

Lincoln County News
1400 Sudderth Drive
Carrizozo, N.M. 88301
Phone: 648-2333

Commissioners Question Law Enforcement Duties

by Doris Cherry

The Sheriff's Office occupied a considerable part of the Lincoln County Commissioners seven-hour meeting Friday.

Commissioners, meeting in the courthouse in Carrizozo, started with a closed session to discuss pending litigation. Back in open session, commissioners went to items listed under "budget reviews." But

much of the two-hour budget review was directed at Sheriff James McSwane and his department labor dispute (see related article).

With McSwane a captive at the podium, commissioners went on to the need to have written agreements between the sheriff's office and the municipal police departments concerning assistance. The discussion centered around a July 1994 incident when

Ruidoso Police officer Randy Spear issued a citation to Bonito Fire Department chief Howard Puckett at a location in the county outside Ruidoso.

Commissioner Wilton Howell said a document is being circulated about an affidavit to limit officers from making calls in the county, and special commission cards to be revoked. All county commissioners hold such cards, in addition to those

issued by the sheriff.

McSwane said he issues two special deputy commission cards, which entitles the holder to act on his behalf when so directed. McSwane said in the incident Spears issued Puckett a citation for reckless driving, without direction from himself. He too was concerned.

After some discussion, Howell asked the sheriff to not let the situation deteriorate so there is no cooperation

between the sheriff's office and local police departments, especially Ruidoso.

Carrizozo Chief of Police Charlie White, at the meeting for discussion about a DWI grant, said there is no written agreement between his police department and the county sheriff's department, but any time there is need for assistance, or a deputy or state police officer is unavailable,

his department will respond. "It's difficult to get state police on this side of the mountain," White said.

Commissioner Monroy Montes wanted to clarify the assistance agreements between the sheriff's office and the four municipal police departments, to avoid similar incidents.

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CARRIZOZO, NEW MEXICO 88301

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Commissioners Plan February Meeting In Ruidoso

The Lincoln County Commission will meet in Ruidoso in February.

During their regular session Friday in Carrizozo, commissioners on a 4-1 vote approved meeting in the village of Ruidoso in February.

No location was given for the Ruidoso meeting. The county sub-office is located in Ruidoso, but is currently strained for space and the small conference room in the sub office is being utilized.

Last year when commissioners met in Ruidoso they used the Ruidoso Village Council Chambers.

But in the fall, Ruidoso Village Council passed a resolution to not allow any groups other than themselves, or their boards and commissions, plus the Extra Territorial Zoning Commission and Authority boards to use the village council chambers. All other groups must meet in the Ruidoso Civic Events Center.

The Civic Events Center is available to such government groups as the county commission, at no cost, a center spokes person said.

When commissioners considered a motion to hold their next meeting in Ruidoso, commissioner Stirling Spencer tried to amend the motion to hold the meeting in the courthouse in Carrizozo, the center of county business. But his amendment died for lack of a second.

No time or location was set for the February county commission meeting.

GED Test To Be Given On Friday 13th

The Ruidoso Instructional Center of ENMU will offer the GED test Friday, Jan. 13 at the Center offices at 1400 Sudderth Drive, beginning at 8:30 a.m. Cost of the exam is \$20, payable at the office prior to the testing time.

Applicants must be at least 17 years old to be eligible for testing. The GED test is offered at the ENMU office on the second Friday of each month for the GED test. No pre-test is necessary. For more information, contact the ENMU office at 257-2120 or 1-800-934-3668 outside of the Ruidoso area.



CHANGING OF THE GUARD. Lincoln County Commissioner Bill Schwettmann (standing) takes over the seat as vice-chairman during the first county commission meeting of 1995, held Friday, Jan. 6 in the courthouse in Carrizozo. Commissioners unanimously re-elected Monroy Montes (right of Schwettmann) as chairman for another year. Other commissioners pictured are from left Stirling Spencer, Wilton Howell and former vice chairman L. Ray Nunley. County clerk Martha Proctor is at far right.

Capitan Streets Are Priority For CDBG \$

by Doris Cherry

Capitan Village Trustees continued their commitment to upgrading the downtown streets.

During their meeting Monday, trustees hired Dennis Engineering of Socorro to do the designs for the first phase of the street upgrade, then approved application for a 1995 Community Development Block Grant (CDBG) to do phase 2 of the street upgrade.

The village pursued CDBG funding last year with a project proposal that would redo the downtown streets in three phases. The village sought a \$500,000 CDBG for phase 1 in 1994, and received \$309,000. Phase 1 will be to repave, curb and make storm gutters on 4th Street. Phase 2 will be for similar work on 3rd Street,

phase 3 will be to upgrade 2nd Street.

As part of the CDBG process, trustees held two public hearings with the meeting Monday. Southeastern New Mexico Economic Development District (SNMEDD) executive director Tony Elias said there will be \$14 million available for CDBGs this year. He also explained the CDBG process, and what projects are eligible. SNMEDD, of which Capitan is a member, will complete the application and deliver it to Santa Fe by the March 31 deadline.

The street project was most favored by the trustees because it continued what was started with last year's CDBG project. Elias said the Community Development Council which decides on the CDBG funding, is favorable to con-

tinuing projects. He said the best example is Carrizozo, which has pursued CDBGs for continuing street projects.

There was some discussion about the need to construct a pipeline from the Eagle Creek source, and for storage of the raw water. Dr. Bernhard Reimann asked for a laboratory building and equipment for the Wetlands waste water project, which was a CDBG project. The lab was cut from the project because the funds were used to purchase property for the waste water treatment. Reimann said students could be utilized to conduct tests on the waste water.

Dr. Reimann wanted the lab building and equipment to be put on a priority list.

The village's Capital Improvement Plan lists the 2nd

(SEE PAGE 8)

Ruidoso Approves A Daytime Curfew

by Doris Cherry

By January 18 Ruidoso School District students who play hooky in a public place in Ruidoso may find themselves stopped by village police.

Ruidoso Village Council, on a four to one vote Tuesday, approved the Compulsory School Attendance Ordinance. The ordinance follows the state compulsory school attendance statute, but is different in that it allows officers discretion and will allow the cases to be handled by municipal court as opposed to magistrate court.

The state statute is not now being enforced because the school district has no truancy officer.

The ordinance imposes a type of curfew on Ruidoso

School District students who are under 18 years old. It gives police authority to question students observed on public streets, places of amusement and entertainment within the village, during school hours, and to return those students to school. The curfew does not apply to students who are on suspension from school, who are in home school, who are with a parent or are properly excused from school, or who are visiting from elsewhere.

The school will work with the police to provide a daily list of students who are suspended or expelled. The lists will be destroyed at the end of the suspension or expulsion periods.

Parents of students who are picked up by police and re-

turned to school will be notified. The parents will be warned the first time, fined \$50 for the second violation, and \$100 for the third and subsequent violations.

Police chief Lanny Maddox proposed the curfew, mainly as a "tool" to curb juvenile crime, which in 1994 accounted for 27 percent of the crimes committed in the village. Many of the crimes, burglaries especially, were committed during the day.

The section exempting suspended students from the curfew concerned councillor Robert Donaldson, who wanted to amend the proposed ordinance to include the suspended students. Donaldson said the juveniles who committed the burglaries turned

(SEE PAGE 9)

Who Said What During Closed County Session?

by Doris Cherry

Lincoln County Commissioners, citing negligence, threatened to cut the sheriff's department budget unless the sheriff resolves a labor dispute over paying for deputies' lunch hours.

Last month, during a closed session of the regular monthly meeting, county commissioners discussed the labor dispute with sheriff James McSwane, representatives of the Lincoln County Sheriff's Association, and director of Fraternal Order of Police director David L. Heshley. Part of the discussion during the closed-to-public session was apparently about a letter

notifying the commission of an intent to file suit. The letter was not made public during the December meeting.

During the county meeting held Friday, January 6, county commissioners brought the issue to open session. They asked McSwane if he had started paying the deputies for their lunch period. When McSwane said he hadn't, commissioners demanded to know why, since they said they had asked the sheriff to comply to Fair Labor Standards Act (FLSA) rules at the December meeting. Commissioner Monroy Montes said he had asked McSwane to implement the FLSA standard of

(SEE PAGE 3)

Carrizozo Concerned With Proposed Water Test Fees

by Ruth Hammord

The present phase of the Carrizozo street improvement project is complete. Final inspection of the latest street paving was to be held yesterday. Plans for the final inspection were made by the Carrizozo Board of Trustees during their regular meeting Tuesday.

Most of the street paving was paid for with funds supplied by the Community Development Block Grant (CDBG) with a portion of the street improvement money coming from the Highway Coop fund.

Trustees also scheduled a public hearing for Tuesday, Jan. 24 at 6 p.m. for public input for what the town should apply for in the next CDBG Grant. The public is encouraged to attend the public hearing which will be held at city hall.

Trash issues were also discussed at the meeting. Joe Lewandowski, manager of the Lincoln County Solid Waste Authority (LCSWA), presented the board with a letter of information about the description of services, costs of services, and an additional offer LCSWA is willing to make to the town.

The town's contract with Southwest Disposal of Alamogordo ends March 31.

Lewandowski noted that the town of Carrizozo is a voting member of LCSWA and has pledged environmental gross receipts to help pay for the landfill in Otero County which is jointly owned by LCSWA and the Otero County Solid Waste Authority.

The board of trustees will schedule a meeting for public comments about the waste collection before making a decision.

In other business, the board approved official support of the present charge of three cents per thousand gallons of water for water testing. Proposed changes in the water testing fees could cause the cost to jump from the \$73 a month the town is now paying to an estimated \$1,400 a month.

Trustees approved a resolution in support of the Regional Housing Authority.

Police chief Charlie White told the board the police department needs to replace Liz Beltran who recently resigned. White mentioned the increase in thefts in the town.

Trustees discussed the Recreation Center punch list of items that need repairs, etc.

A closed session was held to discuss pending litigation.

Second Meeting Of Parenting Seminar To Be Held Tuesday

The second meeting of the Parenting Seminar, *Resolving Conflict With Teenagers and Preteens*, sponsored by Capitan Schools, will be held Tuesday, Jan. 17 from 7 to 9 p.m. in room 113 at Capitan High School.

The parenting seminar is a free course led by Dr. Birgit LaMothe. Books are available and pre-registration is not necessary.

Dr. LaMothe encourages any person interested in the seminar to attend the second session.

Ruidoso Plans To Ask State For Money For Recreation Complex

by Doris Cherry

Ruidoso is 10 years behind in developing recreation facilities.

But a plan to remedy that was approved by the Ruidoso Village Council Tuesday.

Councilors gave their nod on conceptual plans for a recreation complex that includes two buildings that will house an indoor gym, two indoor racquetball courts, indoor jogging area, an indoor Olympic size swimming pool, and outdoors three soccer fields and a baseball field. The facilities will be located next to the White Mountain Schools complex and the building designs will match or be compatible with the new school buildings.

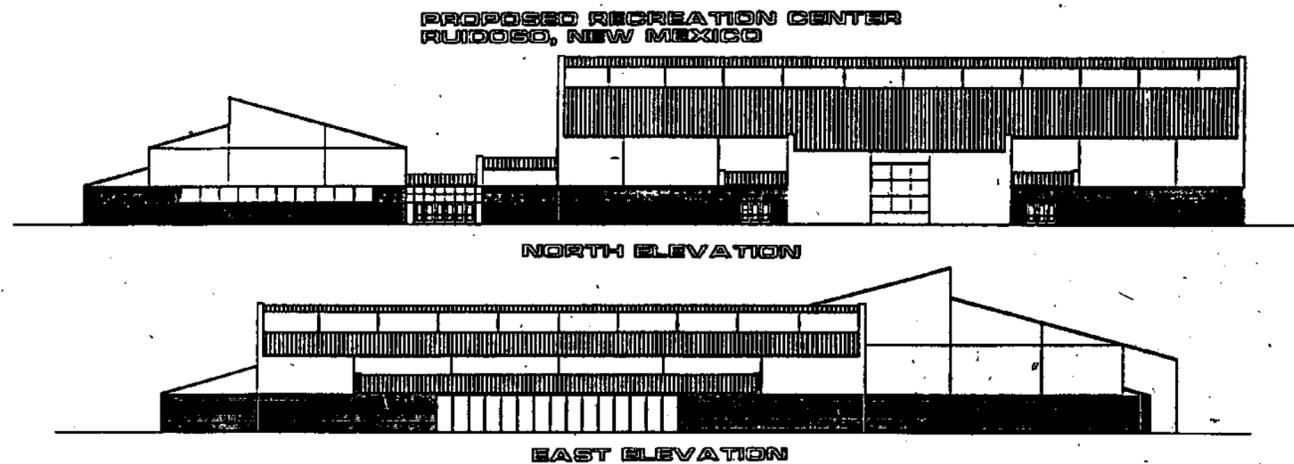
Estimated size of the main

building is 88,440 square feet and the pool building is 28,435 sq. ft. The complex would be constructed in two or three phases and estimated total cost is \$12,244,000.

Councilors considered the project a historic act of cooperation between the village, the Ruidoso School Board (which owns the land) and County of Lincoln. A meeting of representatives of all three governments was held just prior to the regular council meeting Tuesday. The school agreed to provide the land at little or no cost, the county agreed to provide in-kind excavation work, and the village agreed to pursue the funding to construct the complex.

The village will pursue funds for the first phase of the project (the main building with the indoor court) from the state legislature. Village manager Gary Jackson said he will package the request for funding and deliver it to Senator Pete Campos to introduce as a bill in the senate. Mayor Jerry Shaw said that last year Senator Campos was very influential in getting money for large recreation projects in his district.

A package to request fund-



PROPOSED RUIDOSO RECREATION COMPLEX conceptual drawings were presented to the Ruidoso Village Council during its meeting Tuesday. The drawings show the complex which consists of two buildings, one to house an indoor gym, racquetball courts, meeting areas, locker rooms and other uses, the other building to house an indoor Olympic size swimming pool. The proposed complex, which will be located next to the White Mountain Schools, will be done in two or three phases, and with outdoor soccer and baseball fields, is estimated to cost more than \$12 million. The design and colors of the complex will be either the same or closely match the new school.

