

COUNTY OF LINCOLN

New Mexico Special Meeting Board of County Commissioners

Thomas F. Stewart, Chair
Lynn Willard, Vice Chair

Elaine Allen, Member
Jon Crunk, Member
Todd Proctor, Member

Minutes Friday June 25, 2021

Minutes of the Special Meeting of the Lincoln County Commission held at 8:30 AM on June 25, 2021, in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

In accordance with the New Mexico Public Health Emergency Order, this meeting was conducted on a platform for video and audio.

1. Call to Order

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

2. Roll Call

Roll Call.

Present: Chair Stewart (Via Zoom), Commissioner Allen (Via Zoom), Commissioner Willard (Via Zoom), Commissioner Crunk (Via Zoom), Commissioner Proctor (Via Zoom).

Others present included Ira Pearson, County Manager; Alan Morel, County Attorney; and Whitney Whittaker, County Clerk.

3. Invocation

The invocation was presented by Chair Stewart.

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 Proctor, **Seconded by** Commissioner Allen.

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

Yes: Chair Stewart, Commissioner Allen, Commissioner Willard, Commissioner Crunk, Commissioner Proctor.

6. Approval of Consent Agenda – Reaffirming Decisions Made Regarding Agenda Items from the April 20, 2021, Regular Commission Meeting as Reflected in the Minutes:

- a. Minutes for April 20, 2021
- b. Payroll/Accounts Payable/Budget/ Expenditures
- c. Treasurer's Financial Report for the Month Ending March 31, 2021
- d. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims
- e. Treasurer's 3rd Quarterly Report
- f. Approval of Chaves Soil and Water Conservation District Mill Levy Rate
- g. Restricted Housing Report - Quarter Ending March 2021
- h. Approval of MOU between the Village of Ruidoso and the County of Lincoln for Use of the Gavilan Canyon Solid Waste Transfer Station
- i. Approval of MOU Between the Village of Ruidoso and the County of Lincoln for

- the Provision of Regulation Services of Residential and Commercial Construction Within Certain Specified Areas of the County of Lincoln
- j. Host Compliance / Granicus Expanded Services – Address Identification
 - k. Approval of Budget Adjustment FY 20/21 by Resolution 2020-37
 - l. Office of Emergency Services:
 - a. Approval of Fire Fund Electronic Application Process
 - b. Approval for Lincoln VFD and Nogal VFD to Purchase Two Ford F-550 Type 5 Flat Bed Pickup Trucks
 - c. County of Lincoln Fire Ban Discussion and Possible Direction
 - m. Approval of Award of Contract for On-Call Engineer
 - n. Consideration of Change Order ASI 37 Addressing Lincoln County Medical Center Construction
 - o. Approval to File Solid Waste Liens:
 - a. Justin Uller \$1,042.34
 - b. Mary Grace Baker (Land) 1006404 (MH) 0181325 \$ 953.50
 - c. Jaime Duran & Veronica Duran \$ 949.64
 - d. Thomas Schiele \$ 893.10
 - e. Wilford Charles Schneider & Marsha Gayle Schneider \$ 893.10
 - f. Frank M Luna & Marlene A Luna \$ 877.31
 - g. Katharine Thompson \$ 849.64
 - h. Donald W Shouse & Jennifer L Shouse \$ 815.51
 - i. Rhonda J Dion & Gerald L Dion \$ 780.02
 - j. Timothy James Sanders \$ 780.02
 - k. Joe A Jarvis & Cheyenne K Jarvis \$ 722.04
 - l. William F Studer Jr & Teresa Studer \$ 661.94
 - m. Stanley T Cape & Amy Cape \$ 661.94
 - n. Debbie Padilla & Melanie Padilla Whipple \$ 522.34
 - o. James D Smith & Kimberly J \$ 449.64
 - p. Approval of Resolution 2020-38: A Resolution for a Variance from Ordinance No. 2004-5, Allowing Temporary Vendors and Structures at Special Events in Lincoln, New Mexico
 - q. Approval of Lodger's Tax Application with backup material:
 - Aim High-ENMU
 - Request: \$8,500.00
 - Date(s) of Event: June 26, 2021
 - Presenter: Ruidoso Rhonda Vincent
 - Recommendation: \$8,500.00
 - r. Approval of White Oaks Billboard Permit Cost Increase
 - s. Authorization to Schedule a Public Hearing to Consider the Transfer of Location of Dispenser Liquor License No. 0812 - Package Sales Only
 - t. Approval of Revisions to the Solid Waste Waivers/Exemption Applications

Manager Ira Pearson informed the following consent items were to validate the actions taken on April 20, 2021, following the Open Meetings Act complaint filed against the Lincoln County Board of Commissioners with the Attorney General's office by Ms. Mary Montes. Manager Pearson stated the attorney general's office recommended "because the Commission and the Board do not appear to have "adequately, accurately, and sufficiently" notified the public of the "time, place and date" of their meetings on April 20, 2021 and April 21, 2021, we conclude that these meetings likely violated, and therefore recommend that the Commission and the Board take "prompt, appropriate and effective" remedial action at their upcoming meetings."

