

COUNTY OF LINCOLN

New Mexico Regular Meeting Board of County Commissioners

Thomas F Stewart, Chair
Lynn Willard, Vice Chair

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

Minutes Tuesday September 20, 2022

Minutes of the Regular Meeting of the Lincoln County Commission held at 8:30 AM on September 20, 2022, in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico.

This meeting was conducted on a platform for video and audio.

1. Call to Order

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

2. Roll Call

Roll Call.

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

Others present included Ira Pearson, County Manager; Alan Morel, County Attorney; and Whitney Whittaker, Lincoln 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 Minutes:

- a. August 16, 2022, Regular Commission Meeting

Motion: Approve the minutes of the August 16, 2022, Regular Commission Meeting, **Action:**

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

7. Approval of Consent Agenda

- a. Payroll/Accounts Payable/Budget/ Expenditures

- b. Treasurer's Financial Report for the Month ending August 31, 2021
- c. Approval or Disapproval of Safety Net Care Pool & Indigent Health Care Claims
- d. Approval of Sun Valley Water & Sanitation District Mill Levy
- e. Approval of Guadalupe Soil and Water Conservation District Mill Levy
- f. Approval of Proclamation, Recognizing September 11th as "Patriot Remembrance Day" in Lincoln County
- g. Approval of Local Government Road Fund Agreement L200485 and Resolution 2023-14
- h. Approval of Local Government Road Fund Agreement L200499 and Resolution 2023-15
- i. Approval of Local Government Road Fund Agreement L200507 and Resolution 2023-16
- j. Approval of Transportation Project Fund Grant Agreement Between the New Mexico Department of Transportation and County of Lincoln - Control No. LP20030
- k. Approval of Resolution 2023-17: A Resolution to Extend the Termination Date of the Local Government Road Fund County Arterial Program Agreement Contract No. D18935, Control Number L200535 from December 31, 2022, to December 31, 2023
- l. Approval of Resolution 2023-18: A Resolution to Extend the Termination Date of the Local Government Road Fund County Cooperative Program Agreement Contract No. D1870, Control Number L200521 from December 31, 2022, to December 31, 2023
- m. Approval of Resolution 2023-17: A Resolution to Extend the Termination Date of the Local Government Road Fund School Bus Route Agreement Contract No. D18934, Control Number L200543 from December 31, 2022, to December 31, 2023

Motion: Approve the Consent Agenda, **Action:** Approve, **Moved by** Commissioner Willard, **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 A: Copies of the Consent Items including Resolution 2023-17, and Resolution 2023-18 and Resolution 2023-19 are attached hereto in reference thereto made a part hereof.

8. Forest, Land & Natural Resources Matters:

a. Smokey Bear Ranger District

Jennifer Thomas, Acting District Ranger reported during the Labor Day weekend the campsite dump sites were overflowing and the amount of trash was extensive. Acting District Ranger Thomas stated the visitors used the wrong locations which ended up as a trash piled up. Acting District Ranger stated they are in the process of conducting meetings to find a better solution regarding trash. Acting District Ranger Thomas stated they have come up with multiple options before Memorial Day or next 3-day weekend.

Acting District Ranger Thomas stated they are getting the gravel pits surveyed and the route is uncertain, but they will have a plan of action by the end of October.

b. Lincoln County / NMSU Extension Services

Melody Gains, Family & Consumer Science/4H Agent stated the Lincoln County Fair with sale and add-ons ended up being approximately \$307,000 in funds. Ms. Gains stated this amount bypassed any sale as to date. Ms. Gains stated their booth won 3rd place at the New Mexico State Fair in which they received \$400.

c. South Central Mountain RC & D

Robert Barber, member, reported they are currently working with Eco Servants on the installation of the wattles.

d. Upper Hondo Soil & Water Conservation District

Robert Barber stated they are too working to install the wattles. Mr. Barber stated Upper Hondo is also working on the forest mulching mastication up on the canyon. Mr. Barber stated they are continuing to spray tweeds and clean up the area in the Hondo Valley where it flooded.

e. LANRAC

Robert Barber, Member, reported they submitted their comments to the U.S. Fish and Wildlife Service last week regarding the Penasco chipmunk.

9. Approval of Order Setting Property Tax Rates – 2022 Property Tax Year

Beverly Calaway, Lincoln County Treasurer stated the Lincoln County Treasurer received an emailed copy on Wednesday, September 1st and the original Certified letter from the Secretary of Finance and Administration was received on September 8, 2022.

Treasurer Calaway stated in accordance with New Mexico State Statutes 3.6.50 NMAC, Lincoln County is responsible for ensuring the tax rates are correct and the distribution yields are verified by a representative of each entity, that the County Treasurer collects property taxes for.

Treasurer Calaway informed on Monday September 12, 2022, Sun Valley Water and Sanitation District contact the Treasurer's office and stated the mill levy rate was incorrect. Treasurer Calaway stated they contacted DFA, and they did receive a new resolution for a mill levy rate, but it had not been corrected.

Treasurer Calaway stated the Tax Rate Certificate was then corrected to DFA, and the new certificate is before the Commission.

Treasurer Calaway informed the revised 2022 Certificate of Property Tax Rates has been verified by the County Treasurer's office to be correct, and the tax distribution yields have been verified by each taxing entity, including the Sun Valley corrected rate. Treasurer Calaway stated all assessed values were reviewed and verified correct by the Lincoln County Assessor.

Treasurer Calaway stated the Lincoln County Treasurer is the fiscal agent of property tax collections for the State of New Mexico: The County of Lincoln, five municipalities, five school districts, seven special soil and water districts, the New Mexico Livestock Board, Lincoln County Medical Center, rural medical clinics, and Eastern New Mexico University- Ruidoso. Treasurer Calaway stated each of these district's tax rates are calculated and imposed by the Department of Finance, according to the district's budgeted needs.

