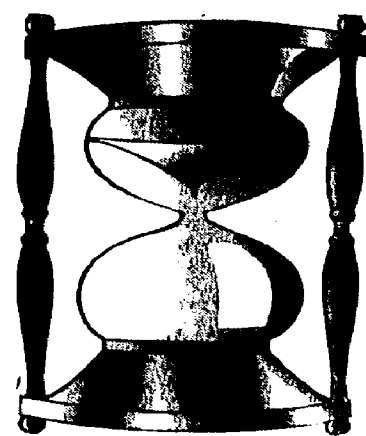




# "Happy New Year!"



## "Serving All of Lincoln County"

# LINCOLN County News

"Since 1905"

VOLUME # 97, NUMBER 51

THURSDAY, DECEMBER 26, 2002

CARRIZOZO, NM 88301



**BILL SCHWETTMAN LIBRARY FUND** got started on December 19, as outgoing commissioner Schwettmann (right) brought along a "piggy bank" to accept donations for his fund at the regular county meeting held that day. Schwettmann got at least one penny in his fund. Schwettmann and outgoing commissioner Ray Nunley (left) "roasted" each other before they were given plaques of appreciation and proclamations for each one.

## County Meetings Return to Tuesdays

by Doris Cherry

At the request of citizen Jerry Carroll to move the monthly meeting day to a Tuesday, commissioners adopted a resolution setting the 2003 meeting schedule accordingly. During their meeting on Thursday, Dec. 19 in their chambers in the Lincoln County Courthouse, commissioners unanimously approved the resolution that set the

2003 meetings at 8:00 a.m. on the third Tuesday of each month.

During discussion of the meeting dates county manager Tom Stewart said he found no problem in meeting on the third Tuesday. He said when he moved the meetings to Thursdays it was because of the financial reporting.

Carroll had requested the meeting days to be moved back to Tuesday, primarily because the current Tuesday date was

unfair to the *Lincoln County News* which publishes on Thursday. Carroll, who made the request for the Tuesday meetings at the November county commission meeting, said that because the meetings are on Thursdays, the *THE NEWS* was unable to report on the county commission until a full week later.

During discussion at

(SEE PAGE 2)

## County Moves Forward With Clinic Projects

by Doris Cherry

Although hefty estimated costs left county commissioners reeling, they authorized the plans for three health facilities projects to be prepared for bid.

The county contacted architect Jim McNamara presented rough sketches of the projects and their estimated costs to the county commissioners during their Dec. 19

meeting held in the courthouse in Carrizozo. McNamara reported that estimate costs, done by an independent estimator, for the Carrizozo clinic expansion exceeded the budget for the project by \$197,000. The county has a \$196,000 federal grant from Sen. Pete Domenici and \$82,240 in county hospital mill levy funds, said county manager Tom Stewart. The county also has about

\$750,000 in the clinic reserve fund.

The Carrizozo Health Clinic expansion project includes 1,330 square feet of new construction to expand and 210 square feet of remodeling.

High estimates continued for the Ruidoso health clinic, a 4,100 square foot stand alone construction to be located north of the existing

(SEE PAGE 6)

## House Fire Takes Life of Capitan Youth

by Doris Cherry

Funeral services were held Monday for 18 year old Capitan resident Thunder Conner who died in a house fire on Thursday, December 18.

According to Capitan Police Chief Chuck George, Conner's mother, Kim Conner, called 911 at 3:10 a.m. to report her house at 103 Second Street was on fire. Volunteer fire crews arrived soon and Capitan officer Mike Vega was the first police officer on the scene.

When emergency crews arrived, Kim was preparing to go into the house to find her 18 year old son who had gone back into the burning house and had not returned. George said Vega tried to go into the house to find Thunder, but the smoke was too intense. When fire crews arrived they entered the house with breathing apparatus and found Thun-

der. George said he arrived a bit later than the fire department.

Capitan ambulance tried to resuscitate Conner at the scene and began transport to Lincoln County Medical Center, but he was pronounced dead on route by the Office of Medical Investigator (OMI). OMI did order an autopsy, although it is assumed cause of death was smoke inhalation, George added.

State Fire Marshall's office investigator Dan Wright came from Santa Fe and has ruled that the fire was accidental, caused by a portable propane heater placed too close to an upholstered couch, George told THE NEWS.

"The Capitan Fire Department and EMS crews were tremendous in how they showed up within minutes," George said. "They responded in a very professional way."

"As a community our hearts go out to the family," George said. "And we are offering our help to them any way we can."

"The loss of a child you don't get over," he added.