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Thanks again. It was great!

Gratefully,

Janice Silva Ware
Janice Silva Ware

ing for waste water improvements for the village will be delivered to new representative Dub Williams to introduce as a bill in the state house.

While funding will be very much a pursued subject at the state legislature this session which begins January 17, the legislature's rulings on how it will allow gambling may impact Ruidoso and Lincoln County more than any single issue.

Former state representative John Underwood, who is now under agreement with the village to provide lobbying efforts for Ruidoso projects, invited councilors and any

citizens to come to Santa Fe this week to testify during public hearings on the gaming issue. Underwood and Shaw were scheduled to be in Santa Fe Wednesday.

Thursday, the village manager will testify on gaming's impact on the village's infrastructure and the need for impacted communities to receive a certain percentage of the gaming revenues to pay for increased demands on infrastructure.

Underwood said during hearings last week information was given on impacts of gambling nationwide, and background on the federal Indian Gaming Act. In Minne-

sota when Indian tribes began gaming, horse racing was able to survive only 24 months because the state provided no part of the gaming revenue to the tracks. New Mexico has allowed horse racing since the 1940s.

Underwood said many people do not understand the amendment voters approved to allow gaming and a lottery, or the Indian Gaming especially under the compacts authorized by Gov. Gary Johnson.

Some of the provisions considered for New Mexico's gaming is to restrict it to resort areas. The resorts most talked about are Ruidoso and Taos, or their counties as gaming will be allowed on a county wide basis, Underwood said. In those areas, recom-

mendations are to restrict the gaming to specific places so there is no "convenience" gaming.

Resort village Angel Fire is against gaming and has said it does not want it. "If someone doesn't want gaming, they won't get it," Underwood said.

Friday, at the hearings in Santa Fe, Underwood will lead a panel of about 10 people who will address the economic impact of gaming on horse racing on a state and national basis. Public comment will be allowed after each presentation. All hearings are open to the public and are being held in Room 307 of the Capitol Building in Santa Fe.

Ruidoso will be affected whether the supreme court (SEE PAGE 8)

Commissioners Question . . .

(Continued from Page 1)

But commissioners were not yet done with McSwane, who was at the meeting to ask for a raise for his exempt administrative secretary, and permission to hire a part time secretary for the Drug Enforcement Unit (DEU).

Commissioners questioned McSwane about the DEU, which McSwane said works with similar units from Otero County, City of Las Cruces, the state, and is recognized for its effectiveness by several federal agencies. DEU is financed with a federal grant, with the county contributing \$27,000 a year toward an exempt salary for the DEU supervising officer.

Montes' said his big concern is the county's exposure because of the DEU's activity. Also he said no report has come from the DEU or the task force which preceded it.

DEU officer Angelo Vega said that the DEU has picked up more cases since he was assigned, and has seized more narcotics with success in court.

But commissioners wanted

to know what happens to items forfeited in drug cases. Some vehicles and items were sold in last year's county auction. Currently, there are five vehicles and other items waiting to be sold. Money from the forfeiture sales goes into the county's general fund, directed for narcotics. "It's earmarked to go back into being used in the war against drugs," McSwane said. He would not specify what.

Montes said he was unsure of the DEU's viability, since he had seen no reports. "I look at the money. A \$125,000 department with three fourths that in salaries. I don't see the other side, it's up to you (McSwane) to justify the program."

Most DEU activity has been based in Ruidoso. The Ruidoso Police Department participates in the DEU by dedicating half the time of an officer, McSwane said.

Montes said that logically, the DEU should be run by Ruidoso. McSwane said that it would no longer be a task force, because it is county wide with cooperative agreements with Carrizozo, Capitan, Ruidoso Downs, Ruidoso and Mescalero.

But Montes was firm, "If you want the program to succeed, come back with options and documentation," Montes said.

Finally, after questioning the sheriff about his office operations, the need for the DEU, need for a part time secretary for the DEU, a raise for the sheriff's administrative secretary, and even the need for the DARE program, commissioners voted unanimously not to fund the part time secretary for the DEU. The administrative secretary's raise was first put off with a motion to delay it until budget time in May, with Spencer voting no. Spencer then offered his own motion, setting the administrative secretary's raise on the next meeting agenda. The motion slipped by with Howell and Montes voting no, L. Ray Nunley, Spencer and Bill Schwettmann voting yes.

Obituary

VALENTINA ROSELLA PEREA

Valentina Rosella Perea, 81-year-old Carrizozo resident died Jan. 6 at Gerald Champion Memorial Hospital in Alamogordo.

She was born on Feb. 14, 1913 in Rabaton, N.M. to Jose and Eulogia Lueras Perea. She was a member of Santa Rita Catholic Church in Carrizozo.

She is survived by her daughters, Thelma S. Padilla and her husband Freddy Sr. of Alamogordo, and Eulogia Meneley of Denver, Colo.; one brother, Antonio Lueras of Carrizozo; 17 grandchildren; 37 great-grandchildren; two great-great-grandchildren; and one great-great-great-grandchild.

A funeral mass was celebrated Jan. 9 at Santa Rita Catholic Church in Carrizozo with Father Dave Berg as celebrant. Burial followed at Evergreen Cemetery in Carrizozo.

Pallbearers were Freddy Padilla Sr., Freddy Padilla Jr., Orlando Perea, Jimmy Perea, Sylvester Perea, Ted Larson, and Mark Garcia. Honorary pallbearers were Ramino Gonzales, Tom Knight and Joe Lueras.

STEVEN DANIEL CHAVEZ

Graveside services for Steven Daniel Chavez, 45, of Tularosa were Jan. 10 at Forest Lawn Cemetery with the Rev. Ray Wells officiating. Mr. Chavez died Jan. 3 at his home. He was born Sept. 20,

1949 at Carrizozo to Max and Ramon Chavez who both precede him in death. He has lived in Lincoln and Otero Counties all of his life. He was a member of the Catholic Church and had served in the Army.

Survivors include a daughter Sonya Marie Chavez of Tularosa; three brothers: Ramon Benavidez Chavez of Guantanamo Bay Cuba, Robert Andrew Chavez and Michael Leroy Chavez both of Ruidoso Downs; a sister-in-law Sabine Chavez of Guantanamo Bay Cuba. His grandmother Rebecca Warner of Alamogordo and three nephews and three nieces.

Arrangements were under the direction of LaGrone Funeral Chapel of Ruidoso.

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CALENDAR OF EVENTS

- THURSDAY, JANUARY 12**
 —Capitan Board of Education meets at 6:30 p.m. for a work session and at 7 p.m. for a regular session in the old administration building. Items on the agenda include a closed session for personnel discussion, the audit report, transportation contract, concerned parents, request to add polling place in Alto for February election, discussion and recommendations for the 7th period activity hour and personnel.
- FRIDAY, JANUARY 13**
 —Twelfth Judicial District Law Enforcement Association, Lincoln and Otero Counties, luncheon meeting at 12 noon at Pay's Restaurant (formerly K-Bob's) in Alamogordo.
- MONDAY, JANUARY 16**
 —Lincoln County Solid Waste Authority postponed its monthly meeting until 10 a.m. Thursday, January 26.
- TUESDAY, JANUARY 17**
 —Carrizozo PFK meets at 3:30 p.m. in the school library. The public is invited to attend.
 —Carrizozo Board of Education meets at 6 p.m. for a regular session in the school administration building.
- WEDNESDAY, JANUARY 18**
 —La Junta Extension Club meets at 10:45 a.m. at the San Patricio Senior Citizens Center. New club officers will be installed.
- THURSDAY, JANUARY 19**
 —The Water Defense Association will meet at 7 p.m. at Hondo School. All board members are encouraged to attend. The public is welcome.

Who Said What During . . .

(Continued from Page 1)

paying deputies for an eight hour day, including lunch. Commissioner L. Ray Nunley also wanted to know why the sheriff hadn't implemented the labor standards.

Commissioner Stirling Spencer said he was "very concerned" about the sheriff's operations in compliance to FLSA rules. "I don't directly run your department, but I expect you to have that knowledge to ensure the county runs properly," Spencer told McSwane. "I feel so strong that it's negligence on your part. You could see your department penalized, your consequences can come out of your budget, which would hurt citizens and employees."

But McSwane replied that commissioners had not specifically directed him to require the eight-hour day, and he had not received written recommendations on the FLSA rules that he requested from the county attorney.

McSwane also said that he had dealt with the same issue about a year and a half ago. At that time, McSwane said he consulted with the county attorney, who helped him draft a letter for each deputy that stated that deputies were expected to work in their units for four hours in the morning, have an unpaid free lunch with no restrictions, and then return to paid work for four hours in the afternoon. McSwane said that all deputies in his department at the time received a copy of the letter, and were required to sign it. He said he thought it was then a dead issue. "Since the birth of the Lincoln County Sheriff's Association it has become an issue," McSwane said.

During the Friday meeting county attorney Alan Morel said he had helped McSwane with the letter. "I agree with the sheriff, if deputies are unrestricted during their lunch hour, they don't have to be paid. I don't think their claim on lunch hour is valid," Morel said.

Morel said that he thought the letter would protect the county from lawsuit.

McSwane said that in employment there is always a potential for liability. "I'm

waiting on a decision from the commission," he went on. "If you're so worried, restrict the deputies to eight hours flat. But I believe that productivity will be restricted."

Montes said that several successful lawsuits were based on dispute over paid lunches in Bernalillo County. "I suggest you adhere to FLSA policy. If you feel you have adhered to it, you have to stand your ground," Montes said.

McSwane said he thought he had been, according to the county attorney, his only resource. "I don't know what other resources to seek other than the county attorney," McSwane said.

Spencer said McSwane should have consulted the state personnel office for review of the issues and comments.

McSwane told THE NEWS on Tuesday, that he was never specifically asked by commissioners to go to the eight hour day. He said if he puts deputies on eight hour days, they will get 15-minute breaks in the morning and afternoon and a 30 minute lunch, during which time they must check in. The scheduling will also require more manpower to cover that extra hour.

McSwane also said that

Nunley was not at the December meeting when the issue was discussed.

According to a state labor commission spokesperson in Las Cruces, state labor regulations require employers to pay employees who stay on the business premises and work during lunch hour. If employees are given time off, and their lunch hour is unrestricted, there is no state requirement that employees must be paid for the lunch hour.

According to U.S. Department of Labor assistant district director Jose Garcia in Albuquerque, the federal FLSA provides that a deputy or officer can take a lunch break carrying a beeper or radio, but that does not mean that the department must pay

that officer for the lunch hour. "The mere fact that the officer carries a radio or not, does not mean he has to be paid," Garcia said.

It was further explained that if an employee, such as a deputy, is completely relieved of duty for a lunch period of 30 minutes or more that is not interrupted, then that employee is not paid for that lunch time. The employee does not have to leave the office, or turn off his beeper or radio, to be considered "relieved of duty."

However, if a deputy answers a call to respond to an emergency during the lunch period, the deputy must be paid for that time on duty.

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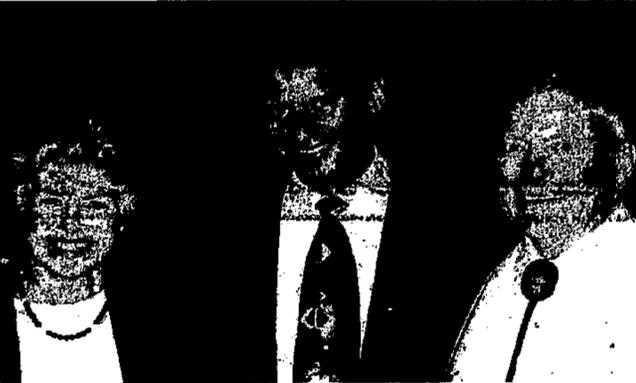
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BIRTHDAYS CELEBRATED WITH GOVERNOR. Lincoln County citizens Pat Hume (left) of Nogal and Jack Page (right) of Alto celebrated their birthdays with new Governor Gary Johnson on January 1, during the Governor's Inaugural Reception. Hume's birthday was Dec. 31, Page's was Jan. 2, the governor's was Jan. 1.

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Local High School Students Named To All State FB Team

The All State Class A high school football selections were announced this week. The all state players are picked by New Mexico coaches, sports writers and broadcasters.

Several local players made it to the first and second teams in offense and defense.

In offense, Capitan senior Troy Stone was named to the first team as lineman. Capitan senior Michael Fish was named as first team quarterback. In the second team, Capitan junior Josh Peralta was named as wide receiver, Capitan senior J.P. Whipple was named as lineman, and Fish as place-kicker. Capitan junior Keith Cox received honorable mention as lineman.

In Defense, Whipple was named as first team lineman, Fish was named as the only punter in the first team.

Carrizozo senior Billy Sheehan was named as defensive back on the first team.

On the second team defense, Peralta was named as defensive end; Fish tied with Hadley Gilbert of Texas as linebacker. Capitan senior Neil Montes was named as defensive back.

For six man football, Coronado's Marcus Johnson was named to the offense first team as wide receiver.

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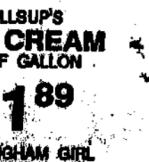
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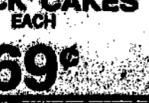
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THOUGHTS

FROM THE EDITOR'S DESK

Moth Balls For Fort?

By Ruth Hammond

Lincoln County could lose more than \$56 million dollars if the rumors we hear are true. Losing \$56 million each year could cause the county to go bankrupt, schools could close, and the number of businesses that will fold will cause Lincoln County to be the depression era of the late 90s.

While I prefer to not listen to rumors, the rumor that our newly elected governor has plans that will destroy Lincoln County is one I cannot ignore and I hope you, as readers and residents of Lincoln County, will not ignore the rumor either.

While there has been no official announcement, the word around Santa Fe is that Gov. Gary Johnson wants Fort Stanton to close. That would mean the \$8 million dollar budget for Fort Stanton would be yanked out of Lincoln County. That would mean the total loss would be more than \$56 million because the experts say that every dollar earned in a community turns over seven times before it leaves the area.