Treasurer Calaway stated factors that affect a district's tax rate are inflation, re-assessment years and new construction. Treasurer Calaway stated according to the Assessor, the Corona School District was the only district with re-assessments for the 2022.

Treasurer Calaway stated the yield control was developed by state statute to prevent extraordinary tax increases, in response to reassessment. Treasurer Calaway stated as valuation increase, rates adjust to limit tax increases to approximately the rate of inflation and new construction. Treasurer Calaway stated the inflation rate used for tax year 2022 was 5%.

Treasurer Calaway stated by limiting large increases in taxpayer's liability that results from the reassessment process, the yield control brings property closer to the true market value. Treasurer Calaway stated the main result of yield control is to provide our taxpayers with a more equitable property valuation process.

Assessor Hill provided a spreadsheet to show the certified rates vs assessor's residential and nonresidential certification. Assessor Hill stated informed of the County Growth Summary for nonresidential and residential on the unprotested values, then gave an overview of the combined net taxable value for the year 2022.

Motion: Approve the 2022 Property Tax Rates, **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 the Property Tax Rates – 2022 is attached hereto in reference thereto made a part hereof.

10. Pattern Energy and Mesa Canyon Wind LLC

- a. Consideration of an Amendment to the June 24, 2020, Lease Agreement Between the County of Lincoln and Mesa Canyons Wind LLC

Jeremy Turner, Pattern Energy provided a brief overview stating that part of the 2020 agreement; any amendments will need to be approved by the Commission. Mr. Turner stated they have been working with the Department of Defense and they have reached a mitigation agreement on the billable area of real estate. Mr. Turner stated they have released certain properties making it consistent with the current agreement.

Motion: Approve the Amendment, **Action:** Approve, **Moved by** Commissioner Allen, **Seconded by** Commissioner Willard.

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

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

- b. Consideration of an Amendment to the June 24, 2020, Sublease Agreement Between the County of Lincoln and Mesa Canyons Wind LLC

Jeremy Turner, Pattern Energy provided a brief overview stating that part of the 2020 agreement; any amendments will need to be approved by the Commission. Mr. Turner explained this is the same as the previous consideration in which they are realigning the real estate to reflect the current agreement.

Motion: Approve the Sublease Amendment, **Action:** Approve, **Moved by** Commissioner Allen, **Seconded by** Commissioner Willard.

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

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

13. Approval of Budget Adjustment for FY 22/23 by Resolution 2023-11

Billie Joe Guevara, Finance Director explained the budget adjustments for fiscal year 22/23.

Motion: Adopt Resolution 2023-11, **Action:** Approve, **Moved by** Commissioner Willard, **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 C: A copy of Resolution 2023-11 is attached hereto in reference thereto made a part hereof.

17. Approval of Lodger's Tax Funding Requests:

- a. White Mountain Christmas at the Flying J Ranch
Request: \$7,500.00
Date(s) of Event: November 25-December 31, 2022
Presenter: James Hobbs

Motion: Approve Funding Request, **Action:** Approve, **Moved by** Commissioner Willard, **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.

18. Approval of FY 2024-2028 Infrastructure Capital Improvement Plan to be Submitted to Department of Finance – Local Government Division

- a. Resolution 2023-12 County of Lincoln

Motion: Adopt Resolution 2023-12, **Action:** Approve, **Moved by** Commissioner Allen, **Seconded by** Commissioner Willard.

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

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

EXHIBIT D: Copy of Resolution 2023-12 is attached hereto in reference thereto made a part hereof.

- b. Resolution 2023-13 Senior Citizen's Centers

Motion: Adopt Resolution 2023-13, **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 E: Copy of Resolution 2023-13 is attached hereto in reference thereto made a part hereof.

20. Approval of Prior Year Invoices:

- a. Triadic Enterprises, Inc.
b. Ruidoso Laser Wash

Manager Pearson explained both invoices have been through a finance internal audit and the Ruidoso Laser wash was confirmed on the number of washes and Triadic was an older bill that was overlooked.

Motion: Approve invoices for Triadic and Ruidoso Laser Wash, **Action:** Approve, **Moved by** Commissioner Allen, **Seconded by** Commissioner Crunk.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

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

No: Commissioner Proctor.

14. Lincoln County Detention Center Update - Warden Scott Colvin

Warden Colvin provided statistics for the Detention Center. Warden Colvin stated the average daily population at the Lincoln County Detention Center for June was 97, July 96, August 92, and September was 86. Warden Colvin stated the Detention Center intake for June was 108 with 111 releases, July was 124 intakes with 124 releases, August 117 intakes with 121 releases, and September had 55 intakes with 54 releases.

Warden Colvin stated the RISE program has been successful with motivated individuals who have served their time and paid their debt to society. Warden Colvin reminded this program provides support to inmates who have served their time by being able to compete for a job, attain stable housing, support their children and their families, and contribute to their communities

21. Approval of Agreement Between the Board of County Commissioners of Lincoln County and the City of Ruidoso Downs to House Inmates at the Lincoln County Detention Center

Attorney Morel stated his office prepared a contract that would be the same contract used for approximately 12 different entities. Attorney Morel stated the contract was a reciprocal contract modeled after the agreement between Lincoln and Otero Counties with a charge of \$85/day per prisoner. If approved the contract would be sent to all other entities so there would be a standard contract for every entity the County provided jail services for.

Commissioner Willard questioned if the transportation cost included court appearances and Attorney Morel informed it included all transportation costs for any reason.

