** Approve, Moved by Commissioner Stewart, Seconded by Commissioner Allen.

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

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

**23. Manager's Report**

**8. Rex Wilson with Presbyterian Medical Services** requested Lincoln County express support for a New Access Point site to provide healthcare services in Ruidoso.

**Motion:** Approve a letter of support, **Action:** Approve, Moved by Commissioner Stewart, Seconded by Commissioner Allen.

General discussion about hours, payer source and cliental.

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

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

**17. Consideration of Transfer of County Property to the Town of Carrizozo**

Attorney Morel stated during the planning phases of the new expanded courthouse the County requested the Town of Carrizozo grant the vacation of portion of Brick Street to accommodate the construction of the facility. Attorney Morel stated in exchange the Town of Carrizozo requested the County grant the Town of Carrizozo ownership of the Carrizozo baseball field, currently located on County property.

**Motion:** Move forward with the process to transfer County property to the Town of Carrizozo, and present documents for consideration during the next meeting, **Action:** Approve, Moved by Chair Stone, Seconded by Commissioner Allen.

**Vote:** Motion passed (summary: Yes = 3, No = 1, Abstain = 0).

**Yes:** Chair Stone, Commissioner Allen, Commissioner Willard.

**No:** Commissioner Stewart.

**18. Approval of Change in Part-Time Classification of Transport Officers to Full-Time**

Robert Shepperd, Sheriff stated he would like to reclassify his three transport officers to full time employees. Sherriff Shepperd stated the expanded duties of the position would assist with the

increased number of transports, eliminate the need to pull deputies from their other duties, and eliminate the excess over time of part time employees.

There was a general consensus to review options and reconsider during the budget process.

No action taken.

**19. Discussion and Potential Tour of Wells Fargo Bank Building for Future Consideration of Purchase**

Ms. Taylor informed The Wells Fargo Carrizozo Branch located at 315 Central Avenue was permanently closed and the building vacant since mid-2018. Ms. Taylor stated the building was 8,300 square feet and was for sale. Ms. Taylor stated the current sale price was significantly reduced from the original sale price. Ms. Taylor stated interest was expressed by Commissioner Willard for a tour of the building to assess whether it could serve a purpose in the operation of County Government. Ms. Taylor informed arrangements were made for a tour of the building today during the lunch break.

General discussion on the purchase and use of the building.

Chair Stone recessed the Regular Meeting at 11:40 AM and reconvened at 1:00 PM.

**20. Approval of FY 17-18 Audit Brief – Presented by Daniel Trujillo of Kubiak, Melton & Associates, LLC**

Ms. Taylor reminded on February 4, 2019 Lincoln County staff and officials participated in an exit conference with the Independent Public Account (IPA) Daniel Trujillo, Director of Audits with Kubiak Melton & Associates, LLC. Ms. Taylor stated the Audit Report was submitted to the New Mexico State Auditor on February 5, 2019.

Daniel Trujillo, Director of Audits for Kubiak Melton & Associates, LLC reported on the audit findings. Mr. Trujillo stated there were a total of four findings related to: internal controls over receipts and deposits; internal controls over cash management; internal controls over the master vendor file, and the late submission of the Annual Audit Report.

General discussion over audit process and findings.

**Motion:** Approve the Fiscal Year 2017-2018 Audit, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

**21. Approval of Schedule of Agreed Upon Procedures and Associated Findings – Presented by Daniel Trujillo, Kubiak, Melton & Associates, LLC**

Ms. Taylor stated on January 7, 2019 Lincoln County engaged Kubiak, Melton & Associates, LLC to conduct an agreed-upon procedures review of the scope of work previously reviewed by the Office of the State Auditor (OSA) Special Investigations Division (SID).

Ms. Taylor reminded back in March 2018, the County received telecommunications notice from the State Investigations Division of and "anonymous" constituent alleging potential Procurement Code and contract violations and therefore SID was commencing a fact finding exercise. Ms. Taylor stated between March 2018 to November 2018, the County spent hundreds of hours conducting research in addition to printing and providing thousands of pages of information to SID.