Lincoln County cannot afford to lose \$56 million a year. The schools cannot afford the decline in enrollment that will follow when the workers must leave Lincoln County to find work. The businesses that will lose sales of food, clothing, vehicles, and every thing we buy here in Lincoln County will not be able to stay open when people move out of the area. Gross receipts will decline and the property tax base will be affected.

Right now there are 200 workers at Fort Stanton. Most of those people live in surrounding communities: Ruidoso, Ruidoso Downs, Capitan, Carrizozo, and the Hondo Valley. Most of those people own homes in Lincoln County and their children attend schools in Lincoln County. Now their future looks bleak.

Fort Stanton was in the process of being transitioned from a hospital and training school for the developmentally disabled and was to be a long-term care facility. More than ten long-term care patients are living at Fort Stanton at this time and there is a long list of referrals. The people living in the southern part of the state were pleased that their loved ones had the chance to be closer to home. The people in the southern part of the state felt like the elected officials were finally recognizing that there ARE people living south of Interstate 40. And most important, the people in the southern part of the state were going to have the opportunity to visit their loved ones more often because they were closer to home.

Fort Stanton has a full time physician on staff in addition to a full complement of nursing personnel and support workers to provide excellent care for the long-term care patients. Fort Stanton is a small community with an ambulance, complete with fully-trained volunteer emergency medical technicians, a post office, and fire department. Fort Stanton has been home to many people and generations of people for years.

The transition to the long-term care facility has been in the works for years. The state has spent more than \$4 million in capital project renovations at Fort Stanton since 1990. Streets were paved, water lines improved, and several buildings were renovated. Eddy Cottage has occupants and Hidalgo Cottage is ready to be licensed to accept more long-term care patients.

Immediate plans were for Fort Stanton to provide homes for 103 long-term care patients. Future plans were for Fort Stanton to help patients with assisted living, which gives the patients a longer time before they need full-time care.

The rumor that Fort Stanton will close and be put in moth balls is not one that should be good for Lincoln County. If you agree, PLEASE contact State Senator Pete Campos and State Representative Dub Williams as soon as possible and ask them to help save the economy of Lincoln County.

Can we afford to lose \$56 million?

Your Two-bits...

WHAT DOES HOMETOWN BASKETBALL MEAN TO YOU?

BARRY © '94



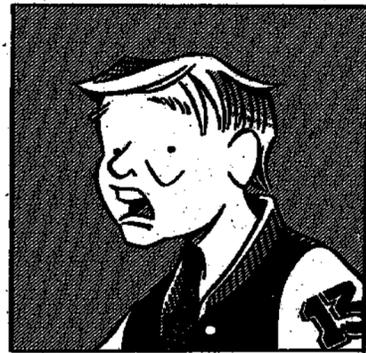
COACH—"It's a character builder!"



FAN—"It's a source of local pride!"



DAD—"It's a college scholarship!"



PLAYER—"It's a game?"

J.P. Doodles

THE OTHER SIDE

Author's note: If anyone noticed, "The Other Side" did not appear in the January 5, 1995 issue of the Lincoln County News. If you care, the cause for the disruption was the author running out of steam at the last minute. I got back home from a trip to Raton at 8:30 a.m. last Wednesday and immediately fell asleep. When I woke up the time had already passed for me to submit the column, and since the event seemed to be in the public interest, I deferred.

Now, what do I have around since I missed a week? Can I condense two weeks of material into a single effort? Hummmm!

There is the story about the dyslexic atheist who finally discovered there really is a doG, but I may already have done that one.

What about the story of the locksmith's wife who had all the locks changed to keep him out of the house? Nah!

Or making obscene phone calls to an answering machine?

Or the guy who said every time he booted up his computer all the garage doors on the block opened?

Or the restaurant called "Wheels on Meals" that specialized in road-kill recipes?

Or the guy who said he got the same benefit out of chasing women as his brother got out of feeding the slot machines?

It sorta looks like taking a week off hasn't improved the quality or content of my creative juices. Oh, well!

I have just realized that the average person in the United States spends an awful lot of money in interfering with the ability of the body to cure itself. It seems that every time the lymphatic system gets into gear, the person takes something to stop it. Take the common cold for an example. It is caused by a virus that seems to run its course in seven days or so, and that cough and runny nose is the result of your body attempting to ward off the invader. If you take something to stop the symptoms, are you not also interfering with the body in its curative process? When you take that medication to dry up your runny nose, are you causing your nose to stop running and allowing the virus to have free rein. In other words, treating the symptom may be making the ailment worse. It is strange that we seem to prefer comfort over health in so many instances.

On New Year's Eve when the bell tolled and it became the new year (12:01 a.m.) everybody wished everybody else a prosperous and happy new year, and nearly everyone made a comment something to the effect that "I hope the New Year is better for you than the last one was." I don't think the feeling associated with the comment is one of optimism, but rather it seems to be more a feeling of dissatisfaction with your lot in life. It is sort of a cry for help arising out of a bed of despair. My wish to my readers is that the New Year will bring you more of what you want and less of what you deserve and that the new year will prove to be at least as good as the last.

Inside The Capitol

by Jay Miller

SANTA FE—How can lawmakers escape the avalanche of pork barrel bills that bury them deeper every session?

Legislative leaders met in Santa Fe recently to discuss solutions. They and their overworked staff came up with some great ideas but backed off out of fear the restrictions might cause a revolt among the troops.

Here's the problem. During the last few sessions, the number of capital outlay bills has grown from 200 to 1300. These are the measures that call for building or buying something back home. It doesn't even include the other flavor of pork -- the appropriations for special programs back in the district.

Until a few years ago, the 30-day sessions that occur in even-numbered years saw only about a thousand bills introduced. But this past 30-day session set an alltime record for number of bills -- more even than in the previous year's 60-day session.

The reason -- capital outlay bills.

The culprit -- lawmakers from multi-county districts.

In the sprawling reaches of Albuquerque's Northeast Heights there isn't much need -- or space -- for a public building or sewer project. But in the smaller, older communities scattered throughout the rest of the state, there are many needs that a small population just can't pay for.

It's the lawmakers from these over-sized but under-populated districts that introduce 40 and 50 capital outlay bills apiece -- and clog up the system big-time.

What's the answer? Certain Albuquerque Heights lawmakers suggest limiting the number of bills on any subject that a legislator may introduce -- like maybe 10 per session. Those suggestions die very early deaths every year.

This year the legislative staff came up with a new idea. Have lawmakers introduce all their capital outlay projects in one bill. By leaving out standard language that appears in all legislation, 50 two-page bills could be re-

duced to one 10-page bill. Since the average bill costs \$26 to reproduce copies for every legislator, lobbyist, and interested constituent, eliminating 1,000 bills from the process would cut legislative costs by about \$26,000.

Keeping track of 1,000 extra bills also is costly. More staff is required -- and more paper. The legislature has purchased heavy duty, high-speed copiers, but they aren't big enough to keep up with the daily listing on the progress of all bills once the session reaches its mid-point. From then on, bill locators have to be sent out for nightly duplication -- costing another \$20,000 extra.

These figures, of course, are peanuts compared to the billions of dollars lawmakers appropriate every year. The biggest problem with cramming so many bills into New Mexico's very short legislative sessions is that it makes mistakes inevitable. Senate Bill 1 in the '95 Legislature will correct a crucial, last-minute oversight from the '94 session.

But some lawmakers don't want to tinker with a system that has proven successful in filling local needs -- and re-

electing incumbents. As Senate GOP leader Billy McKibben of Hobbs puts it: "We're talking about the heart and lungs of the whole damn process up here. The system we have has worked for a long, long time."

Some lawmakers feel it is easier to take credit for a project if it has its own bill number, rather than being buried in an omnibus bill. And they worry about putting all their eggs in one basket -- and that one, big bill getting lost somewhere in the process.

The staff had answers -- such as giving priority to omnibus bills, or allowing lawmakers to split their bills by county or community.

Some legislative leaders commented that having all of a community's bills heard in committee on a single day would solve many logistical problems about getting to Santa Fe to testify -- and would lessen the likelihood of having a hearing postponed.

But in the end lawmakers decided no one should limit anyone's right to introduce bills. Legislators will be informed they are allowed to combine spending projects into one bill -- but only if they want to.

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LETTERS POLICY: Letters to the editor of THE LINCOLN COUNTY NEWS are encouraged. Each letter MUST be signed and must include the writer's telephone number and address. The phone number and mailing address will not be printed, but the writer's town or village will be included with his/her name. Letters will be edited for grammar and spelling. Letters may have to be shortened without changing their meaning. The editor has the right to reject any letter.

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LETTERS

to the editor

EDITOR—I read an article the other day that was in the Santa Rosa News that was entitled, "New Airport Manager." The article was about this man who had just recently taken over the duties as the manager of the Santa Rosa Airport. The article stated that this man had been a Marine pilot and an executive chef for the Sheraton Hotels. The article went on to say that at the last airport he managed the airport received an award for being the "most improved small airport in the state." I think that's pretty impressive. But there is more. According to this news article this man increased the fuel sales at his last airport job from 1,200 gallons per year to 15,000 gallons per year. WOW! That's a lot of gas. Speaking of gas -- I wonder what's to become of our Carrizozo Airport? I wonder if our governing body has finalized a new contract for our "new" airport managers. I wonder how our fuel sales are doing? I wonder if it'll show next July?

(Mrs.) MARION SPENCER, Carrizozo.

EDITOR—Every once in a while we come across something that someone said that is worth reading. Such is the following quote. You would never guess who said it.

"The fundamental basis of this nation's laws was given to Moses on the mount. The fundamental basis of our Bill of Rights comes from the teachings we get from Exodus and St. Matthew, from Isaiah and St. Paul. I don't think we emphasize that enough these days. If we don't have a proper fundamental moral background, we will finally end up with a totalitarian government which does not believe in rights for anybody except the State."

Who said it? No, it wasn't Billie Graham. And, it wasn't Pope Paul VI. It was the late President Harry S. Truman. That's right, it was old Giv'em Hell Harry sounding very much like the political sage that most of us never knew him to be.

RAYMOND C. WILSON, San Juan Bautista, CA.

EDITOR—This is our second letter in an attempt to help enlighten our fellow citizens on the potential hazards of "High Level Nuclear Waste" transport and storage in New Mexico.

How do you feel about the proposed storage of "High Level Nuclear Waste" or "Any Nuclear Waste" in our great state? Have you ever wondered why they want to move it here?

* According to the U.S. Council for Energy Awareness, they are currently 111 Nuclear Power plants in the U.S. with each producing about 30 tons (60,000 pounds) of used fuel annually. Additionally, there is currently 20,000 metric tons

(SEE PAGE 3)

For the Love of Gregory

by Joann Rice

Editor's Note: This column relates a five-year-old's conversations with his grandmother.

No Short Cuts

Gregory came over early Sunday. "Queen Mother," he said excitedly, "guess what I discovered?"

"Gold? Oil?" I exclaimed. "Are we all going to be rich?" He looked at me with a deadpan look. "Ya' know, Queen Mother, sometimes you take a lotta joy outa my life. Now do you wanta hear this or not?"

"Well of course I do," I said. "Well then get that silly look off your face. This is serious."

"I'm sorry, Gregory. Please tell me what you discovered." "Hiptosis!" he said flatly. I looked at him blankly. "Hip what?"

"Ya' know, Queen Mother, when you put somebody in a trance. Then you make 'em do things."

"What things?" I asked. He shrugged. "Well, just anything ya' want 'em to do."

"Hypnosis, eh," I said. "How did you come to find out about this wonderful thing?"

"On television naturally. Isn't that where eberone finds out eberthin'?"

"You got me on that one, Gregory."

"Well anyways, there wuz this guy, and he swinged a thing like a necklace in front of people's face. But he called it a charm. An' he swinged it until the people fell asleep. Only not really asleep. That's called a trance," he explained. "Then what?" I asked.

"Like I said, Queen Mother, he made 'em do funny things. One guy flapped his arms, like a chicken, an' a lady thought she was a car horn. I

jus' laughed an' laughed, Queen Mother, like I wuz dyin'." he said, beginning to laugh again.

I couldn't help but laugh too. "Wuzn't it funny Queen Mother?"

"I don't know. I didn't see it."

Suddenly he gave me an evil eye and said, "Then what are ya' laughin' at? Sometimes you dribe me crazy."

"Sorry," I said.

"Anyways, since I 'scovered this hiptosis, I have a plan," he whispered leaning over the table and peering at me. "I'm already workin' on it. Wanta know what it is?"

"I can hardly wait," I answered wide eyed.

"Well, it wuz easy, an' it wuz hard. I started out on my stuffed animals. I tied a block on a string an' swinged it in front of 'em. They went in the trance, but wouldn't do the things I tol' 'em to do. A course, I knew they wouldn't, 'cause they're not real alive."

"You're kidding."

"Are you indrested in this or not," he asked disgustedly.

"Please go on. I apologize, Gregory!"

"Then I said to myself. I said, 'I gotta good idea. The cats!' An' I snapped my fingers like that."

He sat awhile trying to snap his fingers until I thought he was through talking.

Then suddenly he said, "Never mind the fingers. Anyways I started on the cats 'cause they're real alive. But they keepped playin' with the charm. So they're outta the question. So can I practice on you, Queen Mother, 'til I learn?"

(SEE PAGE 6)

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LETTERS TO THE EDITOR

(Continued from Page 4)

(metric ton = 2240 lbs, so that 20,000 metric tons = 44,800,000 lbs) of spent fuel in storage at 70 nuclear plant sites around the country. Thirty-two of these nuclear power plants are looking to New Mexico as the solution to their high level nuclear waste storage problem.

Our reference for reactions above and the following information is the "New Standard Encyclopedia", 1982 edition, yet we are sure the same facts can be found in any encyclopedia under "Atomic Energy", "Nuclear Energy", "Nuclear Weapons", "Plutonium" and "Radiation".

"Plutonium 239 and uranium 233 (which do not occur in nature) are produced in nuclear reactors by nuclear power plants and are often referred to as "spent fuel", "used nuclear fuel" and "high level waste" to name a few. Because these bars are highly radioactive, they must be handled with mechanical manipulators operated by remote control.