Commission Willard questioned the late charge of 1.5% after 45 days and Attorney Morel stated it was standard when dealing with Governmental entities as they tend to take longer to make payments.

Motion: Approve the Agreement between the Board of County Commissioners of Lincoln County and the City of Ruidoso Downs to house inmates, **Action:** Approve, **Moved by** Commissioner Willard, **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 recessed the regular meeting at 9:25 AM and reconvened the regular meeting at 9:30 AM.

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

Commissioner Allen reported a successful Michael Martin Murphey's Renegade Serenade in Historic Lincoln. Commissioner Allen stated this event had great attendance that brought many people to the area. Commissioner Allen stated this was a learning experience for herself and the Friends of Historic Lincoln in hosting an event of that extent.

Commissioner Allen stated she continues to attend Greentree meetings.

Whitney Whittaker, Lincoln County Clerk provided information regarding the 2022 General Election. Clerk Whittaker stated their office had just completed the ballot proofing process. Clerk Whittaker stated the process was delayed due some recent Court challenges and changes to the statewide bond question.

Commissioner Allen stated she attend a health council meeting and they plan to come to the commission and present a project called 100 % community.

Walter Hill, Lincoln County Assessor stated Lincoln County was 1 in 3 counties that didn't get written up by the state with the annual County Assessor evaluation. Assessor Hill reminded the evaluation includes but is not limited to a review of: the annual report to the county commissioners; the assessor and employees possession of, compliance with and knowledge of regulations, orders, rulings, and instructions pertaining to the Property Tax Code, valuation manuals, and cost schedules; The assessor's compliance with training; the assessor's and employees attendance at and participation in training programs on technical, legal and administrative aspects of property taxation; maintenance of current maps and property record cards; the assessor's allowance or disallowance of exemptions; a field review of the operations of the assessor's office; and any other information which may aid the division in evaluating the assessor's operation.

Assessor Hill stated County Assessors are required to understand and comply with the Property Tax Code in its entirety. Assessor Hill stated primary responsibility is to determine and maintain current and correct values of property within their assessment practices.

Assessor Hill thanked his staff for their hard work.

Beverly Calaway, Lincoln County Treasurer Informed the Department of Property Tax Division will hold a delinquent tax sale on Tuesday October 4, 2022, in the County Commission room. Treasurer Calaway stated there are 44 parcels of land that will go to auction. Treasurer Calaway stated they are looking at having a huge participation since there has not been an auction since prior to 2020. Treasurer Calaway informed this year only contains parcels of land, no residential.

Treasurer Calaway stated the General Fund balance had increased from last year, they County was getting better investments and the County has collected 97.03% of the 2021 property taxes.

Chair Stewart suspended public comment and convened the public meeting at 9:49 AM.

15. Lincoln County Medical Center Update - Todd Oberheu

Todd Oberheu informed the hospital is set to receive the Quest Award from the New Mexico Hospital Association again for the third time in five years. Mr. Oberheu stated it is the highest award NMHA offers.

Mr. Oberheu reported a new General Surgeon, Dr. Rosales, would be joining the team hopefully in December, they were just waiting on his State Licensure.

Mr. Oberheu reminded the mil levy would be on the upcoming election and would appreciate the support of the Community.

Mr. Oberheu stated this was the 50th Anniversary that Presbyterian and Lincoln County had joined together to run the hospital and provide great services to the community.

Commissioner Allen questioned the floors in the Hondo Clinic as they were in bad shape.

Mr. Oberheu stated they were aware of the problem, but one contractor cancelled and they are still in search for another for the 2 required quotes per purchasing policy.

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

Galen Farrington, resident from Alto, provided an update on the status of the Roper Construction concrete plant. Mr. Farrington stated Mr. Roper filed an appeal from the New Mexico Environmental Division. Mr. Farrington stated there will be another VIP hearing in Santa Fe. Mr. Farrington asked for anybody that is concerned with this plant to voice their concerns and call the hearing officer handling the case. Mr. Farrington stated if anybody needed talking points to contact him.

Dave Romero, asked for audience participation regarding information pertaining to any survivors from the Bataan Death March. Mr. Romero stated his father was one of the survivors and he was interested in obtaining more information from more survivors and/or their families.

Mark Fischer, Arabela rancher expressed his concern with the issues ranches are facing accessing their grazing rights. Mr. Fischer stated there is push back from a lot of environmental groups and he would like to what the commission would do to help the citizens that are losing their cattle to this, even if it's only symbolic.

David Vandenburg, resident, voiced his concerns with issues affecting us around the world, in which, many situations to be addressed. Mr. Vandenburg stated States no longer want to be a part of the federal government. Mr. Vandenburg stated we cannot take care of ourselves any longer and we need to get all entities together for discussion prior to making any decisions.

19. Solid Waste Update:

a. Approval of Liens:

i.	Richard M Bradley	\$1,018.10
ii.	Gary Lee Gibson	\$1,000.66
		\$2,018.76

Francesca Herrera, Public Works Director stated they had made every attempt to contact them but had no response or payment, so the only recourse was to file a lien. Ms. Herrera informed they had a history of sporadic payments but hadn't made any payments or had any contact in the last few years.

Attorney Morel stated one of the deeds had Richard N Bradley instead of Richard M Bradley. Attorney Morel suggested adding an AKA to the Liens.

Motion: Approve the Liens with the AKA added, **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.

- b. Solid Waste Presentation – Public Works Director, Francesca Herrera

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

Manager Pearson stated there were no public hearings to be scheduled.