Manager Pearson stated although the Attorney General's letter was contradictory and unclear as to what actions the County of Lincoln should take, airing on the side of caution, it was better to just reaffirm all actions and decisions made. Manager Pearson stated research in finding the address listed by Ms. Montes, had returned said address as a vacant piece of property.

Attorney Alan Morel stated this would reaffirm all decisions made during the prior meeting.

Motion: Approved Consent Agenda, **Action:** Approve, **Moved by** Commissioner Willard, **Seconded by** Commissioner Proctor.

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

Yes: Chair Stewart, Commissioner Allen, Commissioner Willard, Commissioner Crunk, Commissioner Proctor.

EXHIBIT A: Copies of the Consent Items are attached hereto in reference thereto made a part hereof.

7. Resolution No. 2020-50, a Resolution Opposing the Federal Government's 30 X 30 Land Preservation Program

Manager Pearson stated the program was adopted by the Biden Administration through Executive Order 14008, "Tackling the Climate Crisis at Home and Aboard" (86 Fed. Reg. 7,619), signed January 27, 2021. Manager Pearson stated proponents argue that climate impacts are human-caused, and permanently preserving 30% of America's land and oceans is necessary to reverse climate change.

Commissioner Proctor stated he attended a meeting in Roswell regarding the 30 x 30 Land Preservation plan. Commissioner Proctor stated this plan goes against the fire protection we have in place.

Motion: Adopt Resolution 2020-50, **Action:** Approve, **Moved by** Commissioner Proctor, **Seconded by** Commissioner Allen.

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

Yes: Chair Stewart, Commissioner Allen, Commissioner Willard, Commissioner Crunk, Commissioner Proctor.

EXHIBIT B: Copy of Resolution 2020-50 is attached hereto in reference thereto made a part hereof.

8. Resolution No. 2020-51, a Resolution Affirming Our Resolute Opposition to the Promotion of Race or Sex Stereotyping or Scapegoating and Condemning the Use of Divisive Concepts and Theories that Propagate Such Stereotyping and Scapegoating

Manager Pearson stated the proposed resolution affirmed the resolute opposition to the promotion of race or sex stereotyping or scapegoating and condemned the use of divisive concepts and theories that propagate such stereotyping and scapegoating.

Commissioner Allen stated it was wrong to teach school children to blame any race for the way things were in the past.

Motion: Adopt Resolution 2020-51, **Action:** Approve, **Moved by** Commissioner Allen, **Seconded by** Commissioner Crunk.

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

Yes: Chair Stewart, Commissioner Allen, Commissioner Willard, Commissioner Crunk, Commissioner Proctor.

EXHIBIT C: Copy of Resolution 2020-51 is attached hereto in reference thereto made a part hereof.

9. Approval of Memorandum of Understanding for Exchange of Fire Protection and Rescue Response Agreement Between the Village of Ruidoso, the City of Ruidoso Downs, the County of Lincoln and the Mescalero Apache Tribe

Manager Pearson stated the agreement was made with reference to the following facts and objectives: the above entities each maintain and operate a fire protection organization in and for their respective areas of response; and certain lands protected by each party herein are in close proximity to the lands protected by the other; and each desire to furnish fire and emergency medical response assistance to the other when such aid is required.

Motion: Approve MOU for Exchange of Fire Protection and Rescue Response Agreement Between the Village of Ruidoso, the City of Ruidoso Downs, the County of Lincoln and the Mescalero Apache Tribe, **Action:** Approve, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Allen.

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

Yes: Chair Stewart, Commissioner Allen, Commissioner Willard, Commissioner Crunk, Commissioner Proctor.

Chair Stewart, Commissioner Allen, Commissioner Willard, Commissioner Crunk and Commissioner Proctor all approved use of electronic signature and/ or stamp.

10. Next meeting:

- a. July 20, 2021- Regular Commission Meeting

11. Adjourn

There being no further business to come before the Board of County Commissioners, Chair Stewart adjourned the meeting at 8:47 AM.

County of Lincoln
Board of Commissioners




Thomas F. Stewart, Chair



F Lynn Willard, Vice Chair



Elaine Allen, Member

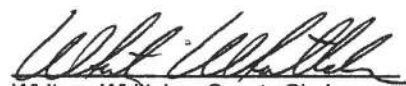


Jon Crunk, Member



Todd Proctor, Member

ATTEST:



Whitney Whitaker, County Clerk

July 20, 2021
Date Approved