Plutonium 239 has a half-life of about 24,400 years, is used as a fuel in nuclear reactors and as an explosive ingredient in nuclear weapons. "Nuclear Fission Weapons: The two atoms most easily produced in quantity for nuclear weapons are the nucleus of uranium 235 and the nucleus of plutonium 239. The fissioning of all the atoms in 1 kilogram (2.2 pounds) of either uranium 235 or plutonium 239 - a chunk about the size of a golf ball - would yield energy equal to that released by 17,000 tons of TNT."

Gamma rays, x-rays, and beta radiation are injurious even in small amounts. They can destroy tissues and cause cancer, leukemia and cataracts. Radiation destroys blood cells resulting in decreased ability to fight infection, anemia, and hemorrhage. Sex cells are particularly subject to radiation damage. They may be rendered infertile or the heredity factors they contain may be altered resulting in mutations in offspring. Additionally, the effects of radiation are cumulative; that is a number of small doses of radiation over a period of time have the same effect as a large dose.

If we do not act now, New Mexico, our children, grandchildren, and great grandchildren will inherit a "Nuclear Waste Legacy", which we could have prevented.

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CAPITAN NOTES

Greetings from my old house by the side of the road to your house!

First and foremost I want to tell you that our Mary Allen was taken to the Ruidoso hospital in Ruidoso and is very ill. Am certain she would appreciate any cards her many friends might send her. She was taken to the hospital by our esteemed and very nice mayor, Norman Renfrow. We all hope Mary that you are much improved real soon.

Terry and Kay Strickland spent the New Year's weekend with their daughter and son-in-law, Melinda and Shawn Creighton in Clayton. Terry and Kay will celebrate their 27th wedding anniversary on the 19th of this month. They are also anxiously awaiting the arrival of their third grandchild, due this April. How about the great grandparents? Bet they are a bit anxious also.

The Capitan Chamber of Commerce cancelled their monthly meeting for the month of January. The next meeting will be on February 6. The Chamber is still spon-

soring Bingo every Thursday night at 7 p.m. The hall is located on West Second Street. So come on out and over folks and try your luck.

Beverly Payne enjoyed having her family home for the Christmas holidays. Lee and Jeannie Payne and new daughter Ty Lynn, age just three months were here from Portales.

Also Guy and Linda Payne of Portales were home as well as Tammy Payne, who is a student at New Mexico State University in Las Cruces. There is no joy quite like the joy of having all of your family home under one roof.

Also Jim and Linda Wright and two children from Moro, Oregon were here a couple of days after Christmas visiting Jim's parents, Howard and Maxine Wright and the Terry Stricklands.

We are sorry to report that Mr. B.L. Hawkins, Superintendent of Capitan Schools from 1945 to 1947, passed away on Aug. 25, 1994 in Albuquerque. Mr. Hawkins was 91 1/2 years old. His daughter, Barbara H. Harrison informed Angie Provine at Christmas time. He was Emma Gene Hall's first superintendent as well as Angies. Our condolences and how nice if we could all live to be 91. May he rest in peace.

And on a lighter note I promised to give you another "how to do it yourself facial, didn't I? Well here goes. Foods that make your skin grow young again. Do you want to make lines and signs of age, bags and bags vanish from sight? Well next time you see a promotion for some \$20, \$30, or even \$50-a-jar so-called 'miracle cream' for the

skin, run right past the cosmetic counter and trot right down to the supermarket. That, say dermatologists and skin specialists, is where you will really find the Fountain of Youth. After years of extensive study, doctors have found that you can make your skin grow young again — for a matter of pennies. (I found this or rather discovered it again in my archives as I attempted to rid them of surplus and 'plus surplus' papers in my filing cabinet. It was originally published in the Globe magazine on July 18.

The only hitch is that the year is nowhere in sight, so revealing how I stash and begin to re-stash things, it could even have come over on the Mayflower. Anyway, the ideas are used by the dairy maids of Sweden, of so it says. And so for now on to paragraph two.

For all day tightening of fine lines and wrinkles, especially crow's feet, frown lines in the forehead and under-eye crepe-iness: "Use a Cucumber Scrub." Cucumbers contain one of nature's most effective, long, lasting astringents, and are also rich in "retin". And retin is the essential ingredient in the prescriptive wrinkle reducer that many doctors now recommend to their most hopeless cases.

So each morning after washing your face thoroughly with soap and water, take a few cucumber slices and rub them briskly over your entire face. Then re-rub fresh cucumber slices over areas more heavily lined and wrinkled to ensure adequate absorption of retin into your skin. Then, rinse, dry and apply your regular makeup.

Next week will be the final installment along with the recipe for "anti-age cocktail." So listen up.

This week I wish to profile, on my very own, the very lovely lady that wrote this column for so very many years. In fact if it were not for the fact that I helped her the last few years I probably would not be doing it now. Margaret Rench once told me a few things about her life and I remember them well. We became sort of kindred spirits so to speak when I told her that my one and only daughter lived in Omaha, Nebraska and her eyes misted a bit as she began to relate a few bits of her life in the state of Nebraska. Her father and family homesteaded on the Nebraska prairie and she lived in that area for quite a few years, her school years especially, then she moved to Capitan. I do not remember the details about the trip to New Mexico, or why she decided on Capitan. She lost two husbands, as well as two sons and has had lots of grief in her life. But complaining and burdening her friends with her 'not so happy accounts' of her life is certainly not Margaret's style. She has always been the solace to her many friends, and always had a listening ear to other folks troubles, has always extended the hand of friendship to anyone that would accept it and has led an exemplary life in Capitan. In all the years I

have had the pleasure of knowing Margaret Rench, I have never heard her utter an unkind word about another human being. There are few folks in this day and age that measure up to that statement. She went after the news. Shook the bushes, rattled the cages, knocked on doors just to bring the news of this little community to each and every one of you. Everyone in Capitan owes Margaret Rench a big vote of thanks and gratitude. And for my contribution, Margaret, thank you for asking for my help a few years back. I have enjoyed taking over your column, but there is no person in the whole wide world that could ever take your place. May God bless you and keep you as sweet as you are.

This has been a lovely day for me and since most of my days begin and end with my continual griping and self pity for the constant trials and tribulations of life in these hectic times, thought it might be a little refreshing to hear about the nice little and some big things that happened to me today. First I was standing in my door with a cup of hot coffee in my hand and observing (unbeknownst to him) my son Tom get out of his pickup and limp to the newspaper box and select his usual newspaper. I notice that he is down to one crutch now and is doing better. (Such a miserable thing to have happen to him just to get a few Christmas lights up on the porch. It was reported in another publication that he was trimming the Christmas tree on the inside of the house. He was stringing lights on the edge of the roof and the ladder was on concrete, which is what he connected with when the ladder broke, all that concrete. Just wanted to set the record straight. As I watched him get into his truck and head east, the telephone was ringing and it was my daughter calling from the slopes of Aspen. What a thrill. Me, who my husband always said hated progress, was thrilling at the wonders of the cellular telephone. My granddaughter is taking to skiing like a duck takes to water. The instructor thinks she is really unusual for seven years old. And the photographers are having a field day with the people, especially when a celebrity or hopeful celebrity makes a short appearance. They are staying in Jace, my son-in-law's sister's condo and will be there the rest of the week. Pictures will follow.

Next I dashed to the post office and was just engaging in my favorite indoor sport—teasing and being teased by our very special postmaster, Mike. While I was dodging his puns and spinning of yarns in comes Bob Ray. Strange as it may sound, Bob Ray and I were raised just a few miles from each other back in Iowa, but met down here in Capitan. He just made my day. Said he gets the Ogden newspaper and there is always news of Woodwardites, Woodward being my home town. Lots of them just dying et-cetera. "Lots of them about your age Maureen. Probably a lot of your old friends and classmates." "Thanks a lot Bob," I retorted, "you have just made my day." The obituaries are always the first thing I read in a paper." He said when their next copy arrived, he would let me read it. Joy oh joy, look what I have to look forward to, but it

will be nice knowing which ones are still around the old 'town pump.' I then went into David's for just one item. His bargains lured me back to the carts for fear of missing them and I did some shopping, and had a nice chat with Jackie. Then out into the beautiful sunshine and ran into Johnny Lunsford and he complimented me on how nice I looked and you know those three guys just made my day and so thank you Michael, Robert and Johnny. You're all pretty special.

The following Aphorisms II were taken from the newspaper section Business Outlook on Dec. 26, 1994, but I think they are very appropo for just everyday living.

Cream doesn't rise to the top, it works itself up.

Dig your well before you become thirsty.

Go out on a limb, that is where the fruit is.

Where you are going is far more important than how fast you are going.

Knowledge does not become power until it is used.

Quality never costs as much as the money it saves.

A goal is a dream with a deadline.

The fast lane usually moves slower than the slow lane.

It is much harder to conceal ignorance than it is to acquire knowledge.

Remember the best place to find a helping hand is at the end of your arm.

While on the ladder to success, do not take time to step back and admire your work.

Beware of folks that know the answer before they understand the question.

Be amazed at your own success because the folks that really know you are.

Sometimes it is risky to not take a risk.

You're always most vulnerable at the moment you begin to think that you are invulnerable. (Remember that one.)

Never be so dazzled by appearance that you are not aware where the sharkskin ends and the shark begins.

Always fight your enemy on ground of your own choosing.

Take in laundry before you take in partners.

And if you make business decisions with your heart you will wind up with Heart Disease.

If we cannot find happiness within ourselves, then do not waste time seeking it anywhere else. Happiness is such an elusive commodity. It is always just beyond reach. The grass looks greener on the opposite side of the fence and happiness is usually found right in your own back yard. It just takes some searching, you know.

And so for another week, make each day a good one and live it like it is the last one you will ever have and give some bit of niceness to someone else. Doing for others is better than doing for yourself. And in closing I wish you love to hold onto when you feel lonely and empty and a friend's hand to hold when

you are afraid. See you next week if I still have a pulse and arthritis doesn't take over my entire right hand. So far the 'devil' is centered in the third finger and I am hoping if it has to take up permanent residency anywhere, that it will be content to just remain where it is now.

God bless all who read this and those who don't.

OBITUARY

W.R. SEAY JR.

Services were held Jan. 11 at LaGrone Funeral Chapel in Roswell for W.R. Seay, age 73, of Capitan, who died Jan. 7, 1995 in Temple, Texas. Dr. Kirby Kennedy of the Calvary Baptist Church officiated. Interment followed at South Park Cemetery.

W.R. was born on July 1, 1921, in Bartlett, Texas to W.R. and Lula Belle Wittington Seay Sr. He was preceded in death by four sisters and his parents.

W.R. is survived by two sons, George Seay, of Hamilton, Texas, and Lloyd Huff of Midland, Texas; two daughters, Ruby Nell Schmade, of Silverton, Ore., and Katy Nichols, of Mountain View, Calif.; two brothers, the Rev. John T. Seay of Bryte, Calif.; and Harold Seay, of Capitan; plus several grandchildren.

Mr. Seay was a former resident of Roswell before moving to Capitan. He was self-employed as a gardener and landscape specialist. He served in the U.S. Army during WWII.

Pallbearers were Larry Graves, Vic Perini, Homer Sarli, Roy Allen Seay and Steve Seay.

Arrangements were under the direction of LaGrone Funeral Chapel.

Gregory

(Cont. from P. 5)

"No," I answered flatly. "But, I wanta put Mom in a trance so she'll do eberthin' I say!"

"How about if we put you in a trance, Gregory? Then you'll mind what we say."

"Sheesh!" he said falling back in his chair. "I guess there's jus' no short cuts in life."

"You got that right," I said.



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NATURE'S WAY

'What goes on in the world around us'
by TONY GENNARO
Professor of Biology at
Eastern NM University and
Director of the Natural History Museum

Animals Defend Their Own Area

Defense of resources is common in the animal world. Animals defend their home sites, food, water, kin, mate, and other materials of value against intruders, especially when these intruders are members of the same species as the individual defender. This process is called territoriality.

Direct attack of an opponent is one way to defend, but posting of boundaries is less dangerous and less energy consuming. Humans commonly establish their territorial boundaries by fences. However, many animals familiar to us have other means. Wolves and coyotes deposit urine on obstacles by raised leg urinations. Cats spray urine on objects and drop fecal material. Grazing animals display threat postures. Birds advertise their boundaries by colorations and songs. If these boundary markers are not effective, then physical contact may be necessary. Usually this happens between males, although females do defend in rare cases. In most all cases, the defender of a territory and the intruder do not fight to the death, as long as the loser of the bout has an avenue of escape.

This struggle for possession is not without benefits. Territoriality allows for peaceful existence during mating and the rearing of offspring. Breeders adults are free from invaders who may be seeking space, food, water, shelter, or a mate. There are other benefits for territorial species. For example, territoriality prevents overpopulation. Using birds as an example, let's assume that a particular area has only enough habitat for ten breeding pairs. If ten pairs capture space in that habitat and defend it, other pairs are excluded and usually won't breed. If these extra pairs do breed, it will likely take place in habitat where chances are slim for survival of the offspring. Another benefit to breeding pairs in suitable habitat is that they usually have a large amount of space around their breeding sites. This dispersed pattern reduces the transfer of parasites and disease.

Finally, the most important of all benefits of territoriality results from the defense of a mate. For example, when a male defends a female, this behavior allows some insurance that his mate's offspring carries his genes. Therefore, the male's investment of time with a mate is of benefit to continue his heritage. More clearly, the energy he expends in defense of his mate and their resources goes toward the survival of a new generation consisting of both his and her genes. There is no way the male can ensure his transfer of genes into the next generation, unless he defends the female continuously. The female benefits because she knows that her offspring possesses her genes and that her heritage is secure. His only assurance of transfer of his genes is continuous observation and defense.

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Walking Toward A Healthier Life

by Betty McCreight
Lincoln County
Home Economist

Walk for your health. Walking is very beneficial as an exercise to help develop and maintain fitness.

Walking, an aerobic exercise, can condition the heart and lungs if performed at the proper intensity for 30-60 minutes at a time, at least three times a week. If you don't have a 30-minute block of time, try two, 15 minute blocks. Conditioning increases the oxygen available to the body and enables the heart to use oxygen more efficiently.

In addition, walking can:

- * give you more energy and increase your resistance to fatigue;
- * improve your self-image;
- * relieve tension and help you relax and sleep;
- * tone muscles and
- * increase stamina.