24. Discussion and Direction Regarding Eastern New Mexico University (ENMU) Spring Internships

Manager Pearson informed on discussions with ENMU about possible internships. The current discussion was for Criminal Justice directly however, if there was interest the County could work directly with ENMU-Ruidoso in the Spring to coordinate additional internships in different areas of interest.

Chair Stewart recessed the commission meeting and convened the public hearing at 10:00 AM.

12. 10:00 A.M.: PUBLIC HEARING

- a. Ordinance No. 2023-01: An Ordinance Authorizing the Issuance and Sale of Lincoln County, New Mexico Taxable Industrial Revenue Bonds (Mesa Canyons Wind LLC Project), Series 2022A, in an Aggregate Principal Amount not to Exceed \$3,600,000,000 (the "Bonds"); to Provide Funds to Finance the Acquisition, Construction, Equipping and Installation of Wind Energy Facilities to be Constructed in one or More Phases for the Purpose of Generating Electricity and Located Within the County but Outside the Boundaries of any Incorporated Municipality; Authorizing the Execution and Delivery of an Indenture, a Lease Agreement, a Bond Purchase Agreement, a Sublease Agreement, the Bonds, and Other Documents in Connection with the Issuance of the Bonds; Making Certain Determinations and Findings Relating to the Bonds; Ratifying Certain Actions Taken Previously; and Repealing all Actions Inconsistent with this Ordinance.

Attorney Morel stated the Ordinance would issue its Taxable Industrial Revenue Bonds (Mesa Canyons Wind LLC Project), Series 2022A in an aggregate principal amount not to exceed \$3,600,000,000. Attorney Morel indicated that a lot of partners are available for questions and comments.

Jeremy Turner, Pattern Energy stated they are requesting an issuance of a 3.6 billion industrial revenue bond. Mr. Turner stated they are currently underway of a 32-megawatt project on 750,000 acres of land between San Miguel, Torrance, and Lincoln County.

Mr. Turner stated they are requesting insurance over a 30-year period that should bring in about 110 million in new PILT for the County and schools.

Mr. Turner reminded the agreement for the 2020IRB was 2800-Megawatt payment and a 2 ½ % escalator every 5 years.

Luis Carrasco, Rodey Law firm, walked through all the legal documents regarding the Ordinance. Mr. Carrasco stated the documents were the same San Miguel and Torrance County.

Attorney Morel informed this bond is not considered a debt held by the County and is referenced multiple times throughout the documents.

Edward Duffy, County Bond Council confirmed the County cannot be held financial accountable to repay. Mr. Duffy explained benefits of the payment in lieu of taxes split between the schools and county.

Attorney Morel questioned exhibit c and asked Mr. Duffy to explain the school's portion of the taxes and how it is split

Mr. Duffy explained the County has sole right to approve and the schools will get an equal amount based off the lump sum of the taxes, as compared to the County determining the portion it will be automatic based on the amount of property taxes.

Robert Barber stated Upper Hondo approved and signed for a NMSU Student to research the environmental studies based off a 2-to-3-year span.

Robert Barber, acting as private citizen expressed his concerns over the wind farm and spoke about supply and demand deemed from this type of energy. Mr. Barber also raised his concern with the energy produced is bought by California and we needed to protect our resources we have.

Barbara Sultemeier, Corona resident spoke in support to the wind turbines and the profits it has brought to the community and schools.

Ryan Marshall, family rancher stated he had worked that are for 15 years, and this is one of the better things he had seen for the community

Mark Fischer, Rancher questioned the taxes to County.

Rhonda Oord, Owner of the Corona Hotel stated it would have not been possible to do all the improvements and necessary repairs without the tourism the wind turbines brought to the community.

Roeliff Canyon, resident stated the wind farm has been a blessing and an opportunity to actually create energy independence.

Chair Stewart adjourned the public hearing and reconvened the regular meeting at 10:45 AM.

Commissioner Proctor stated a nice amendment would be an increase from 2.5% to a 5%

Motion: Adopt Ordinance 2023-01, **Action:** Approve, **Moved by** Commissioner Willard, **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 F: Copy of Ordinance 2023-01 is attached hereto in reference thereto made a part hereof.

Immediately Following Item, a:

Chair Stewart recessed the regular meeting and convened the public hearing at 10:51 AM.

- b. Ordinance 2023-02: An Ordinance Defining Engaging in Business and Related Terms; Providing for the Collection of Fees; Prohibiting Operating an Unregistered Business; and Providing for a Fine for Violation

Attorney Morel provided an overview of the Ordinance issuing business license within the County.

Chair Stewart stated this would be a way to analyze business data within the County.

Jacob Payne, resident explained the current process when applying for a business license through the State. Mr. Payne stated you currently have to obtain a tax ID number, in which most cases they will use your social security number and there is also a \$35 fee.

Dennis Rich, Sierra Blanca Surveying stated businesses are already overtaxed and added an addition fee to a small business owner would be more of an inconvenience.

Mark Fischer, rancher stated this would be a good use to ID business in the County.

Doris Cherry, small business voiced her concern with the implementation of a business license when its already difficult keeping up operation.

Chair Stewart adjourned the public hearing and reconvened the regular meeting at 11:12 AM.

No action taken

Immediately Following Item b:

Chair Stewart recessed commission meeting and convening the public hearing

- c. Ordinance No. 2023-03: An Ordinance Amending and Restating Ordinance 2012-03, an Ordinance Regulating Wireless Communications Facilities, Including Antennas, Towers and Other Facilities, Prescribing Regulations for Location, Placement, Construction, Appearance, Design, and Modification; Repealing Ordinances in Conflict; Providing for the Severability of Parts Hereof; and Providing an Effective Date.

Robert Naumann spoke about the schedule of fees for small sales.