Ms. Taylor informed SID completed the fact-finding exercise and issued a formal letter of findings to Chairman Stone on November 8, 2018. Ms. Taylor stated the exercise resulted in the County filing a late audit, since the Independent Public Auditor could not have possibly included the OSA's findings in the audit without conducting a review of the same scope of issues. Ms. Taylor informed the County of Lincoln entered into an agreement with Kubiak, Melton & Associates LLC to conduct the review.

Daniel Trujillo and Joe Ortiz, Kubiak Melton & Associates LLC presented the Agreed- Upon Procedures Review report and associated findings.



There was general discussion regarding the costs incurred by Lincoln County due to the "anonymous complaint" and subsequent review of findings.

Mr. Trujillo stated the agreed upon cost was \$20,000 but the detail of work involved would have resulted in costs closer to \$40,000.

**Motion:** Approve the Agreed Upon Procedures report, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

**22. Approval of Resolution 2018-37 – Mesa Canyons Wind Farm Payment in Lieu of Taxes**

Ms. Taylor reminded Mesa Canyons Wind, LLC through Pattern Energy, had made a proposal to the County for acquisition from the Company of a lease-hold interest in land and equipment located in the County which would constitute an authorized project under the Act with up to 1,000 megawatts of generating capacity to be developed in one or more phases.

Ms. Taylor stated pursuant to Resolution 2017-26 adopted by the Board of County Commissioners on February 13, 2018 and amended by Resolution 2018-9 adopted on August 21, 2018 the Commission expressed intent to proceed with the issuance of the bonds in one or more series.

Ms. Taylor stated as required by the Inducement Resolution, Mesa Canyons Wind, LLC must make Payments In Lieu of Taxes (PILT) based on the megawatt nameplate of installed electricity generating capacity of the Project with revenues allocated between and among the County, the Corona Public School District and the Carrizozo Municipal School District.

Eduardo Duffy, Lincoln County's legal counsel provided a presentation on the Industrial Revenue Bond "next steps" for the Mesa Canyon project. Mr. Duffy stated the County would authorize a public hearing to consider an ordinance and after the 30 day waiting period they could close on the IRB. Mr. Duffy anticipated a bond sale closing either this year or next year.

**Motion:** Approve Resolution 2018-37, **Action:** Approve, **Moved by** Commissioner Allen, **Seconded by** Commissioner Willard.

**Vote:** Motion passed (summary: Yes = 3, No = 1, Abstain = 0).

**Yes:** Chair Stone, Commissioner Allen, Commissioner Willard.

**No:** Commissioner Stewart.

**EXHIBIT B:** Copies of Resolution 2018- 37 are attached hereto in reference thereto made a part hereof.

**23. Manager's Report (continued)**

**Departmental Heads**

Renee Montes, Senior Services Director reported the County Senior Centers received additional funding via Contract Amendment. Ms. Montes reported on units of service for fiscal year 2018-19 of meals served and delivered around the County. Ms. Montes also stated she was meeting with the Non Metro Agency to discuss Capital Outlay requests for next year. Ms. Montes stated the department was in need of equipment in the Hondo Center and two delivery vehicles.

**Motion:** Approve the Senior Center capital outlay requests, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.

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

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

Billie Joe Guevara, Administrative Assistant and Human Resources Director provided a report on the open positions in the County. Ms. Guevara also reported employee insurance costs will increase 5% on medical, dental and vision.

Samantha Mendez, Director Planning and Project Management informed the Hondo Fire Station installed a 1000 gallon propane tank and were waiting on Otero Electric to install a transformer for the station to be fully functional. Ms. Mendez stated last Thursday the pre-bid process started for the architect for the new Hondo Senior Center. Ms. Mendez stated six firms

participated in the process. Ms. Mendez is currently working on the Children Youth and Families Department Grant.

Joe Kenmore, Office of Emergency Services Director stated he attend a Disasters in Climate Change Training in Raton, NM and demonstrated the SIMs table. Mr. Kenmore reported he attended the Wildfire Academy in Ruidoso February 25, 2019 - March 1, 2019. Mr. Kenmore stated he also attend a class offered by the Department of Health in Albuquerque on successful transportation of medical patients. Mr. Kenmore reported he taught an ATV/ UTV safety class in March. Mr. Kenmore reported the annual Battan March was a success with 9000 people registered.