If you decide to begin a vigorous, regular walking

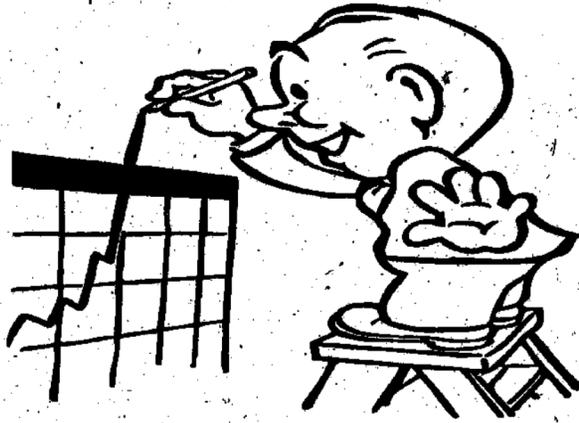
program, you may want to see your doctor first. Some people however, should seek medical advice, especially if:

- * You are 40 or older and are not accustomed to regular exercise.
- * You have heart trouble, a heart murmur, or you have had a heart attack.
- * Your doctor said your blood pressure is too high and not under control or you don't know whether your blood pressure is normal.
- * You frequently have pain or pressure in the chest, neck, shoulder or arm after exercising.
- * You experience extreme breathlessness after mild exertion.
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- * You have a medical condition that might need special attention.

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Capitan Streets Are . . .

(Continued from Page 1)

phase street project as the next priority for which to pursue CDBG. The village was required to make the capital improvement plan which prioritizes projects needed in the village. Water storage is listed for a 1997

project in the plan. Eagle Creek Intercommunity Water Users Association, of which Capitan is equal member with Ruidoso, will be responsible for the pipeline construction, said association member Ben-

ny Coker. The last thing on the village's priority list is an addition to the village owned Smokey Bear Museum, proposed for 1997. But that project was dropped, clerk Deborah Cummins said, because the museum sits on land owned by the village and state parks.

With the close of the second public hearing, the mayor and trustees agreed to continue the street project as this year's CDBG application from Capitan.

The Smokey Bear museum houses a collection of Smokey Bear items, which may be expanded soon. Last month a woman in Albuquerque offered to sell the village a large portion of her Smokey Bear collection. As directed by the trustees, Cummins contacted the woman and received photos of the items. After reviewing the photos, Cummins said there are about 40 items which would enhance the museum's collection. The items would cost \$1027. Trustees authorized Cummins to personally inspect the items, then purchase them if she found them satisfactory.

"We trust you'll come back with the 'bear facts,'" trustee Gordon Ross said.

An update was given about the village filter plant. On December 19, the village signed an agreement with the City of Alamogordo to purchase up to 3 million gallons of water a month for 67 cents per 1,000 gallons from Bonito Lake. Water lines from Bonito Lake have deteriorated at Holloman Air Force Base and need replacement. While Holloman is pushing for Alamogordo to replace the lines, the city is pursuing federal funding for the project, said mayor Norm Renfro.

Until the lines are replaced at the base, Alamogordo agreed to sell the village the water. The Bonito Lake water will be routed through the village filter plant south of Capitan, which was repaired about four years ago, but has not been used.

The Bonito Lake water has not come into the village system yet because of faulty valves from the main line in Nogal. Replacement is expected in a week.

Cummins said she would contact Alamogordo if the valves are still not replaced next week, to seek an adjustment to the agreement to make sure the village has time to get some of the water offered.

Trustees also approved a resolution supporting a request for changes to the Regional Housing Act by the State Legislature. The Regional Housing Authority created by the act oversees such projects as the low income/senior citizens apartments in Capitan.



DEPT. OF TRANSPORTATION officers man a weigh station at the south end of Carrizozo Tuesday, stopping and checking large semi trucks traveling through the county seat. Several truck drivers were reportedly cited for DOT violations.

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Ruidoso Plans To Ask State . . .

(Con't. from P. 2)
rules the gaming amendment unconstitutional, or whether it allows the amendment to stand. If it rules the amendment unconstitutional, the burden is off the legislature to enact laws governing the gaming, Underwood said. However, the situation has changed since the amendment was put before voters. Last year, former governor Bruce King refused to sign the Indian Gaming compact. The new administration of Gov. Gary Johnson is negotiating with the Indian tribes to legalize extensive gambling. "The racetracks have to compete," Underwood said. "Or they will suffer the consequences."
Mayor Jerry Shaw said, "Indian gaming keeps expanding, and the legislature needs to know Ruidoso's thoughts."

No Pay Raise For Newly Elected County Officials

By Doris Cherry

Lincoln County Commissioner, District V, Monroy Montes will again be chairman of the board.

Montes was unanimously elected chairman as one of the first orders of business during the county commission meeting Friday, January 6 in the courthouse in Carrizozo. L. Ray Nunley, district II, gave up his seat as vice-chairman to district IV commissioner Bill Schwettmann, on a unanimous vote.

Commissioners also rescinded an action taken April 8, 1994 to raise the salaries of all officials elected in November 1994, including county commissioners. But that action was found to be illegal, in an opinion from the state attorney general. By unanimous vote, commissioners voted to rescind the action.

Nunley then made a motion to increase salaries for all officials who qualify (those elected in November). When it went to a vote, Nunley, Wilton Howell and Montes voted no. Stirling Spencer and Schwettmann voted yes.

Commissioners also made appointments to various boards and committees.

On the Ag and Rural Affairs Advisory Committee, Duane Frost (from District I) and Bob Walters (district II) were reappointed, both indicating their desire to continue.

Lincoln Historic Preservation Board: Property owners Glen Dennis and Frances Gallegos were appointed.

Lincoln County Personnel Board: citizens Jim Paxton, Preston Stone, Grant Taylor were appointed. County employee Orlando Montes was appointed to represent county staff. One vacancy remains for a county employee.

Planning and Zoning Commission: Haines Melton was appointed.

The Public Land Use Advisory Council (PLUAC) just established by ordinance late last year, took the most time, and still remains unfilled. Duane Frost and Joel Bonnell were appointed to represent Ag and Rural Affairs Committee, Rex Wilson will represent District I, Bob Hollis will represent District II, Don Dutton will represent District III, David Koch will represent District IV, Israel Miranda will represent District V.

Most discussion came about appointment of the two members at large. As with the Lincoln Historic Preservation Board, written nominations for the PLUAC were solicited by legal ads. Tom Sidwell, Brad Thorne, Duane Frost, Joel Bonnell, and Rex Wilson each received one written nomination and Paul Wetzel received 12 nominations.

Commissioners tried several times to nominate several different people to the PLUAC, some without a second to the motion, some without a majority approval.

Schwettmann tried to nominate Wetzel, but he received no second and was interrupted by an audience member who recommended Sidwell. Finally, at an impasse, commissioners left the two at large positions open.

Commissioners discussed how the intent of the PLUAC is to have members representing all sides of public land use, but they found themselves considering members with interests in ranching or farming. "This is weighted to farming and ranching," Montes said. "If we weight it any further we will defeat the intent of the PLUAC."

Commissioners will consider appointment of the last PLUAC members at the February meeting. All PLUAC members will serve a one year term, except those from the Ag and Rural Affairs Advisory Committee who serve two years.

Commissioner Nunley was reappointed to the Zia Senior Citizens Advisory Commission, upon his request.

Ruidoso Says ADA Rules Are Hardship

by Doris Cherry

Ruidoso Village Council overturned a planning and zoning decision on parking spaces for a beauty shop located in a former residence, citing hardship on the developer because of the unfunded federal mandates from the disabilities act.

Councilors conducted an appeal for Debra Goeller who leased the Sam Vest residence and developed it into a beauty shop. She complied with all village requirements in developing parking areas, but wanted to keep the existing driveway. However, that driveway comes on to the street only 33 feet away from

its intersection with Mechem Drive, a major street. For commercial developments, the village requires 150 feet from the entrance of the driveway from the intersection.

Also four parking spaces first designated for the old driveway were disapproved by P&Z because members claimed a car could not turn around in the space provided and would have to back out on the street.

During hearings with village planning and zoning Goeller offered to turn the spaces in the old driveway into handicapped parking. But P&Z and village planning officer Cleatus Richards found

(SEE PAGE 12)

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Sheriff's Report

Lincoln County Sheriff's Deputies discovered the body of Carl Dotson at his residence in White Oaks in the early hours of January 5.

Dotson's death was ruled as self-inflicted, but his body was sent to the Office of Medical Investigators in Albuquerque.

The following information was taken from dispatch sheets in the Lincoln County Sheriff's Office in the courthouse in Carrizozo:

Jan. 3:
11:10 a.m. a doctor requested an ambulance in Capitan to make a non emergency transport to a doctor in Roswell. Capitan ambulance responded.

4:52 p.m. a theft from a vehicle and criminal damage to property were reported on Highway 70 near Ruidoso.

11:45 p.m. an accident with injuries was reported on Gavilan Road. A vehicle hit a pole, the pole was on the vehicle and power lines were down. There was no New Mexico State Police, the nearest deputy was in Carrizozo. Dispatch requested Ruidoso Police send an officer and ambulance. Also ambulance was later paged.

Jan. 4:
1:02 p.m. New Mexico State Police requested extrication equipment at mile marker 60 on Highway 380 to cut the top out of a semi truck. Carrizozo fire department responded.

5:23 p.m. the calling party reported she couldn't get the previous resident to get his belonging. The responding deputy handled the situation over the phone.

8:32 p.m. Ruidoso Police called the sheriff's office for an Alto area resident who reported a prowler at the

condos near the county club. Two deputies responded.

Jan. 5:
8 a.m. an accident without injuries was reported at mile marker 77 on Highway 380 at Indigan Divide. A deputy responded and requested a wrecker.

9:49 a.m. Leandro Vega advised he was to check with the caretaker of Carl Dotson's property in White Oaks. Dotson had not been seen in a while. When the Vega arrived at the property he found Dotson, deceased in his bedroom. A deputy, medical investigator Barbara Day responded and ruled there was no foul play and the death was self inflicted.

2:13 p.m. an accident without injuries was reported at Gavilan and Highway 48. Undersheriff Bobby Miller requested state police for the accident which involved a car and a school activity bus.

7:44 p.m. an ambulance was requested at some Capitan apartments for a 66 year old man with heart problems. Capitan ambulance transported the patient, meeting up with Ruidoso Advanced Life Support ambulance to take on a paramedic. The patient was taken to Lincoln County Medical Center (LCMC) in Ruidoso.

Jan. 6:
9:48 a.m. Corona ambulance advised it was picking up a patient at the school and transporting to Presbyterian Hospital in Albuquerque.

Jan. 7:
Corona ambulance advised it was transporting a patient to Albuquerque.

8:48 p.m. Ruidoso Downs Police advised of a 16 year old male with possible over dose,

then possibly jumped in the pond in Agua Fria. The juvenile took 15 pills. A deputy, a Ruidoso Downs officer and Glencoe Fire Dept. responded.

11:41 p.m. a one vehicle roll over was reported at the end of Aspet Street in Carrizozo. Carrizozo police responded and arrested a subject.

Jan. 8:
12:09 p.m. Ruidoso Police called for a party at the police station wishing to report a missing billfold.

2:46 p.m. Ski Apache requested an ambulance for a 17 year old male with ski injuries.

Jan. 9:
7:03 a.m. an ambulance was requested at a residence on Fox Hollow in the Alto area for a 77 year old man. The caller called back at 7:11 a.m. and advised the subject was conscious and sick at his stomach. Also ambulance transported the patient to LCMC.

9:36 a.m. a breaking and entering and larceny was reported at Nogal Canyon Estates. Two cords of woods and a breaking and entering of a travel trailer were discovered on Jan. 7. A deputy responded.

1:31 p.m. a larceny was reported by Alto Ski Shop. The shop advised that three sets of skis had been stolen. Two deputies were assigned.

Jan. 10:
5:46 a.m. an ambulance was requested in the Claunch area for a diabetic patient. Carrizozo ambulance transported the patient to LCMC.

7:26 a.m. a theft was reported from the cash box at a motel in Carrizozo. The calling party advised the cash box

(SEE PAGE 10)

Ruidoso Approves Curfew . . .

(Continued from Page 8)

out to be students on suspension.

Lone dissenter councillor Leon Eggleston was against the ordinance, because it is the same as a state statute which can now be enforced. "I think this is the school's job," he said. He also said the curfew violates the civil rights of school-age children.

But Maddox said the supreme court ruled that the state statute did not violate the civil rights.

Councillor Frank Potter said he talked with some of the burglarized residents. The victims were so astonished that it happened during the day time, that they felt the need to arm themselves.

This concerned Maddox. "The last thing I want to see is a juvenile offender get shot by a resident. If it gets to that point, I'm not doing my job."

Public comments ranged from enthusiastic approval from school officials, to an attorney and a private citizen in disfavor because the ordinance makes another law just like the state law and it violates the civil rights of students.

Ruidoso High School vice principal Danny Flores said the ordinance is a "tool for not making their children do what the community wants them to do, get an education."

Student advisory Bob Elder said the ordinance is a joint venture between the village and school.

Middle school official John Fritsch asked the ordinance be changed to include suspended students. "I feel they do not need to be on the streets even if they are suspended," he said.

Ruidoso School Superintendent Mike Gladden also sent a letter supporting the ordinance.

Attorney Don Dutton, at the meeting for other business, was against another redundant law and favored spending tax dollars on parenting classes to help teach values. He said that students who commit crimes while on suspension should be educated of the district judge who places violators on strict probations and takes away their rights to participate in any high school extra curricular activity. "They need to know if they violate the law, they might give up their high school experience," Dutton said. He also was concerned how police will distinguish between a local student and a visitor.

Resident Mike Radziewicz was concerned about how children will be handled by police, and making laws that apply to only one group. "I'm upset as I'm the only parent here to stick up for the children," he said.

Councillor Joe Gomez made the motion to adopt the ordinance, which councillor Potter seconded. Donaldson tried to amend the ordinance to include suspended students under the curfew. Village attorney John Underwood cautioned councillors not to okay the amendment, because the village police would then be enforcing school policy. Donaldson dropped the amendment.