Sheriff Wood spoke to the enforcement of the ordinance.

Chair Stewart adjourned the public hearing and reconvened the regular meeting at 11:35 AM.

Motion: Adopt Ordinance 2023-03, **Action:** Approve, **Moved by** Commissioner Willard, **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 G: Copy of Ordinance 2023-03 is attached hereto in reference thereto made a part hereof.

23. Consideration of Purchasing a Police Canine from the City of Ruidoso Downs – Sheriff, Michael Wood

Sheriff Wood introduced Deputy Cody Conway and soon to be Deputy Gabo. Sheriff Wood explained some of the training and certifications Gabo has received. Sheriff Wood explained the bond between the two was unchangeable and Gabo would not be able to work with any other person.

Commissioner Crunk questioned where the money came from which Ruidoso Downs paid for Gabo initially.

John Underwood, Ruidoso Downs Councilor, stated the condition of the initial purchase of Gabo was once he bonded with Deputy Conway, he would no longer bond with anyone else and therefore if Deputy Conway left it would either be his responsibility to reimburse the \$15,000 to the City of Ruidoso Downs or Ruidoso Downs could sell Gabo back to the trainer. Councilor Underwood explained at the last Council meeting the Councilors approved the payment of \$15,000 from the County of Lincoln instead of from Deputy Conway.

Commissioner Crunk questioned the cost of outfitting a vehicle for Deputy Conway and Deputy Gabo. Manager Pearson informed it would be roughly an additional \$15,000.

Motion: Approve the purchase of the police canine from the City of Ruidoso Downs using ARPA funds not to exceed \$15,000, and approve the equipment needed not to exceed \$15,000 using ARPA funds as well, **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 Recessed the regular meeting at 12:00 PM and reconvened the regular meeting at 12:45 PM

22. Claim of Exemption Boundary Survey Plats:

- c. Consideration of a Replat of Lot A12-1, Kokopelli Mesa Subdivision, Lincoln County, New Mexico – Owner: Janice Melton Hillger; Surveyor: Dennis Rich

Francesca Herrera explained the property in question was combined into 1 parcel of land, when ownership changed the current owners are requested the parcel of land be split back into the two lots as they were in the beginning.

John Underwood, Attorney, stated he didn't see a problem with the approval since it would not increase the number of lots in the subdivision more than was originally approved, it would just put it back to the original layout. Attorney Underwood also stated there was not a problem with the water since its already in place and been established prior to.

Motion: Approve Replat of Lot A12-1 from one lot back to two lots, **Action:** Approve, **Moved by** Commissioner Willard, **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.

- a. Appeal of Denial of Claim of Exemption Boundary Survey Plat – Tract 3, Longview Subdivision, Lincoln County, New Mexico – Owners: Candy R. and Bonnie Jean Trujillo; Surveyor: Dennis Rich

Francesca Herrera explained the original denial of the Exemption Boundary Survey Plat since it affected both a subdivision and a 370-acre parcel of land.

Attorney Morel explained the legal ramifications and the ability for the 370-acre parcel of land to then be able to be subdivided in the future. Attorney Morel detailed the lengthy process it would entail to get approval from all residents in the subdivision and all the requirements to be able to approve it.

Candy Ray Trujillo, property owner, stated he has had the ranch in excess of 25 years and he and his wife own the tract of land that is currently being used as ingress and egress for the 370 acres. Mr. Trujillo reviewed parts of the Lincoln County Subdivision Ordinance with the Commissioners and stated his request was to redefine the parcels which contain the current ingress and egress to the ranch property creating an easement, separate from the house on tract 3, in order to retain access to the 370 acres.

Dennis Rich, surveyor, explained currently when a claim of exemption is filed and a road or easement is created through a piece of property, the adjoining neighbors are not being notified. Mr. Rich questioned why there would need to be notification to the neighbors until such time that a subdivision was presented to the County.

Attorney Morel informed none of the claim of exemptions provided show a roadway going through an existing residential lot to access another huge tract of land. Attorney Morel stated it could be done however there was a legal process to do it and a claim of exemption is not the process.

Commissioner Willard questioned the legality of the homeowners creating an easement to themselves through the lot in question. Attorney Morel stated an easement would be a better alternative to retain legal access to their property.

Motion: Uphold the denial of Claim of Exemption based on the fact it is not in accordance with the replat, **Action:** Approve, **Moved by** Chair Stewart, **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.

- b. Appeal of Denial of Claim of Exemption Boundary Survey Plat – Lot 52A, Block 6, High Mesa Subdivision, Lincoln County, New Mexico; Unit 3 Lot 2A-1, Unit 1,

Lincoln Hills Subdivision, Lincoln County, New Mexico – Owners: Kenneth and Suann Tumlinson; Lot 74, Deer Park Valley, Unit 2, Lincoln County, New Mexico – Owners: Don and Mary Whitlow; Surveyor: Dennis Rich

Attorney Morel laid out the logistics of this complicated Claim of Exemption Boundary Survey Plat and showed the Commission the requested changes in the lots. Attorney Morel stated this Claim of Exemption actually calls for the alteration of three separate subdivision boundaries; Lincoln Hills, High Mesa and Deer Park Valley and it was previously approved by adding part of Lincoln Hills into High Mesa. Attorney Morel explained in this instance they started with three tracts of land, altered the boundaries of three different subdivisions and still had three tracts of land at the end.

There was a lengthy discussion on the requested changes and the requirements for different signatures from the different zoning authorities prior to approval of the plat.

Motion: Reverse the denial of the Claim of Exemption and approve of the filing of the plat provided all the proper signatories have been obtained, **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.