**24. Approval of FY 18/19 Budget Adjustment by Resolution 2018-38**

Ms. Taylor stated as per state statute counties may request adjustment to its budgets to accommodate changes in its financial operations during the fiscal year. Ms. Taylor stated Commission approved adjustments must also be submitted to the Department of Finance and Administration for approval.

**Motion:** Approve Resolution 2018-38, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Stewart.

There was a general discussion on line item budget adjustments amounts transferred.

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

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

**EXHIBIT C:** Copies of Resolution 2018- 38 are attached hereto in reference thereto made a part hereof

**25. Approval of Proclamation for National Service Recognition Day**

Ms. Taylor informed this year's Annual Day of Recognition for National Service was April, 2, 2019. Ms. Taylor stated this day is set aside to encourage residents to recognize the positive impact to national service in Lincoln County.

**Motion:** Approve the Proclamation, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

**26. Approval of Payment for Prior Year Invoice to Gerald Champion Regional Medical Center**

Ms. Taylor informed copies of three Gerald Champion Regional Medical Center invoices were received in the Finance office for services rendered in October 2017, for the care of a Lincoln County Detention Center detainee. Ms. Taylor stated Gerald Champion Medical Center incorrectly billed the Otero County Detention Center for these services, not knowing the detainee was from the Lincoln County Detention Center. Ms. Taylor stated two invoices were for physicians visits and the other was for anesthesia.

**Motion:** Approve payments to Gerald Champion Regional Medical Center for Services rendered, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

**Vote:** Motion passed (summary: Yes = 3, No = 1, Abstain = 0).

**Yes:** Chair Stone, Commissioner Stewart, Commissioner Allen.

**No:** Commissioner Willard.

**27. Approval to Change Time of Meetings for the Lincoln Historic Preservation Board Committee Meetings**

**Motion:** Approve the change of all future monthly meeting to 6:00 pm., **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

**28. Consideration of Appointments and Removals from Boards/ Commissioner's Committees:**

a. **Lodger's Tax Committee**

**Motion:** Appoint James Hobbs and Kathleen McDonald to the Lodgers Tax Committee, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

29. **Approval of Lodger's Tax Applications with backup material:**

a. Purpose: Old Lincoln Days

Request: \$10,500.00

Date(s) of Event: August 2-4, 2019

Presenter: Nancy De Verry/Lincoln Pageant Festival Committee

Approve Amount: \$9,500.00

Application No. 0046

b. Purpose: Smokey Bear Day's

Request \$9,950.00

Date(s) of Event: May 3-4, 2019

Presenter: Shirley Pavlovich/Smokey Bear Hometown Association

Approve Amount: \$9,000.00

Application No. 0047

**Motion:** Approve the requests as recommended by the Lodger's Tax Committee, **Action:**

**Approve, Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

30. **Authorization to Schedule Public Hearing to Consider Other Outdated or New Lincoln County Ordinances**

No action taken

31. **Approval of Disposition of County Surplus Inventory by Resolution 2018-41**

**Motion:** Approve Resolution 2018-41, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

**EXHIBIT D:** Copies of Resolution 2018-41 are attached hereto in reference thereto made a part hereof

32. **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).**

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 took place on November 15, 2018 @ 10:00 a.m. at the front steps of the 12th 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. On December 12, 2018, a Notice of Intent to Dismiss was entered by Judge Blankinship. On December 26, 2018, Plaintiff filed its Response to the Notice of Intent to Dismiss and the Court additionally entered a Certificate as to the State of the Record and Non-Appearance as to Defendants, Diane Medcalf, and Pioneer Bank. On January 25, 2019, Judge Blankinship entered a Judgment by Default for Foreclosure.

3. **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.

4. **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 County filed its Reply to the Response to the Motion to Dismiss and requested a hearing on the Motion to Dismiss. On January 3, 2019, Lincoln County filed its Response to Petition for Writ of Habeas Corpus. On January 8, 2019 at 2:00 p.m. a Hearing on the County's Motion to Dismiss took place at which time, Judge Counts took the matter under advisement.

5. **Roger Romero, et al vs. Lincoln County, et al – U.S. Dist. Court Cause No. 2:18-cv-01137-JAP-GJFA** Complaint for Violation of Civil, Constitutional and Statutory Rights was filed on December 5, 2018. On December 27, 2018, Lincoln County was served with the complaint and, on January 17, 2019, filed its answer to the Complaint.