When the vote was taken, Gomez, Potter, Donaldson and Frank Cummins voted yes, Eggleston voted no. Councillor J. D. James was unable to attend because of illness. Mayor Jerry Shaw asked to have it noted in the minutes she favored the ordinance.

Under the procedure police accompanying the ordinance, police who observe a school age person in a public place during school hours will first identify the person, then call the school to determine if the person is properly excused. If the student is found to be out of school without proper excuse, the officer will transport or escort the student to the

proper school's principals office. The principal will notify the student's parent or guardian to come to the school. Once the parent is at the school, the officer will issue a misdemeanor citation for the ordinance violation.

Once the citation is issued, the officer will leave the school and school officials will handle the problem.

Parents issued a citation must appear before the Ruidoso Municipal Judge.

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Gary & Jo Lanning
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"Church Directory"

First Baptist Church
HAYDEN SMITH, pastor
314 10th Ave, 648-2968 (church) or 648-2107

Sunday School..... 9:45 am
Worship Service..... 10:55 am
Sun. Evening..... Training at 6:15 pm
Evening Worship..... 7:15 pm
Wednesday Bible Study..... 7:00 pm

Carrizozo Community Church (A/G)
JOHNNIE L. JOHNSON, pastor
Corner of C Ave. & Thirteenth, 648-2186

Sunday School..... 10:00 am
Worship Service..... 11:00 am
Thursday Bible Study..... 7:00 pm

Santa Rita Catholic Community
FR. DAVE BERGS, pastor
213 Birch, 648-2853

SATURDAY:
Capitan Sacred Heart..... 5:00 pm
C'ozo Santa Rita..... 6:30 pm

SUNDAY:
Capitan Sacred Heart..... 9:00 am
C'ozo Santa Rita..... 11:00 am
Corona St. Theresa..... 4:00 pm

Church of Christ
PAUL WETZEL, minister
Ave. C at 12th, 648-2996

Sunday School..... 10:00 am
Worship Service..... 11:00 am
Evening Worship..... 6:00 pm
Wednesday Bible Study..... 7:00 pm

St. Matthias Episcopal Church
REV. ROBERT BATTON
Corner of E Ave. & Sixth,
1-258-4144

Holy Eucharist..... 9:30 am Sunday

Spirit of Life Apostolic Pentecostal Tabernacle
ALLAN M. MILLER, pastor
208 Lincoln Ave, Capitan, NM 354-2025

Tuesday Bible Study..... 7:00 pm
Sunday School..... 10:00 am
Sunday Evening..... 8:00 pm

United Methodist Churches
TOMMY JARED, pastor
Trinity - Carrizozo
1000 D. Ave., 648-2893/648-2846

Sunday School (All Ages)..... 10:00 am
Worship Service..... 11:10 am
Choir Practice (Wednesday)..... 6:30 pm
United Methodist Men Breakfast
2nd Sunday..... 8:30 am
United Methodist Women Every
3rd Wednesday..... 9:30 am
Fellowship Dinner Last Sunday of Month
..... 12:30 pm

CAPITAN

Adult Sunday School..... 8:30 am
Worship Service..... 9:15 am
Children's Sunday School..... 9:30 am
Fellowship Time..... 10:15 am
Adult Sunday School..... 11:00 am
Choir Practice (Tuesday)..... 7:00 pm
Fellowship Dinner Every Third Sunday
Handmaidens (Ecumenical Women's Group)
1st and 3rd Tuesday..... 9:30 a.m.

Evangelistic Assembly
REV. DR. C.L. FULTON, Pastor
REV. DR. WILLIE MAE FULTON, Missions Dir.
ELDER JIM MILLER
711 E. Ave., 648-2339

Sunday..... 2:30 pm

Nogal Presbyterian Church
DON & MARJORIE DANIELS, co-pastors
648-2850

Adult Sunday School..... 10:00 a.m.
Sunday Morning Worship..... 11:00 am

Community United Presbyterian Church of Ancho
DON & MARJORIE DANIELS, co-pastors
648-2850

Sunday Morning Worship..... 9:00 a.m.
Sunday School..... 10:00 am

Christ Community Fellowship
ED VINSON, pastor
514 Smokey Bear Blvd./Capitan
Inter-denominational

Sunday School..... 9:30 a.m.
Sunday Morning Worship..... 10:30 am

Roy's Gift Gallery & Flowers

DAVID

Bill Winkler

Leslie's Fine

Steam Insurance Agency

LEGLALS

TWELFTH JUDICIAL DISTRICT COURT COUNTY OF LINCOLN STATE OF NEW MEXICO NO. CV 94-271 Division III

PRESTON L. STONE, JR. and WILLA E. STONE, Co-Trustees of the PRESTON L. AND WILLA E. STONE REVOCABLE TRUST, UTAD May 9, 1988.

Plaintiffs,

v.s.

GROUP I: THE UNKNOWN HEIRS OF THE FOLLOWING NAMED DECEASED PERSONS: HUNT HOBBS, BLOYS CRAIG HOBBS, CONWAY C. CRAIG.

GROUP II: THE UNKNOWN SPOUSE, IF ANY, OF CONWAY C. CRAIG, IF LIVING; IF DECEASED, HER UNKNOWN HEIRS.

GROUP III: ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO THE PLAINTIFFS.

Defendants.

SUMMONS AND NOTICE OF PENCY OF ACTION

THE STATE OF NEW MEXICO TO THE FOLLOWING NAMED DEFENDANTS:

THE UNKNOWN HEIRS OF THE FOLLOWING NAMED DECEASED PERSONS: HUNT HOBBS, BLOYS CRAIG HOBBS, and CONWAY C. CRAIG, IF LIVING, IF DECEASED, HER UNKNOWN HEIRS; and ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO THE PLAINTIFFS.

GREETINGS: You are hereby notified that Preston L. Stone Jr. and Willa E. Stone, Co-Trustees of the Preston L. and Willa E. Stone Revocable Trust, UTAD May 9, 1988, Plaintiffs, have filed an action in the District Court of Lincoln County, New Mexico, Civil Docket No. CV-94-271, Div. III, wherein you are named as Defendants and wherein said Plaintiffs seek to obtain constructive service upon you.

The general subject matter of said action is to quiet title to certain real estate, which is the subject matter of the above-captioned and numbered cause of action and is described as follows:

TRACT 1:

A tract of land 354 feet in width and 392 feet in length located in the NW/4 of Section 10, Township 9 South, Range 14 East, N.M.P.M., described as commencing at the corner common to Sections 3, 4, 9 and 10, said Township, and Range; thence South along the Section line dividing Sections 9 and 10, 300 feet to a point, being corner No. 1 of the tract conveyed hereby; thence East 354 feet; thence South 392 feet; thence West 354 feet to the said Section line; thence North along said Section line 392 feet to the point of beginning; and

TRACT 2:

A tract of land described as follows: Beginning at the NW corner of the Hobbs place (described above); thence North 191 feet; thence East 316 feet; thence South 191 feet; thence West 316 feet to point of beginning; all in Section 10, Township 9 South, Range 14 East;

EXCEPTING from the above described lands a tract of land described as follows: Starting at corner common to Sections 3, 4, 9 and 10, Range 14 East, Township 9 South; thence South 0 degrees 19' W. 678.0 feet to a true point of beginning; thence South 89 degrees 57' E. 354.0 feet; thence South 0 degrees 19' W. 14.0 feet; thence North 89 degrees 57' W. 354.0 feet; thence North 0 degrees 19' E. 14.0 feet to the true point of beginning.

You are further notified that unless you enter your appearance, plead or otherwise respond to said cause of action, the Court may, on or before February 2, 1995, render judgment against you by default and the relief prayed for in the Complaint will be granted to Plaintiffs in conformity with the allegations of the Plaintiffs' Complaint.

The name and address of the attorney for the Plaintiffs is: Archie A. Witham, P.O. Box 83, Noyal, New Mexico 88341.

WITNESS my hand and seal of the District Court of Lincoln County, New Mexico, on this the 20th day of December, 1994.

MARGO E. LINDSAY, Clerk of the District Court

BY: ELIZABETH LUERAS, Published in The Lincoln County News on December 22 and 29, 1994; and January 5 and 12, 1995.

TWELFTH JUDICIAL DISTRICT COURT COUNTY OF LINCOLN STATE OF NEW MEXICO No. CV-94-108

BERKELEY FEDERAL BANK & TRUST, FEB. 7 k/a First Federal Savings Bank of Delaware, Plaintiff,

vs. JIM B. DAVIS, KATHRYN SUE DAVIS, a/k/a Sue Davis, J.B. ROGERS, FIRST CITY NATIONAL BANK, RUIDOSO STATE BANK, and the FEDERAL DEPOSIT INSURANCE CORPORATION, Defendants.

NOTICE OF SUIT TO THE ABOVE-NAMED DEFENDANTS:

You are hereby notified that the above-named Plaintiff filed suit in the above-entitled Court and cause against you. The general object of the suit is to foreclose a Mortgage recorded on August 5, 1983, in Book 113, at page 1039, records of the Lincoln County Clerk, New Mexico, given to secure payment on a Promissory Note. The Mortgage covers real property located in Lincoln County, New Mexico, described as: J.B. Reed Tract, being a part of S/2 SE/4 of Section 15, as shown by the plat thereof filed in the office of the County Clerk and Ex-Officio Recorder of Lincoln County, June 16, 1950, and further shown by the amended plat thereof filed in said office, September 15, 1950.

Unless you enter your appearance in this action and cause on or before February 24, 1995, Judgment may be rendered against you by default.

Martin Meyers, Esq., of HINKLE, COX, EATON, COFFIELD & HENSLEY, 500 Marquette N.W., Suite 800, Albuquerque, New Mexico 87102, (505) 768-1500, are attorneys for the Plaintiff.

WITNESS the Honorable Richard A. Parsons, District Judge of the Twelfth Judicial District Court of the State of New Mexico, and the Seal of the District Court of Lincoln County, this 5th day of January, 1995.

DISTRICT COURT CLERK, By: ELIZABETH LUERAS, Deputy.

(Court Seal)

Published in The Lincoln County News on January 12, 19, and 26; and February 2, 1995.

PUBLIC NOTICE The Ruidoso-Lincoln County Extraterritorial Zoning Commission has rescheduled their regular meeting to Tuesday, January 17, 1995. The meeting will begin at 6:00 p.m. in the Council Chambers of the Village of Ruidoso on Cree Meadows Drive in Ruidoso.

AGENDA I. CALL TO ORDER II. ROLL CALL/INTRODUCTIONS- New Members and Guests III. APPROVAL OF MINUTES- November 7, 1994 IV. NEW BUSINESS A. Reorganization 1. Election of Officers 2. Meeting Date Schedule B. Request for Variance in Side Setback from 5 feet to 1 foot for portable carport

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in Fawn Ridge Subdivision First Addition, Lot 5, Block 4. W.J. Clements

C. Discussion of business with no permanent buildings North of Blood Ranch in R-1 and R-S zoning. Gavilan Road West, Section 32 and 33, Township 10 South, Range 18 East. J. Jeter

D. Discussion of future zoning for same. J. Jeter

D. Discussion of undedicated roads for building permits. V. ADJOURNMENT

Published in The Lincoln County News on January 12, 1995.

IN THE STATE OF NEW MEXICO DISTRICT COURT OF LINCOLN COUNTY TWELFTH JUDICIAL DISTRICT No. DR-94-217 Div. III

MARY S. ELLIOTT, Petitioner,

vs. ROY L. ELLIOTT, Respondent.

NOTICE BY PUBLICATION TO: ROY L. ELLIOTT PLEASE TAKE NOTICE THAT THE PETITIONER HAS FILED A PETITION FOR DISSOLUTION OF MARRIAGE IN THE ABOVE-CAPTIONED PROCEEDING WHEREIN YOU ARE NAMED THE RESPONDENT.

YOU ARE HEREBY NOTIFIED that the general object of this action is the Dissolution of Marriage, as more particularly set forth in the Petition for Dissolution of Marriage on file in the above-captioned cause, in the District Court of Lincoln County.

Please take further notice that if you intend to contest the dissolution you must respond to the Petition within twenty (20) days from the date of service. Failure to respond within that time shall be treated as a default, and your consent to the divorce will not be required. The name of Petitioner's attorney is as follows:

The Holmes Law Firm by Todd A. Holmes, P.O. Box 4066, Alamogordo, NM 88311, (505) 437-2801.

WITNESS the Honorable Richard A. Parsons, District Judge of the Twelfth Judicial District of the State of New Mexico, and the Seal of the District Court of Lincoln County, this 22nd day of December, 1994.

MARGO LINDSAY, CLERK OF THE DISTRICT COURT,

Published in The Lincoln County News on January 12 and 19, 1995.

PUBLIC NOTICE The Lincoln County Planning and Zoning Commission will hold their regular meeting on Thursday, January 19, 1995. The meeting will begin at 7:00 p.m. in the Commissioner's Room of the Lincoln County Courthouse in Carrizozo.

AGENDA I. CALL TO ORDER II. ROLL CALL/INTRODUCTIONS III. APPROVAL OF MINUTES - December 29, 1994 IV. NEW BUSINESS A. REORGANIZATION 1. Election of Chairman 2. Election of Vice-Chairman B. REVIEW OF SUBDIVISION REGULATIONS V. OLD BUSINESS A. Staff Update

Published in The Lincoln County News on January 12, 1995.

PUBLIC NOTICE The Ruidoso-Lincoln County Extraterritorial Zoning Authority has rescheduled their regular meeting to Tuesday, January 17, 1995. The meeting will begin at 6:30 p.m. in the Council Chambers of the Village of Ruidoso on Cree Meadows Drive in Ruidoso.