25. McBride and Nogal Fires Litigation Presentation – Robles/ Rael / Anaya – Luis Robles

John Fisk, Law firm of Baron & Budd, gave a presentation on behalf of Luis Robles who was unable to attend. Mr. Fisk informed they were all part of a group of firms which specializes in representing public entities in utility caused wildfires.

Commissioner Crunk requested clarification how the County, which was being reimbursed by the feds for all expenses incurred because of the fire, would benefit the constituents of the County by participating in the Litigation.

Mr. Fisk discussed the three large categories of recovery which include insurance, Federal or State emergency disaster or emergency declaration assistance and a Civil action which would help to recover all the things you weren't able to recover under an insurance contract or a FEMA application. Mr. Fisk stated there are entire categories of damages which FEMA will not pay for. Mr. Fisk discussed the Stafford Act and stated it basically required entities which receive FEMA funds to pursue proactively negligent third parties. Mr. Fisk stated there was a distinction between pursuing litigation on behalf of the citizens in the County and on behalf of the County itself in order to recover lost taxpayer resources that were expended as a direct result of the fires or in response to the fires.

Ed Diab, Law firm of Dixon Diab & Chambers explained the difference between a normal FEMA covered disaster and the local fires was a FEMA disaster is normally nature caused and not the result of a negligent third party.

Commissioner Willard stated he felt this was a natural event and the tree which blew down was out of the right of way of the power company and he doesn't believe it is in the best interest of the County to have anything to do with this litigation.

There was a brief discussion amongst the Commissioners who all generally agreed with Commissioner Willard.

16. Manager's Report

1) Airplane Canyon – Off of Gavilan Road

On August 19th, we discovered a culvert that was clogged due to the flooding in the Gavilan Canyon area. This culvert is 25 – 30 feet below the roadway. LC Road Department, Sheriff's Office, OES, Robby Hall and MP Chavez worked for many hours trying to open the culvert to allow water to drain. By 9pm, we had success and were able to send everyone home for the evening.

2) Auditor Preparation – GASB 87 Training

On August 30, 2022, the manager's office participated in a training provided by Kubiak CPA firm. The new GASB 87 rule stipulates that leases need to be scrutinized as to how they are reported on the financial statements. The staff is working diligently to identify leases and report them properly. This is the first year that GASB 87 will be audited and enforced.

3) City / County Collaboration

The New Mexico Municipal League asked the Village of Ruidoso and the County of Lincoln to present at the annual NMMML conference in Albuquerque. Tim Dodge and I lead the discussion in front of a crowd of around 100 people. We discussed starting the communication with something as simple as a letter of support. The presentation seemed well received and the NM Association of Counties has asked that we present during legislative conference in January.

4) Corona EMS and Response

On September 9, 2022, Walter Garfield (Corona resident and Road Department employee) responded to a vehicle accident 10 miles south of Corona. A Dodge Minivan hit a bull elk around 9pm. Both occupants of the vehicle were shaken but otherwise uninjured. The vehicle was a complete loss. As Walter is finishing with the van / elk incident, he is dispatched to highway 42 for a report of a head-on collision. Walter called in a helicopter and two ambulances to treat the injured. I wanted to recognize and say Thank You to Walter for his volunteerism and commitment in helping Lincoln County.

5) Gallinas Tower Visit on September 9, Joe Kenmore and I drove to the Gallinas Tower located in the Cibola National Forest (southwest of Corona). This tower is owned by Transwestern. We have an EMS and a Sheriff's repeater on this tower. These repeaters were installed in 2013. The useful life has been depleted; it is time to replace the units.

6) Bonito Creek Clean up Meeting on July 21, 2022, Camille Howes organized a meeting to view the amount of debris in the Bonito creek area. Most of the debris is from the Little Bear fire. A tentative plan was discussed, and action items were given to individuals. Most of the property is owned by the City of Alamogordo.

7) Enchanted Forest Update Enchanted Forest MDWCA is applying for grant funding from the NM State Water Trust Board for the planning, design, and construction of a new well, as well as a new distribution system to include fireproof piping, new meters, and new fire hydrants. The attached letter of support can be used to accompany applications for grant dollars.

19. Solid Waste Update: - continued

b. Solid Waste Presentation – Public Works Director, Francesca Herrera

Francesca Herrera, Public Works Director, gave a lengthy presentation on the current state of the Solid Waste department and possible options for the future.

27. Lincoln County Executive Session Pursuant to the Open Meetings Act: Discussion of all Threatened and/or Pending Litigation, Section 10-15-1, Subparagraph (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); and Limited Personnel Matters, Section 10-15-1, Subparagraph (H)(2)

Motion: To close the meeting for the purposes of an Executive Session to discuss threatened and/or Pending Litigation section 10-15-1, subparagraph (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); and limited personnel matters, section 10-15-1, subparagraph (h)(2)

New or Updated Matters since last report *

1. **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. A Judicial Inquiry Hearing took place September 4, 2018. The case is still pending.