George also said the fire marshal commented that if the portable heater was truly at fault for the fire it was a tragedy that could have been prevented. Wright told George that any portable heater, including electric, must be used with caution and should be placed far away from any flammable materials, including upholstered furniture and bedding. He also cautioned that portable propane heaters can lead to carbon monoxide poisoning if rooms are not vented with a slightly open window.

To provide assistance to the Conner family contact Chuck George at Capitan village hall.

## Martinez Wants to Know, Are Carrizozo/Capitan On or Off LCSWA

by Doris Cherry

Lincoln County Solid Waste Authority (LCSWA) board had a short meeting Tuesday, December 17.

The reason being that the Capitan and Carrizozo members of the board were not present thus preventing any action from being taken on a proposed policy regarding rate setting.

LCSWA members Leo Martinez from the county, Don Coleman from the city of Ruidoso Downs and Frank Cummins from Ruidoso were present at the meeting and helped make the three member quorum needed to open the meeting and conduct minor business. But according to LCSWA joint powers agreements, the Ruidoso member cannot take action on any LCSWA policy. This left

only Martinez and Coleman and two do not make a quorum to act on policy.

Martinez expressed his thoughts about the lack of quorum. He was concerned about the future of Capitan and Carrizozo with LCSWA. "I am really concerned that the people here today (at the board meeting) took their time to be here, yet we can't do any business because the other two people from Capitan and Carrizozo weren't here," he said.

Martinez said since he was appointed to the board all he has heard from the Capitan and Carrizozo members are arguments about the LCSWA operations manager Debra Ingle.

"I am more concerned about getting Lincoln County Solid Waste Authority off the ground,

and getting new facilities," Martinez said. "I am thinking about what the people of the county, whom we serve, want."

"I think Ingle does a good job," Martinez continued. "Yet all I see is Capitan and Carrizozo looking for ways to make this organization deteriorate (by not attending meetings)."

"I am tired of wasting my

(SEE PAGE 2)

### Carrizozo Holiday Lighting Judged Tonight

Initially slated for the evening of Dec. 23, the Carrizozo lighting contest judging was postponed due to inclement weather conditions.

Judging will occur tonight, Thursday, Dec. 26 from 7 to 8 p.m.

# Martinez Wants to Know

(Continued from Page 1)

time and the time of the rest of the people who are here, without a quorum to conduct business," he added.

"I want to ask Carrizozo and Capitan if they are on board with the authority or off," Martinez continued. "We (LCSWA) can manage without Carrizozo or Capitan. But what about those customers they serve."

"Should we be progressive or not? I spend more time at meetings defending Ingle and she is defendable," he continued.

Martinez then asked if Carrizozo had gone out to bid for trash collection services. Ingle said LCSWA never received notice of Carrizozo's advertisement for request for

proposals (rfp) for trash collection services. She said she did get a copy of the Carrizozo rfp that was published in the Ruidoso News.

"We didn't bid," Ingle said. She advised that she had called Carrizozo town clerk Leann Weibrecht who told her the bids had closed.

"Will that present a problem?" Martinez asked. "Will Carrizozo still be able to take action as part of the authority (if it goes to another trash collection service)?"

LCSWA attorney Don Dutton said if Carrizozo does go to another trash collection service LCSWA will have to negotiate with the town and go through agreements.

"Where will their partnership cease?" Martinez continued. "I don't want to be in a position of being in divorce proceedings and they will still be on the board and trying to pull us apart so we can't do business."

"I am not happy that two members don't bother to show up and we can't do business," Martinez said. "It's not right!"

Alto Home Owners Association officer Fred Hansen commented on the obligation for Capitan and Carrizozo to pay for the bond issue. "These people need to understand that their obligation continues (if they leave LCSWA)," Hansen said. "They cannot get out of their obligation to pay the (special environmental) gross receipt tax (for the regional landfill)."

Martinez said he did not mind the questions the Capitan and Carrizozo members have about Ingle. "But every meeting? All our records are here for their review if they would come. But when they don't come, we can't get anything done."

At the December 10 regular Carrizozo Town Trustees meeting, town trustees did discuss the proposed rate setting

safeguard policy and the LCSWA policy regarding unpaid accounts which was approved at the November LCSWA meeting. Town trustee Eileen Lovelace said she had a little problem with the rate setting safeguard policy, and had only one question on the proposed policy regarding unpaid accounts—about the percentage to be charged for late residential trash bills.

No mention was made about the town's rfp for trash services, or how many proposals were received.

Lovelace said she thought the proposed policy had good safeguards, but she wanted assurance there would be no cost to the town on the late fee charge.