AGENDA I. CALL TO ORDER II. ROLL CALL/INTRODUCTIONS- New Members and Guests III. APPROVAL OF MINUTES- November 7, 1994 IV. NEW BUSINESS A. Reorganization 1. Election of Officers 2. Meeting Date Schedule B. Request for Variance in Side Setback from 5 feet to 1 foot for portable carport

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III. APPROVAL OF MINUTES - November 7, 1994

IV. NEW BUSINESS - Final Action on ET Commission Recommendations.

A. Request for Variance in Side Setback from 5 feet to 1 foot for portable carport in Fawn Ridge Subdivision First Addition, Lot 5, Block 4. W.J. Clements

B. Discussion of business with no permanent buildings North of Blood Ranch in R-1 and R-S zoning. Sections 32 and 33, T10S, R18E. J. Jeter

C. Discussion of future zoning for same. J. Jeter

D. Discussion of undedicated roads for building permits. V. ADJOURNMENT

Published in The Lincoln County News on January 12, 1995.

NOTICE is hereby given that on December 22, 1994, David M. and Vonna D. Stevens, P.O. Box 66, Alto, NM 88312, filed application No. 01918-A with the STATE ENGINEER for permit to change purpose of use of 6.5 acre-feet per annum of surface waters from the H. Fritz Spring Ditch, which presently has a point of diversion located in the SE 1/4 of Section 29, Township 10 South, Range 17 East, N.M.P.M., by ceasing the irrigation of 2.0 acres of land located in the SE 1/4 of Section 29, Township 10 South, Range 17 East, N.M.P.M. and commencing the diversion of said 6.5 acre-feet per annum of surface waters for commercial bottled water purposes.

Any person, firm or corporation or other entity objecting that the granting of the application will be detrimental to the objector's water right shall have standing to file objections or protests. Any person, firm or corporation or other entity objecting that the granting of the application will be contrary to the conservation of water within the state or detrimental to the public welfare of the state and showing that the objector will be substantially and specifically affected by the granting of the application shall have standing to file objections or protests: Provided, however, that the State of New Mexico or any of its branches, agencies, departments, boards, instrumentalities or institutions, and all political subdivisions of the state and their agencies, instrumentalities and institutions shall have standing to file objections or protests. The protest or objections shall be in writing and shall set forth all protestant's or objector's reasons why the application should not be approved and must be filed, in triplicate, with Eluid Martinez, State Engineer, 1900 W. Second St., Roswell, New Mexico 88201, within ten (10) days after the date of the last publication of this Notice.

Published in The Lincoln County News on January 12, 19, and 26, 1995.

PUBLIC NOTICE The Ruidoso-Lincoln County Extraterritorial Zoning Authority has rescheduled their regular meeting to Tuesday, January 17, 1995. The meeting will begin at 6:30 p.m. in the Council Chambers of the Village of Ruidoso on Cree Meadows Drive in Ruidoso.

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Lincoln County DETENTION CENTER REPORT

The following people were booked into, or released from, the Lincoln County Detention Center in the courthouse in Carrizozo:

Jan. 2: Gary Gowdy, 41, Ruidoso: DWI, careless driving, driving on suspended license; bond set at \$6100.

Jan. 4: John J. Lopez, 33, Los Lunas: DWI 4th, driving on revoked license; \$6,000 bond set.

William A. Brown, 34, State Penitentiary: held for court: transported back to state penitentiary on Jan. 6.

Andrew N. Needham, 33, State Penitentiary: held for court: released Jan. 6 for transport back to state prison.

Russell Simpson, 23, state penitentiary: held for district court.

Norma Pinkston, 29, Ruidoso: conspiracy to traffic narcotics; \$25,000 bond posted same day, and released.

Jan. 5: Diane T. Moore, 39, Tularosa: contempt of court: released to Tularosa Police on Jan. 9.

Johnny Bobby Tegeda, 38, Ruidoso Downs: court commitment of three days by Magistrate Judge William Butts: released Jan. 6, time served.

Michael D. Mohrhauser, 40, Ruidoso: DUI, revoked drivers license; released Jan. 9 on orders from Magistrate Judge Gerald Dean Jr.

David Chavez, 21, Dexter: DUI; sentenced to 18 days by Butts.

Jan. 6: Joseph F. Barela, 50, Las Cruces: sentenced to 30 days by Butts for DWI 3rd and driving on revoked license.

Jerome A. Gonzales, 32, Alamogordo/Camp Sierra Blanca: held for CSB.

Bruce Mark, 34, Ruidoso Downs: DUI 3rd; sentenced to 30 days by Butts.

Jody Monte, 25, Ruidoso: DWI 1st aggravated; sentenced to two days by Butts; released Jan. 7, time served.

Jan. 8: Orlando R. Beltran, 34, Carrizozo: DWI: \$500 posted same day and released.

Jan. 9: John C. Archibeque, 31, state prison in Las Cruces:

held for court with Dean on behalf of Butts.

Jackie Graham, 35, state prison in Grants: held for court with Dean on behalf of Butts.

RELEASED: Jan. 4: Jorge Arenivas, 27, Ruidoso Downs: arrested July 2 for aggravated burglary, criminal damage to property; released to Border Patrol.

Jan. 5: Chris Apachito, 24, Magdalena: arrested Nov. 28 for commercial burglary, criminal damage to property and larceny under \$100. Released on orders from District Judge Richard Parsons.

Bruce Burks, 34, Ruidoso: arrested Nov. 7 for criminal sexual penetration: released on orders from Parsons while awaiting trial.

Raymond G. Hernandez, 20, Ruidoso Downs: arrested Dec. 16 for minor in possession of alcohol, criminal damage to property and receiving stolen property. Released on orders from Butts.

Jan. 9: Pedro Montelongo, 30, Ruidoso Downs: arrested Dec.

1 for sexual contact with a minor: released to Border Patrol.

Sheriff's . . .

(Can't. from P. 9) was empty. Dispatch got a second call from the motel from a woman who reported tools stolen. Carrizozo police responded.

An accident with injuries was reported on Highway 70 at Devil's Canyon intersection in Glencoe. The call came to Ruidoso from Ruidoso Downs Police then transferred to New Mexico State Police. Glencoe Fire Dept. response was canceled. Ruidoso Downs police paged Ruidoso Advanced Life Support (RALS).

8:48 a.m. an ambulance was requested at a residence on West Last Street for a diabetic patient. Fort Stanton ambulance responded, but was refused.

WE NEED MORE GOOD PLACES TO BUY John J. Kirchoff REAL ESTATE BROKER

STATEMENT OF NON DISCRIMINATION ENMR Telephone Cooperative has filed with the Federal Government a Compliance Assurance in which it assured the Rural Utilities Service (formerly the Rural Electrification Administration) that it will fully comply with all requirements of Title VI of the Civil Rights Act of 1964 and the Rules and Regulations of the Department of Agriculture issued thereunder, to end that no person in the United States shall, on the grounds of race, color, national origin, sex, religion, disability, veteran status, or age be excluded for participation in, be denied the benefits of or otherwise be subjected to discrimination in the conduct of this organization's program and the operation of its facilities. Under this Assurance, this organization is committed not to discriminate against any person on the above grounds in its policies, practices, applications for services or any other policies and practices relating to treatment of beneficiaries and participants including rates, conditions and extension of service, use of any facilities, attendance at and participation in any meeting of the beneficiaries and participants or the exercise of any rights of such beneficiaries and participants in the conduct of the operations of this organization.

Any person or class of individuals believing themselves to be subjected by this organization to discrimination prohibited by any federal, state, or local statute, or by any rule or regulation thereunder may, individually or through a representative, file with the Secretary of Agriculture, Washington, D.C. 20250, or with this organization, or both, a written complaint. Such complaint must be filed not later than 180 days after the alleged discrimination, or by such later date to which the Secretary of Agriculture or the Rural Utilities Service extends the time for filing. Identity of complaints will be kept confidential except to the extent necessary to carry out the purpose of the laws, rules and regulations.

Published in The Lincoln County News on January 12, 19, and 26, 1995.

Lincoln County News

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MAID NEEDED at Smokey Bear Motel in Capitan. Call 354-2253 and ask for Betty. tfn-Aug. 11

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LARGEST SELECTION of Used Trucks under \$4,000.00 in Alamogordo at **WHITE SANDS MOTOR CO.**, 725 S. White Sands, Alamogordo, N.M. 437-5221. tfn

68 FORD MUSTANG \$4,000.00 Original V8. 94 NISSAN Truck, 5 spd., \$1,000.00 take over payments. Call 648-2520. 1tc-Jan. 12.

WANTED: EXPERIENCED NIGHT WAITRESS, prep cook, and dishwasher. Apply in person, Smokey Bear Restaurant in Capitan. tfn/May 5

I PAY CASH for horses of all kinds--any number--anywhere--anytime. 505-354-3186. 2mths-Dec 1-Feb. 1

FOR RENT: nice large furnished or unfurnished one bedroom apartment in Capitan. Call Don Jones, 354-2006. tfn-Jan. 5.

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 '83 FORD 1/2 PU 4x4, Extra Low Miles
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 (3) TAURUS & SABLE 4-Dr., Loaded / SAVE \$4,500

FIREWOOD FOR SALE: 404 4th St., Capitan, NM. Call Gloria or Jesse at 354-2271/Don at 354-3144. Pinon-Cedar-Juniper. Delivery available upon request. Ruidoso delivery, \$120 cord (unstacked). tfn

COORDINATOR: Place International high school students with host families and supervise in the area. If you love teenagers and would like to contribute to education in the community contact IEF, 1-800-824-3702. 2tc-Jan. 5 & 12.

DOWNTOWN CAPITAN. Ideal for home or business. Corner of 4th and Lincoln. 2 br, lr, kitchen and bath. \$28,000 call T. Michael Henderson, 1-800-806-7653 or 653-4223. The Residential Grievous Group Realtors. 4tp-Dec. 22 & 29; Jan. 5 & 12.

POSTAL JOBS Start \$11.41/hr. For exam and application info. call (219) 769-8301 ext NM520, 7 a.m.-7 p.m., Sun-Fri. 4tp-Dec. 15, 22, 29; Jan. 5.

FIREWOOD FOR SALE. Mixed pinon and juniper, unsplit \$70 per cord. Mixed pinon and juniper, split \$85 per cord. 354-2806. 3-MO.-Dec.22 to Mar. 22.

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WE BUY USED CARS and Trucks, **WHITE SANDS MOTOR CO.**, 725 S. White Sands, Alamogordo, N.M. 437-5221. tfn

STEEL BUILDINGS Steel Bldgs! Year end inventory closeouts! Order now! Save thousands! 1-800-761-6199. 4tp-Jan. 5, 12, 19 & 26.

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FOR SALE: Clean cushion sofa, \$150.00. Call 648-2358. 2tp-Jan. 12 & 19.

4 ALL STEEL arch buildings. New, never erected, can deliver. 40x30 was \$5990 now \$2990; 40x62 was \$10,850 now \$5975; 50x76 was \$13,500 now \$9800; 50x150 was \$21,000 now \$14,900. Endwalls are available. 1-800-320-2340. 2tp-Jan. 12 & 19.

PRIVATE COLLECTOR interested in purchasing old firearms and western leather goods and related articles in any condition and in any number. Call Dave at 336-4545 or 258-3888. 4tc-Jan. 12, 19, & 26; Feb. 2.

CARRIZOZO TASTER FREEZ new phone number is 648-2333. Phone-in orders welcome. 1tc-Jan. 12.

PAST CREDIT PROBLEMS?
 Keeping you from financing a car?
WE CAN HELP
 Call LYNCH or McMASTERS
 378-4400

FOR SALE: 1984 FORD F-250, Super Cab XLT. \$4,500 or best offer. 648-2301 or 648-2847. 2tc-Dec. 29 & Jan. 12.

FOR SALE: 3 bedroom fixer-upper on 3 lots. \$8,000 cash. 648-2622. 2tp-Jan. 12 & 19.

EMPLOYMENT NOTICE: Lincoln County will be accepting applications for the position of D.W.I. Program Coordinator until 5 p.m. Monday 1-23-95. Obtain application at the Lincoln County Manager's Office in Carrizozo or by calling 505/648-2385. The successful candidate should possess a B.A./B.S. Degree or a minimum of 10 years experience in related field. Must have grant writing experience. Law enforcement experience, computer knowledge, knowledge of D.W.I. Laws, knowledge of the district, Magistrate, and Municipal Court systems, be a self starter, and be able to work with members of the law enforcement community and able to travel extensively throughout the county. This individual must also be able to prepare budgets, monthly and annual reports for various agencies, assist various agencies in statistical analysis, and be able to conceive, implement and promote new and innovative counter-D.W.I. programs. This program is a year to year position, dependent upon grant monies allocated by the state of New Mexico. Lincoln County, Equal Opportunity Employer and in Compliance with ADA Requirements, Title II-A. 1tc-Jan. 12.

OBITUARIES

GERALD W. "Jerry" MARTIN
 Memorial services for Gerald W. "Jerry" Martin, 70, of Ruidoso was Jan. 5 at the Episcopal Church of the Holy Mount with the Rev. John Penn officiating. Graveside services were Jan. 6 at the Masonic Cemetery, in Las Cruces with the Rev. Charles de Vries officiating. Mr. Martin died Jan. 2 at Lincoln County Medical Center in Ruidoso. He was born June 29, 1924 at Rivesville, West Virginia to Virginia and Darrel Martin. He attended college in West Virginia and at Texas A & M. He was a fighter pilot during World War II. He had lived in Dona Ana County for 40 years before moving to Ruidoso two years ago when he retired from Loral Vaught Systems as Operations Test Engineer. He was a former member of the Dona Ana County Sheriff's posse. Survivors include his wife Sally of Ruidoso; two daughters Patty Shepard of Ruidoso and Barbara Connor of Carlsbad; four grandsons, his mother Virginia K. Martin of Las Cruces; two brothers, Dean R. Martin of Las Cruces and Donald A. Martin of Mesquite, N.M. and a nephew.

NOTICE

NOTICE
 Combined Notice of Finding of No Significant Impact and of Intent to Request A Release of Grant Funds

Name, Address, Zip Code of Grant Recipient
 Town of Carrizozo
 Post Office Box 247
 Carrizozo, NM 88301
 Telephone Number (505) 648-2371
 Date of Publication January 12, 1995
 Application/Grant Number 94-C-I-1-G67

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:
 On or about (minimum 15 days after date of publication) January 27, 1995 the (name of grantee) Town of Carrizozo will request the U.S. Department of Housing and Urban Development to release federal funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383) for the following project:

PROJECT TITLE OR NAME: Town of Carrizozo Street Improvements
PURPOSE OR NATURE OF PROJECT: Street reconstruction including overlay of hot mix asphalt, curb and gutter for storm drainage.