2. **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. On February 26, 2019, an Order Setting Aside Conviction was entered by Judge Counts.
On March 25, 2019, a Notice of Appeal was filed with the N.M. Supreme Court, Case No. S-1-SC-37602 On January 8, 2021, the Supreme Court entered its Dispositional Order of Transfer transferring the case to the Court of Appeals for consideration and review.
On January 28, 2021, a Dispositional Order was entered transferring the case to the NM Court of Appeals for consideration and review. Case No. A-1-CA-39446 The case is still pending.
3. **Romero, et al. v. Stone, et al, Cause No. D-1226-CV-2019-00271** Request for Appointment of Guardian Ad Litem for Plaintiffs and Complaint for Violation of Civil and Constitutional Rights, Negligence, Prima Facie Tort and Wrongful Taking was filed on October 9, 2019 along with a Jury Demand. Lisa B. Riley is the presiding Judge. The case is still pending.
4. **Brd. of County Commissioners of Lincoln County v. Amerisourcebergen Drug Corp., et. al – U.S. Dist. Court Case No. 2:19-cv-00462** – Complaint for Public Nuisance, Violations of Racketeer Influenced and Corrupt Organizations Act (RICO)... filed on May 20, 2019 by Attorneys Robles, Rail & Anaya, P.C., et. al. After receiving no oppositions to the transfer of the case, on June 17, 2019, the case was transferred to the Northern District of Ohio noting that as of December 5, 2017, 1,534 cases have been transferred to Ohio for further proceedings. The case is still pending.
5. **Greentree Solid Waste Authority v. Lincoln County, Cause No. D-1226-CV-2014-00095** – Compromise and Settlement Agreement and Release executed on December 17, 2015.
6. **Richard Ford v. Terry A. Colwell, II, et al, Cause No. D-1226-CV-2020-00104** Complaint for criminal trespass, theft, misappropriation of monies and violations of civil rights was filed by Gary C. Mitchell on May 11, 2020. Lincoln County was served on May 29, 2020. On June 26, 2020, the case was removed to the U.S. District Court and, on March 30, 2021, the case was remanded back to the 12th Judicial District Court for further proceedings. The 5 day Jury Trial scheduled to begin on September 19, 2022 was re-scheduled to begin on May 15, 2023.
7. **Lincoln County, ex rel, Greentree Solid Waste Authority and Mary Mansfield vs. Sierra Contracting, Inc, et al, Cause No. D-1226-CV-2020-00081** Complaint Under Fraud Against Taxpayers Act was filed by Zach Cook and Victor Marshall on March 31, 2020. On September 17, 2020, Plaintiffs filed their Notice that Qui Tam Plaintiffs are proceeding with this action. On January 6, 2022 Judge Sugg entered an Order of Dismissal for Lack of Prosecution. On January 12, 2022, Plaintiffs filed their Motion to Reinstate.
8. **Debra Wilcox v. Board of County Commissioners, Deputy Samuel C. Hanna, Caroline McCoy and Former Sheriff Robert Shepperd, Cause No. D-1215-CV-2021-00574** Complaint for Damages was filed on the 2nd day of September, 2021 by Steven Sanders alleging personal injury resulting from an improper and grossly negligent investigation and for "malicious abuse of process". County Defendants were served on November 2, 2021. The case is still pending.
9. ***New Mexico Bank & Trust v. Roger Gomez, et al, Cause No. D-1226-CV-2022-00001** Complaint for Foreclosure of Mortgage was filed on January 4, 2022. A Decree of Foreclosure was entered by Judge Sugg. The Special Master's Foreclosure Sale is scheduled to take place on October 3, 2022 at 9:00 a.m. The case is still pending.
10. **Eby Revocable Trust AND William R. Moser v. Lincoln County Assessor, et al, Cause No. D-1226-CV-2021-0260** A Notice of Appeal of Decision of Tax Protest Board was filed on the 14th day of December, 2021 by Attorney Zach Cook. On January 27, 2022, New Mexico Counties assigned Attorney Daniel Macke to represent Lincoln County. The case is still pending.
11. **Allen Theaters Properties, LLC v. Walter Hill, County Assessor, Lincoln County, Cause No. D-1226-CV-2021-0264** A Complaint for Property Tax Refund was filed on the 27th day of December, 2021 by Attorney Gary Eisenberg. On January 26, 2022, New Mexico Counties assigned Attorney Daniel Macke to represent Lincoln County. The case is still pending.
12. **Crystal Buster v. Board of County Commissioners for Lincoln County, Correctional Solutions Group, LLC, et al, Cause No. 2:21-cv-01208** A Complaint for Recovery of Damages Caused by the Deprivation of Civil Rights with a Jury Demand was filed on the 12th day of December, 2021, by Coyte Law P.C., and the Law Offices of Matthew Vance, P.C. The case is still pending.
13. **Lionel Burns v. Lincoln County Sheriff's Department; Deputy Daniel Brawley; in their individual and official capacities, and Rhonda Burns, Cause No. D-1226-CV-2022-00032** A Complaint for Damages was filed on the 4th day of March, 2022, by Clayton E. Crowley, Esq. and Joseph J. Gribble, Esq.

On April 22, 2022 the case was removed to the U.S. District Court for the District of New Mexico, Cause No. 1:22-cv-000304. The case is still pending.

14. **Potential Recovery of County of Lincoln Losses from the McBride / Nogal Fires**

15. ***Butch's Properties, LLC v. Vera Cruz Ranches, et al, Cause No. D-1226-CV-2022-00166** A Complaint to Quiet Title was filed on the 18th day of August, 2022 by Attorney William Griffin. Lincoln County was served on the 26th day of August, 2022 and its Answer to the Complaint is due on or before the 25th day of September, 2022.

16. ***Pioneer Bank v. Andrew Smith, et al, Cause No. D-1226-CV-2022-00089** An Amended Complaint for Foreclosure and Collection of note was filed on the 24th day of August, 2022 by Attorney Andrew Ragsdale. Lincoln County was served on the 24th day of August, 2022 and its Answer to the Complaint is due on or before the 28th day of September, 2022.

Tort Claims Notices Received or Threatened

2022

Schwartz, Neil – Tort Claim Notice received on February 10, 2022 alleging malicious and/or tortious actions and/or omissions by the State of New Mexico, the Lincoln County Sheriff's Department, the New Mexico State Police, and the Twelfth Judicial District Attorney's Office resulting in damages to Claimant including, but not limited to, infliction of mental pain and suffering, injuries to Claimant's reputation, and current and future loss of earnings.