Vega told the trustees that any LCSWA policy or rate setting should be done by "our board" first, then the town LCSWA representative should take the town's wishes back to the LCSWA board. "I want to reconsider the 1.5 percent (surcharge on late payments)," Vega said. "And I asked that question (at the November LCSWA meeting)."

Weibrecht said the town will only pay what it takes in from customers. She did acknowledge LCSWA pays the town 35 cents per residential customer for billing.

Vega then said as the town is part owner of LCSWA the town should give prior approval before the LCSWA board approves any policies.

Lovelace said she wanted her concerns answered. "I know we do LCSWA a favor by billing, but it is not the town's responsibility to pay the 1.5 percent for unpaid bills," Lovelace said. "We will send what we collect."

Vega said that was what he was trying to tell the LCSWA board (at the November meeting). "If they (LCSWA) have a problem," Lovelace responded. "Then they can come here and explain it to us."

Vega said he understood the concerns of the council and would take the issues back to the LCSWA board.

The town trustees voted unanimously to send their concerns and questions about the proposed policies, especially the 1.5 percent late fee charge, to LCSWA.

Weibrecht said if town customers don't pay their trash bills, the town gets no money for those customers. "We pay the authority only what we collect for each month," she added.

The mayor then said he does not think it is fair the town should have to shut off the water for residential customers who do not pay their trash bills for (LCSWA services).

Under the unpaid accounts policy, LCSWA would charge 1.5 percent finance fee on the unpaid balance after 30 days delinquent. "It shall be and hereby is LCSWA policy that all accounts delinquent for 90 days or more shall have a lien filed against the real property". The policy would also suspend service to individual accounts that remain unpaid for 60 consecutive days.

The policy also addresses LCSWA member

organizations which fail or refuse to pay a monthly invoice for 30 consecutive days. The policy would allow LCSWA to terminate services to the member entity citizens if the member entity does not pay within 30 days of receiving notice of late payment from the LCSWA board.

At the December 17 LCSWA meeting Ingle announced that Capitan is currently 30 days behind on its payment for trash services, again.

Capitan resident Mary Brothers who attended the December 17 LCSWA meeting said most of the residents have no problem with LCSWA services. "95 percent of the Capitan residents do not want to withdraw from the authority," Brothers said.

"I want it understood," Martinez responded. "I feel for the citizens. It's the leadership I have a problem with."

Dutton said he will visit with Corona officials so in the future their representative, who usually does not attend the LCSWA meeting, can send proxy votes on LCSWA issues.

THE NEWS tried to contact Vega for comment as to why he did not attend the LCSWA December meeting held on Tuesday, December 17 even though the trustees had instructed him to take their concerns back to the LCSWA board. Vega did not return THE NEWS call before press deadline.

THE NEWS also tried to contact Capitan representative Mayor Steven Sederwall. THE NEWS was informed by Capitan Village Hall that the mayor was out of state on December 17 and would be out of state until January.

## In The Service

Navy Petty Officer 2nd Class Kenneth B. Snyder recently reported for duty aboard the aircraft carrier USS John C. Stennis, homeported in San Diego.

Snyder, a 1991 graduate of Sonora High School in Sonora, Texas, joined the Navy in 1991. He is the son of Pat L. White of Hattiesburg, Miss. and Tom A. Snyder of Capitan, N.M.

## County Meetings

(Continued from Page 1)

the Dec. 19 meeting, commission chairman Rex Wilson said the commission used to meet on Tuesdays, but had moved to Thursdays at Stewart's request.

Wilson said at that time staff had to work over the weekend to have the commission packets prepared. But now the packets are already prepared and available by the Friday before the Thursday meeting. "If we go to Tuesday it means we have two days to review the meeting packet," Wilson added.

Commissioner Leo Martinez, who is the county's representative on the Lincoln County Solid Waste Authority (LCSWA) board, said the only conflict of the third Tuesday is that this is the day of the LCSWA meetings in Ruidoso Downs. "I think it's important for me to be there (at LCSWA meetings)," Martinez said. "I think



Snowfall blanketed most of Lincoln County on Monday giving the county a White Christmas.

Clearing and cold temperatures are predicted for the rest of Christmas week.

The following information was taken from the National Weather Service website:

Forecast for Carrizozo, Lincoln, Hondo Valley and other lower elevations of Lincoln County:

Today, Thursday, December 26:

Partly cloudy with highs in the mid to low 40s. No chance for precipitation. Tonight, partly cloudy with low of 19.

Friday, December 27:

Partly cloudy with highs from lower to mid-40s. Lows to 18.

Saturday, December 28:

Partly cloudy with highs to lower 40s. Lows from 17 to 26.