LOCATION OF PROJECT: Carrizozo, NM.
 Street Address or Name of Neighborhood/District
 Town of Carrizozo, Lincoln Co., New Mexico.
 City, County, State
ESTIMATED COST OF PROJECT: \$280,000 (CDBG amount)
PROJECT SUMMARY: Reconstruction of the following street sections: Sixth Street from E Avenue to B Avenue; Fifth Street from Hwy. 380 to E Avenue; G Avenue from Eighth Street to Fifth Street; H Avenue from Eighth Street to Sixth Street, and F Avenue from Eighth Street to Fifth Street. The project will include overlay of hot mix asphalt, storm drainage using curb and gutter and concrete valley gutters in all intersections. Parts of the project have been determined to be located in a 100 year (Zone A) flood plain based on the Flood Insurance Rate Map (FIRM), panel no. H 01 Community No. 350110, effective date: August 22, 1975.

All streets included in the project are within the corporate limits of the town of Carrizozo.
FINDING OF NO SIGNIFICANT IMPACT
 An environmental review of the project has been made by the Grantee and is available for public examination and copying at the office noted above. Based on this review, the Grantee has determined that a request for release of project funds will not significantly affect the quality of the human environment and hence, an environmental impact statement will not be undertaken under the National Environmental Policy Act of 1969 (PL 91-910).

The reasons for the decision not to prepare an environmental impact statement are as follows:
 The project will not adversely affect the environment and any construction-related nuisances such as dust and noise will cease upon project completion. There is no duplication of services and the project is necessary. Public Comment on Findings:
 All interested agencies, groups or persons disagreeing with these decisions are invited to submit written comments for consideration by the grantee by January 27, 1995.

All comments must clearly specify which decision they object to -- The Finding of No Significant Impact or the Request for Release of Funds. All comments to be received will be considered by the Grantee prior to its taking any administrative action or requesting release of funds on the date listed immediately above.

RELEASE OF GRANT FUNDS
 The Grantee will undertake the project described above with Block Grant funds from the U.S. Department of Housing and Urban Development (HUD), under Title I of the Housing and Community Development Act of 1974. The grantee is certifying to HUD that the Town of Carrizozo and Mayor Cecilia Kuhnli in her official capacity, consent to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making and action, and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval, the Grantee may use the Block Grant funds, and HUD will have satisfied its responsibilities listed in 24 CFR Part 58. HUD will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases: (a) that the certification was not in fact executed by the Chief Executive Officer or other officer of the Grantee (b) that the environmental review record for the project indicated omission of a required decision finding, or step applicable to the project in the environmental review process, or (c) another federal agency has submitted written comments pursuant to Section 309 of the Clean Air Act or Section 102(c) of NEPA. Objections must be prepared and submitted in accordance with the required procedure (24 CFR Part 58), and may be addressed to HUD or LGD/DFA, Room 201 Bataan Memorial Bldg., Santa Fe, NM-87503. Objections to the release of funds on bases other than those stated above will not be considered by HUD or LGD/DFA.

MICHAEL L. McCAN, Certifying Environmental Officer

NOTICE OF PUBLIC HEARING
JANUARY 24, 1995
TOWN OF CARRIZOZO
 The TOWN OF CARRIZOZO invites you to attend a public hearing on **JANUARY 24, 1995** at **6:00 P.M.** at the Town Hall. The purpose of the public hearing will be to discuss the 1995 Small Cities Community Development Block Grant (CDBG) Program to advise citizens of the programs objectives, range of activities that can be applied for and provide other pertinent information; to obtain the views of citizens on community development and housing needs to include the needs of low and moderate income people. The CDBG Program is designed to meet activities which will address one to three state and national objectives:
 1. Benefit principally low-moderate income families.
 2. Aid in the prevention or elimination of slum and blight.
 3. Meet other community development needs of recent origin which pose a serious and immediate threat to the health and welfare of the community.
 All counties and municipalities under \$0,000 population are eligible to apply. Applicants may apply for funding assistance under categories including COMMUNITY INFRASTRUCTURE, HOUSING, PUBLIC SERVICE CAPITAL OUTLAY, ECONOMIC DEVELOPMENT, EMERGENCY, PLANNING AND

Southeast NM Economic Development District
 110 East Fourth,
 Fisk Building, Suite 103
 Roswell, NM 88201
 Published in The Lincoln County News on January 12, 1995.

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COLONIAS.
 Complete information concerning this program can be obtained at the public hearing along with information on how to receive technical assistance on preparing a proposal for consideration. For further information, contact Carol Schlarb, Town Clerk, CMC/AAE at 648-2371, Carrizozo, New Mexico 88301.

Published in The Lincoln County News on January 12, 1995.

TO SUBSCRIBE TO THE LINCOLN COUNTY NEWS . . . JUST FILL OUT THE HANDY SUBSCRIPTION FORM ON PAGE 10.

NOTICE OF PROPERTY TAX REPORTING REQUIREMENTS

Property which was valued in 1994 in this county by the county assessor is not required to be reported or rendered for 1995 or subsequent years, EXCEPT FOR:
 1. mobile homes
 2. livestock, and
 3. land used for agricultural purposes
 If for any reason, your property was not valued last year and it is subject to valuation this year, you are required by law to report it to the county assessor on forms provided either by mail or at the assessor's office.
 All nongovernmental entities (property owners) which claim to be exempt from the property tax must report their property and claim their exemption for 1995 if the exemption was not claimed in 1994.
 Reports for mobile homes, livestock, land use for agricultural purposes, property not valued last year and claims for exemptions by nongovernmental entities must be completed and mailed or delivered to the county assessor not later than the last day of February.
 If you made improvements to your real property and:
 1. the improvements cost more than \$1,000 and
 2. a building permit for the improvements was not issued, you must report the nature of the improvements and their cost to the assessor not later than the last day of February. These reports must be on forms provided by that assessor.
 If you believe your property decreased in value during the preceding year, you must report, on forms provided by the assessor, a signed statement which:
 1. describes the property affected,
 2. states the cause and nature of decrease in value, and
 3. states the amount you contend the value has decreased.
 This statement must be filed with the county assessor no later than the last day of February.
 If the veterans exemption was claimed and allowed in 1994 no new claim for that exemption is required to be filed. However, if that exemption was not claimed and allowed in 1994 and it is now claimed, claim must be made by the last day of February by filing with the assessor the form provided by the assessor.
 If the head-of-family exemption was claimed and allowed in 1994 no new claim for that exemption is required to be filed. However, if that exemption was not claimed and allowed in 1994 and it is now claimed, claim must be made by the last day of February by filing with the assessor the form provided by the assessor.
 Beginning in the 1992 tax year, taxpayers are responsible for declaring their property classification to the assessor, as residential or nonresidential. When the declaration is accepted by the assessor, it shall remain as such and need not be made in subsequent years unless the classification changes. If a taxpayer has not declared their property to be residential in 1994 and desires that classification for 1995 they must complete a declaration of residential classification and return the signed declaration to the county assessor's office by the last day of February, 1995.
 Certain mineral property and personal property of contractors operating in more than one county are required to be reported to the Taxation and Revenue Department, Property Tax Division of the State of New Mexico in Santa Fe. Information about property to be reported to the Taxation and Revenue Department, Property Tax Division can be obtained from the county assessor or the Taxation and Revenue Bureau, P.O. Box 630, Santa Fe, New Mexico 87509, Phone: (505) 827-0893.
THIS NOTICE is only a brief statement of the provisions of Section 7-38-8, 7-38-8.1, 7-38-13, 7-38-17 and 7-38-17.1 NMSA 1978 of the Property Tax Code. It is not intended to reflect the full contents of these statutory provisions. If you wish to review the full contents of these provisions, they can be examined at the office of the county assessor.
PATRICIA BERNA, County Assessor, P.O. Drawer 48 Carrizozo, NM 88301 (505) 648-3304.
 Published in The Lincoln County News on January 5, 12 and 19, 1995.

Ruidoso Says ADA . . .

(Continued from Page 8)

it too placed handicapped drivers in more danger with the driveway so close to the intersection. The original residence was constructed before 1988 when the current planning laws were approved, and was "grandfathered" as long as it remained a residence.

P&Z on November 21, 1994 decided to allow Goeller to open her shop, provided she block off the old driveway and she submit revised parking plans to include handicapped parking in the new parking lot and access to the building with a ramp. Goeller submitted the revised plans in early December and advised P&Z of her intent to appeal the decision because of errors on the ability to turn around in the spaces, and the driveway has existed for more than 20 years.

Tuesday, attorney Don Dutton spoke on Goeller's behalf during the appeal,

citing the errors, and a financial hardship to create extra parking away from the old driveway. He said there was ample room to maneuver cars in the old driveway, and the owners would put in a concrete curb to require those who use the driveway to turn around and drive out, not back out. Dutton also said that the new parking lot was not very accessible for handicapped spaces, because of a drop of three to four feet from the building to the lot, that would require \$50,000 of work to make access.

After considerable discussion about the density of use of the side street, and the limited impact from the beauty shop, councilors who visited the site agreed that there was ample room to turn around in the driveway.

Councilor Robert Donaldson said the American with Disabilities Act (ADA) does have a reasonable variance, but Richards said only the federal government could grant that. But Donaldson continued, "The Act (ADA) creates such tremendous over burden to property owners. We should provide relief because it is a hardship.

Richards said the cost to comply to development standards is not considered by P&Z.

"It's not proper to not consider the cost in commercial development," Dutton said.

Councilors must have agreed. They unanimously approved Donaldson's motion to overturn the P&Z decision, and allow Goeller to leave the old driveway for emergency and handicapped parking area and to put a concrete curb to move the entrance further from the intersection.

Donaldson said the motion was based on the hardship to developers and property owners created by the "unfunded federal mandate" of the ADA.

Two blocks north of Goeller's beauty shop is the intersection of Cree Meadows Drive and Mechem Drive. For several years the village has asked the state highway department to install a traffic light at the busy intersection. But traffic counts taken by the department were too low to warrant such a light, until last year. Convinced to take a count before Labor Day, the traffic numbers show far more cars than previous counts.

The highway department recanted and agreed a light is needed there, but its engineer pointed out the dangerous five-legged intersection there created by Country Club road as it comes to Cree Meadows. The department agreed to install a light at the Mechem intersection, if the village would block off Country Club road.

Without holding public hearing, councilor approved the agreement with the highway department for the traffic light.

The public will be notified in the newspapers and other media when Country Club will be closed, signs will be put up and permanent barricades will be installed where Country Club now intersects with Cree Meadows.

The light will be temporary until Mechem Drive, Highway 48, is upgraded in about two years. A permanent light will then be installed. The highway department proposes to make turning lanes on Mechem at the light.

Cree Meadows intersects Mechem at the south side of Innsbrook Village, just north of the Sierra shopping center.

In other business, councilors:

--Approved release of \$8317.17 in retainage for Bohannon-Huston basic design services for the MainStreet redevelopment project. The project is substantially complete.

Subdivision Property Taxes May Increase

by Doris Cherry

Lincoln County Road Department needs more money to operate, especially in subdivisions.

Lincoln County Commissioners approved a \$50,000 increase to the road department as start up money for the chip seal operations this spring. The budget increase was part of several budget adjustments approved during the commission meeting in the courthouse in Carrizozo Friday.

Last year commissioners decided to pursue the chip seal program, which required a substantial investment of tax dollars to purchase chip seal (paving) equipment. "Now feeding the program means more cost than we first thought," said commission chairman Monroy Montes.

Road manager Bill Cupit said chip seal will be expensive, "but we're committing ourselves to a better level of service." He estimated the chip seal program could cost \$250,000 a year, "just starting out."

Cupit requested \$50,000 now as a start up, mainly to train road department employees with no experience in chip seal. Cupit said some of the funds could come from the

gravel fund in the road department budget set in June 1994.

Before the county purchased the chip seal equipment last year, the road department contracted all repair to chip seal roadways. What was costing \$1.75 a square yard to contract, should cost the county only a \$1 a square yard. But commissioner Wilton Howell thought that those who get benefits from the county road services should pay more.

That led to discussion from Montes about the front footage assessment. Property owners in subdivisions are now assessed 10 cents for every foot that fronts a dedicated county road. The assessment was later addressed in the meeting, when commissioners justified the need to call for a public hearing to raise the assessment.

According to state law, said the county attorney, the county can recoup up to half the cost of road maintenance for the "high traffic" roads, namely subdivision roads. Currently, Cupit estimated the cost for maintaining subdivision roads is \$1 a foot, which means the commission could set the front footage assessment as high as 50 cents a foot.

Friday, commissioners had

no suggestions of how much they want to raise the front footage, but they indicated the front footage assessment should reflect the type of road, such as lower amounts for gravel roads versus high amounts for chip sealed roads. Actual numbers will be presented during the February meeting.

The February meeting will be held in Ruidoso, according to a motion which carried four of the five commissioners. Stirling Spencer was the hold out on the motion, trying to amend it to keep the meeting in the courthouse in Carrizozo. His amendment had no second, however, and the motion to hold the road front footage assessment public hearing in Ruidoso was approved.

No location was given for the meeting, other than Ruidoso.

Another public hearing to be held at that meeting in Ruidoso will be on the proposed county zoning ordinance. Despite a request from county resident Jerry Carroll to hold a special election on the zoning issue, commissioners set the public hearing, saying it will be the first of many on the subject.

The county has a 1988 ordinance for zoning, which is unenforceable because it lacks any type of plans or maps designating the zones. With current and future growth in the county, zoning has been under scrutiny by the county planning and zoning commission. A proposed zoning document will be presented by P&Z at the February meeting, where the public will be allowed to make comment.

Carroll said he would circulate a petition calling for a special election on the zoning.

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DOROTHY LYNCH SALAD DRESSING.....32-OZ.	\$1.99
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SQUEEZE-IT (Asst.) DRINKS.....6-PK.	\$1.69
GOLD MEDAL FLOUR.....6-LB.	69¢
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FRESH HOT JALAPENOS.....LB.	89¢

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