

## COUNTY OF LINCOLN

### New Mexico Special Meeting Board of County Commissioners

Dallas Draper, Chair  
Lynn Willard, Vice Chair

Thomas F. Stewart, Member  
Elaine Allen, Member  
Preston Stone, Member

#### Minutes Tuesday December 29, 2020

Minutes of the Special Meeting of the Lincoln County Commission held at 8:30 AM on December 29, 2020 in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

#### 1. Call to Order

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

#### 2. Roll Call

Roll Call.

**Present:** Chair Draper (Via Zoom), Commissioner Stewart (Via Zoom), Commissioner Allen (Telephonically), Commissioner Willard (Via Zoom).

**Absent:** Commissioner Stone.

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

#### 3. Invocation

Chair Draper asked for a moment of silence

#### 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 Allen.

Chair Draper requested public comment be added prior to adjournment of meeting.

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

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

#### 6. Approval of Resolution No. 2020-23 Budget Adjustment FY 20/21

Commissioner Stewart questioned two items with regard to the Arabela Fire Department, \$7,018.21 spent in expenditures and \$6,091.51 as an intercept.

Manager Pearson stated they were expending the one for \$7,018.21.

Beverly Calaway, County Treasurer, stated the location of the \$6,091.51 in the budget as Commissioner Stewart stated the Intercepts are generally put in the Expense column and this was listed as a revenue.

Commissioner Stewart stated he was concerned about the Intercept portion of the Budget adjustment as he felt it best to leave that part out until they could get some clarification.

Commissioner Stewart questioned the amount of the Lodgers Tax and the accuracy of the numbers. Commissioner Stewart stated it may be time to add a line item to the budget for Capital Improvements at the Fair Grounds.

**Motion:** Adopt Resolution 2020-23 with the exception of the \$6,091.51 for the Arabela Intercept,

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

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

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

**EXHIBIT A:** Copies of the Consent Items including Resolution 2020-23 is attached hereto in reference thereto made a part hereof.

**7. Authorization to Disperse CARES Business Act Award Payments to Bonito Brewery and Piñon Pottery**

Manager Pearson reminded in the December 15, 2020 Regular Commission Meeting, the Board approved two applications for CARES Business Act reimbursements to Bonito Brewery for \$13,046.00 and Piñon Pottery for \$5,400.00 for a total of \$18,446.00. Manager Pearson clarified once the money was received they wanted to make sure they had authorization to issue the checks to the entities.

**Motion:** Approve the disbursement of the Grant when appropriate, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Allen.

Commissioner Stewart had concern about straddling two fiscal years income taxes.

Commissioner Stewart stated it was taxable income to businesses and could cause problems if the check was issued in the prior year.

Commissioner Stewart requested Manager Pearson speak to DFA.

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

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

**6. Approval of Resolution No. 2020-23 Budget Adjustment FY 20/21- continued**

Beverly Calaway, County Treasurer provided clarification on the Arabela intercept listed in the budget stating it was to correct an error. Treasurer Calaway explained it was an expense in the original budget however it did not show in the revenue.

**8. Authorization to Schedule Public Hearings to Consider Other Outdated or New Lincoln County Ordinances:**

- a. Public Hearing to Consider Lincoln County Ordinance No. 2020-03; Amending Lincoln County Ordinance 2015-01 an Ordinance Providing for Dedication to the Safety Net Care Pool Fund an Amount Equal to a Gross Receipt Tax Rate of One Twelfth (1/12) Percent Applied to the Taxable Gross Receipts Reported During the Prior Fiscal Year by Persons Engaging in Business in the County.
- b. Consideration of the adoption of an ordinance providing a low-income tax rebate pursuant to NMSA 7-2-14.3G on a County by County option basis.
- c. Public Hearing to Consider Lincoln County Ordinance 2020-04; Amending Lincoln County Ordinance 2017-07 an Ordinance Providing for the Efficient and Sanitary Collection of Solid Waste in Lincoln County; Providing for Mandatory Disposal and Assessment of Fees; Providing a Penalty for Violation of the Ordinance.

**Motion:** Approve the scheduling of the public hearings, **Action:** Approve, **Moved by** Commissioner Stewart, **Seconded by** Commissioner Allen.

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

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

**Public Comment**

Chair Draper stated when everything started happening with the unemployment insurance, the State told the business community the rate would not go up, however, Tim Coughlin, councilor from Ruidoso received a rate for 2021 of 3.6% and this year was .33%. Chair Draper commented the businesses who are already struggling can't handle a rate increase. Chair Draper requested the Commission and Manager Pearson get in touch with Bill McCamley, Secretary of Workforce and former State Representative to get a solid answer that can be shared with the public.

Chair Draper discussed a video about a young man in an off road vehicle across from White Mountain Schools chasing the wild horses. Chair Draper stated the next Commission will have to address the off the highway vehicle use in the future.

Commissioner Willard voiced his concern about the horse manure on the Soccer Fields. Commissioner Willard stated he hoped the Village would look into it and possibly fence it off for the sake of the children playing there.

Chair Draper stated the horses should be moved to a wild area to be considered wild animals as they are very dangerous.

Commissioner Allen shared her dismay with people who will not follow the law. Commissioner Allen stated bodies of Government can make the rules and grant opportunities however people don't follow the rules and law and it is very disconcerting.

Chair Draper stated the citizens need to stop looking to the Government to fix these types of things, they need to stand up and support the laws and start holding each other accountable.

**11. Signing of Official Documents****12. Upcoming Meetings:**

- a. January 12, 2021- Special Commission Meeting
- b. January 19, 2021- Regular Commission Meeting

**13. Adjourn**

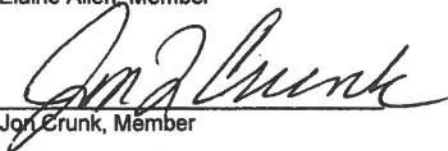
There being no further business to come before the Board of County Commissioners, Chair Draper adjourned the meeting at 8:59 AM.

County of Lincoln  
Board of Commissioners

Approved Telephonically  
Thomas F. Stewart, Chair

Approved Telephonically  
F Lynn Willard, Vice Chair

  
Elaine Allen, Member

  
Jon Crunk, Member

4961

Approved Telephonically  
Todd Proctor, Member

ATTEST:

  
Whitney Whittaker, County Clerk

January 19, 2021  
Date Approved