Downs, Barbara – Tort Claim Notice received May 6, 2022 alleging improper road and/or waterline maintenance resulting in a vehicle collision due to the icy road at the intersection of Sudderth Drive and Paradise Canyon in Ruidoso, New Mexico. A 2nd Tort Claim Notice was received on May 9, 2022 for a separate source with the same allegations as those set out in the May 6, 2022 notice.

McMinn, David – Tort Claim Notice received on July 6, 2022, alleging multiple, serious issues due to the use of excessive force by BIA law enforcement who may have been agents of or acting on behalf of the Village of Ruidoso, Ruidoso Police Department, Lincoln County, N.M. State Police and the State of New Mexico.

New Mexico Boys and Girls Ranches, Inc. and its Employee, Bridgman, Ted – Tort Claim Notice received on August 9, 2022, alleging violation of civil rights and tort claims act, including a demand to cease and desist and the return of promotional materials confiscated by County representatives at the Lincoln County Fair.

2021

Cline, Terry – Tort Claim Notice received January 11, 2021 alleging injuries sustained as a result of claimant's garbage truck being struck by a front-end loader at the Otero-Greentree Regional Landfill.

Purcella, Les – Tort Claim Notice received January 28, 2021 alleging damage to his automobile by an employee with the Lincoln County Assessor's office.

Chavez, Cecilia – Tort Claim Notice received February 1, 2021 alleging damage to NM State Police vehicle by Deputy Wikoff with the Lincoln County Sheriff's Office.

Mow, Jacob – Tort Claim Notice received February 18, 2021 alleging damage to his vehicle due to icy road conditions on Cora Dutton Rd. and the County Road Department's failure to salt to roadway.

Cervantez, Adam - Tort Claim Notice received alleging the use of excessive force and related constitutional claims during his arrest on April 22, 2021.

Kieter, Dave; Jakubcewicz, Mark; Riddle, Jasper; Patton, Van – Claimants each allege damages to personal and real property as a result of the extraordinary flooding experienced throughout Lincoln County.

Myers, Sylvia – Tort Claim Notice received August 30, 2021 alleging that Lincoln County Medical Center's treatment fell below the standard of care.

Siegel, Erik – Tort Claim Notice received August 30, 2021 alleging deprivation of rights involving tort, constitutional rights, and other claims.

White, Lionel Glenn, Jr., and family members and tenants, Ralph Nosker and his family members, Barbara Arthur and her family members, and Barlou, LLC – Tort Claim Notice received September 16, 2021 alleging inundation by water resulting in damages to existing roadways and parking in the Gavilan Canyon Road area which are all located within the municipality of the Village of Ruidoso.

Smoley, Cinthia – Ms. Smoley submitted to the Lincoln County Treasurer Department a Statement dated 11/2/2021, for "Arbitration Award/monies due for default".

Vonderane, Glenn – Tort Claim Notice received October 19, 2021 alleging personal injury while using a staircase at the Village of Ruidoso public parking lot located at 151 Center Street.

Brady, Rosarita – Tort Claim Notice received December 6, 2021 alleging an improper investigation of a shooting death by the Lincoln County Sheriff's Office.

2020

Stark, Cary – Tort Claim Notice received October 9, 2020, in which Claimant alleges that, after making a 911 call concerning the driver of a vehicle he was a passenger in, the responding officers allowed him to leave with the same driver which ultimately resulted in a crash causing Claimant to sustain injuries.

Touche, Claudia and Trespalacios, Antonio – Tort Claim Notice received November 5, 2020 alleging false arrest, excessive force, intentional infliction and emotional distress, and harassment by the Lincoln County Sheriff's Deputies, and claims against the County of Lincoln based on retaliation, negligent training and supervision, and for inadequate policies and procedures.

Goodman, John and Lovone – Tort Claim Notice received November 24, 2020 alleging substantial damage as a result of Lincoln County Sheriff Deputy Joshua William Snodgrass' failure to yield right of way.

Humphrey, John D. – Tort Claim Notice received December 17, 2020 alleging personal injuries occurring at Moon Mountain Disc Golf.

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

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

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

Chair Stewart recessed the Regular Meeting and convened the Closed Session 2:42PM.

Chair Stewart adjourned the Closed Session and reconvened the Regular Meeting at 4:47 PM.

Commissioner Willard 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.

28. Signing of Official Documents

All commissioners authorized use of electronic signature/stamp.

29. Next meeting:

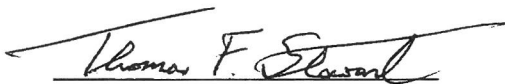
October 18, 2022 – Regular Commission Meeting

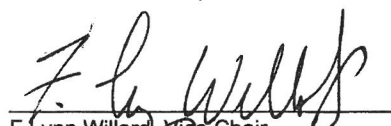
30. Adjourn

There being no further business to come before the Board of County Commissioners, Chair Stewart adjourned the meeting at 4:47 PM.


County of Lincoln

Board of Commissioners


Thomas F. Stewart, Chair

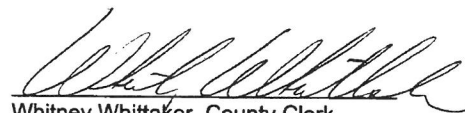

F Lynn Willard, Vice Chair


Elaine Allen, Member


Jon Crunk, Member


Todd Proctor, Member

ATTEST:


Whitney Whittaker, County Clerk

October 18, 2022
Date Approved