Sunday, December 29:

Partly cloudy with highs in the mid-40s, lows from 17 to 26.

Monday, December 30:

Partly cloudy with highs in the 40s, lows in the 20s.

Forecast for Ruidoso, Capitan, Corona and higher elevations of Lincoln County:

Today, Thursday, December 26:

Partly cloudy high temperature of 36, no chance for precipitation. Tonight partly cloudy with low of 14.

Friday, December 27:

Partly cloudy with highs in upper 30s to low 40s. Lows 16 to 23.

Saturday, December 28:

Partly cloudy with highs in the lower 40s, lows 16 to 23.

Sunday, December 29:

Partly cloudy with highs in the lower 40s. Lows 16 to 23.

Monday, December 30:

Partly cloudy with highs in the low 40s. Lows 15 to 22.

**Let there be Peace on Earth & Let it begin with Tea** (or coffee)  
 Stop on in ... and bring the flock  
**Carrizozo Joe's** Espresso Shop & More  
 Where the beach is a state of mind  
 113 Central Ave. Carrizozo Beach 848-JOES

## Church Directory

**MOUNTAIN MINISTRY PARISH, SIERRA BLANCA PRESBYTERY**

**Nopal Presbyterian Church**  
 BILL SEBRING, Pastor  
 Sunday School ..... 10:00 a.m.  
 Worship ..... 11:00 a.m.

**Ancho Community Presbyterian Church:**  
 SCOTT KING, Pastor / 848-2024  
 Worship ..... 9:00 a.m.  
 Sunday School ..... 10:00 a.m.

**Corona Presbyterian Church:**  
 Sunday School ..... 10:00 a.m.  
 Worship ..... 11:00 a.m.

**First Baptist Church**  
 HAYDEN SMITH, Pastor  
 314 10th Ave., Carrizozo, NM 848-2868 (Church) or 848-2107  
 Sunday School ..... 9:45 a.m.  
 Worship Service ..... 10:55 a.m.  
 Sun. Evening ..... Training at 8:15 p.m.  
 Evening Worship ..... 7:15 p.m.  
 Wednesday Bible Study ..... 7:00 p.m.

**Carrizozo Community Church (A/G)**  
 JOHNNIE L. JOHNSON, Pastor  
 Corner of C Ave. and Thirteenth, 848-2186  
 Children's Church ..... 10:30 a.m.  
 Worship Service ..... 10:30 a.m.  
 Wednesday Bible Study ..... 7:30 p.m.

**Santa Rita Catholic Community**  
 FR. DAVE BERGS, Pastor  
 213 Birch, Carrizozo, NM, 848-2853  
**SATURDAY:**  
 Capitan Sacred Heart ..... 5:00 p.m.  
 Carrizozo Santa Rita ..... 8:30 p.m.  
**SUNDAY:**  
 Capitan Sacred Heart ..... 9:00 a.m.  
 Carrizozo Santa Rita ..... 10:30 a.m.  
 Corona St. Theresa ..... 1:00 p.m.

**Church of Christ**  
 TOM PONDEXTER, Minister 354-3135  
 Ave. C at 12th, Carrizozo, NM  
 Sunday School ..... 10:00 a.m.  
 Worship Service ..... 11:00 a.m.  
 Evening Worship ..... 1:15 p.m.  
 Wednesday Bible Study ..... 7:00 p.m.

**St. Matthias Episcopal Church**  
 REV. CANON JOHN PENN, Rector  
 Corner of E Ave. and Sixth, Carrizozo, NM 1-505-267-2358  
 Holy Eucharist ..... Sunday 9:30 a.m.

**Church Community Church**  
 TONY SCACCIA, Minister  
 849-1402  
 Second Sunday of Each Month ..... 9:00 a.m.

**United Methodist Churches**  
 JOHANNA ANDERSON, Pastor  
 1000 D. Ave, 848-2893 / 848-2846 Carrizozo, NM 88301  
 Sunday School (All Ages) ..... 10:00 a.m.  
 Worship Service ..... 11:00 a.m.  
 Choir Practice (Tuesday) ..... 6:30 p.m.  
 United Methodist Women  
 Every 3rd Wednesday ..... 2:00 p.m.  
 Fellowship Dinner on 4th Sunday of Month ..... 12:30 p.m.

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

**Christ Community Fellowship**  
 ED VINSON, Pastor (Inter-denominational)  
 514 Smokey Bear Blvd., Capitan, NM  
 Sunday School ..... 9:30 a.m.  
 Sunday Morning Worship ..... 10:30 a.m.