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 and a Stipulated Order for Withdrawal and Substitution of Plaintiff's Counsel was filed June 21, 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.

8. **\*Lorraine Michelle LaMay – Notice of Chapter 13 Bankruptcy Case Number 19-10279-j13** On March 11, 2019, Lincoln County received notice of the Chapter 13 Bankruptcy Case.

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

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. On January 4, 2019 a Hearing took place before Judge Vega at which time the Jury Trial was vacated and a Bench Trial was scheduled for January 7, 2019. The Defendant failed to timely



appear at the January 7, 2019 Bench Trial and a Bench Warrant was issued and subsequently served. A Pre-Trial Hearing was scheduled to take place on February 26, 2019 at 9:00 a.m., at which time no resolution was reached. A Non-Jury Trial is scheduled to take place on April 2, 2019.

10. **\*State of NM v. Robert Salas M-30-MR-2018-00126 Violation of County Ordinance 2014-04 Contraband Ordinance.** A 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 which Jury Trial has since been vacated. On December 12, 2018, Defendant filed a Motion for Dismissal and, on December 14, 2018, the County filed its Response to the Motion for Dismissal. On January 29, 2019, Defendant's Motion for Dismissal was denied; after which a Pre-Trial Hearing took place, at which time, no resolution was reached. The Final Pre-Trial was scheduled to take place on March 12, 2019, and a Jury Trial was scheduled to take place on March 27, 2019. On February 21, 2019, a Nolle Prosequi was filed.

11. **\*Kane County, Utah, et al v. The United States, 17-739C and 17-1991C (Consolidated) Class Action Lawsuit** to recover PILT underpayments for fiscal years 2015-2017. On August 14, 2018, Lincoln County submitted its Opt-In Notice to participate in the lawsuit.

#### Tort Claims Notices Received or Threatened

##### 2019

**\*HES, LLC and, Kenneth and Irene Livingston** – Tort Claim Notice received January 3, 2019 alleging The N.M. Dept. of Health seized and destroyed cannabis plants belong to HES, LLC and Kenneth and Irene Livingston. On January 24, 2019, NMAC denied the claim.

**\*Lueras, Ramon** – Tort Claim Notice received January 31, 2019 from Pizzonia Law Firm was received which referenced "Lueras v. Lincoln County Road Dept., et al" requesting copies of Mr. Lueras' employment records. While the correspondence appeared to be more like an IPRA, NMAC was notified out of an abundance of caution. On February 8, 2019, NMAC confirmed that Mr. Lueras has a work comp claim and that the January 31, 2019 correspondence from Pizzonia Law Firm relates to that claim. NMAC did open a claim as "record only".

**\*Estrada, Ricardo** – Tort Claim Notice received February 14, 2019 alleging that, while incarcerated at LCDC, the Claimant was physically attacked by a former employee of LCDC out of retaliation causing injuries to his small finger on his left hand and possibly a left foot fracture. TCN emailed to R. Martinez on February 15, 2019 and that same day, NMAC advised that there is no coverage for this matter as NMAC does not provide coverage on behalf of counties or their detention centers which are operated or administered by a private contractor.

##### 2018

**Duke, Arnold** – Harrisburg Document recovery

**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 did not receive proper medical care while incarcerated at Lincoln County Detention Center.

**Estate of Mariysa 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**

**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 4th amendment of the US Constitution and an unconstitutional 'taking' under the 5th 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.

## **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 Stewart, **Seconded** by Commissioner Allen.

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

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

**Absent:** Commissioner Draper.

Chair Stone recessed the Regular Meeting and convened the Closed Session at 3:03 PM.

Chair Stone adjourned the Closed Session and reconvened the Regular Meeting at 3:29 PM.

Commissioner Stewart 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.

### **33. Signing of Official Documents**

### **34. Next meetings:**

a. April 16, 2019

### **35. Adjourn**

There being no further business to come before the Board of County Commissioners, Chair Stone adjourned the meeting at 3:30 PM.

County of Lincoln  
Board of Commissioners

  
Preston Stone, Chair

  
Dallas Draper, Vice Chair

  
Elaine Allen, Member

  
Thomas F Stewart, Member

  
F Lynn Willard, Member

ATTEST:

  
Whitney Whittaker, County Clerk

April 16, 2019  
Date Approved