**Capitan Church of Christ**  
 LESLIE EARWOOD, Minister  
 5th & Lincoln / 336-4627  
 Sunday Bible Study ..... 10:00 a.m.  
 Worship Service ..... 11:00 a.m.  
 Evening Worship ..... 6:00 p.m.  
 Wednesday Bible Study ..... 7:00 p.m.

**Trinity Southern Baptist Church**  
 MEL GNATKOWSKI, Pastor / 848-2530  
 Phone 354-2044  
 Capitan (South on Hwy. 48)  
 Sunday School ..... 9:30 a.m.  
 Worship Service ..... 11:00 a.m.

**First Baptist Church of Corona**  
 CAL WEST, Pastor / 849-7975  
 Sunday School ..... 10:00 a.m.  
 Worship Service ..... 11:00 a.m.  
 Wednesday Bible Study ..... 7:00 p.m.  
 Fellowship Dinner ..... 1st Sunday of Month

**LaGrone Funeral Chapel**  
**Jerry & Lanita Rosak**

**Bill Winkler**  
**Stearns Insurance Agency**









**THOUGHTS**

FROM THE EDITOR'S DESK

**Snow brings cold weather**

By Ruth Hammond

When snow began falling earlier this week people living on fixed incomes, especially people in Carrizozo, had an additional concern about their welfare. Carrizozo residents are faced with the possibility of having their water and sewer rates increased, at the same time their heating bills will be much higher. One thing is certain though, Carrizozo officials are adamant about not increasing rates for trash service, even though the Carrizozo representative on the Lincoln County Solid Waste Authority (LCSWA) board did not attend the LCSWA meeting last week. Yes, there could have been a plausible excuse for non-attendance, but it seems it would have been courteous to have called and informed the board, instead of ignoring a LCSWA meeting.

If a call had been made, not only from the Carrizozo representative but the Capitán representative also, who was not at the LCSWA meeting, it would have prepared the other LCSWA members for the possibility of not having a quorum for the meeting. Could it have been deliberate for both these LCSWA members to not attend the same meeting? LCSWA is operating in the black and provides excellent trash pick-up service, but the board does need a quorum to take action on many matters. Is it possible that these two LCSWA representatives want to cause more serious problems for LCSWA? It does make you wonder.

Not everyone understands why town officials have a double standard about not allowing an increase in trash rates while at the same time planning to increase water and sewer rates. People are puzzled. Why should they be in favor of one increase and not the other? Trash service is important for the health and welfare of residents just as water and sewer service is important, but why single out one situation from another? If residents were assured that water quality would improve it might help to understand, but as yet there has been no statement about improving the quality of water. It would help if there was some way to keep the water from being brown as it comes from the tap.

The double standard applies not only to increasing rates for basic services but for the town to purchase bottled water for town employees. Maybe the town is paying for your bottled water but most people insist they have to pay for their own bottled water. If town water is safe for other people to drink, why isn't it safe for town employees? Does this double standard apply in other things about the town?

Evidently there are many questions that should be asked when the town has the public hearing January 14 at the town council meeting about increasing water and sewer rates. If you have questions, you should attend and ask. If you want to know if water quality will improve, you should attend and ask. If you want to know how long the proposed rate increases will be in effect, you should attend and ask.

Regarding appointed members not attending meetings of boards they are supposed to attend, there may or may not be an explanation, not only in Carrizozo but in Capitán as well. It seems officials in both communities would want their appointed members to be in attendance and to report actions taken, not ignore their obligations to their duties.

*Who ignores their duties?*

**Domenici And Richardson Form Pact For Job Growth**

U.S. Senator Pete Domenici and Governor-elect Bill Richardson recently announced the formation of a partnership to increase quality jobs in the state.

The partnership, to be known as "Jobs First," will work to bring quality companies to the state, expand existing state businesses and grow high wage jobs within the state. One of the principals of the partnership will be to maintain New Mexico's unique quality of life as economic development is pursued.

"Bill Richardson and I have decided jointly to launch this initiative, and we will ask the state legislature to support the most versatile and well-funded economic development operation in our state's history," Domenici reported in a press release.

"We pledge to use our authority to enlist the support and cooperation of local economic development organizations all across the state to seek out new business prospects and identify opportunities to expand present businesses," Domenici added.

Domenici and Richardson said that as they continue meetings on the initiative, they will hold public briefings outlining specific steps to accomplish the goals of the partnership.

"New Mexico can be a hotbed of job growth and economic activity. But we

need to be organized and solidly behind a coordinated effort to foster new jobs by bringing new businesses to New Mexico and helping build those already here," Domenici said. "With the Rural Payday initiative, I believe we have proven that New Mexicans are ready to work and that we can bring good jobs to the state if everyone works together to go after these businesses."

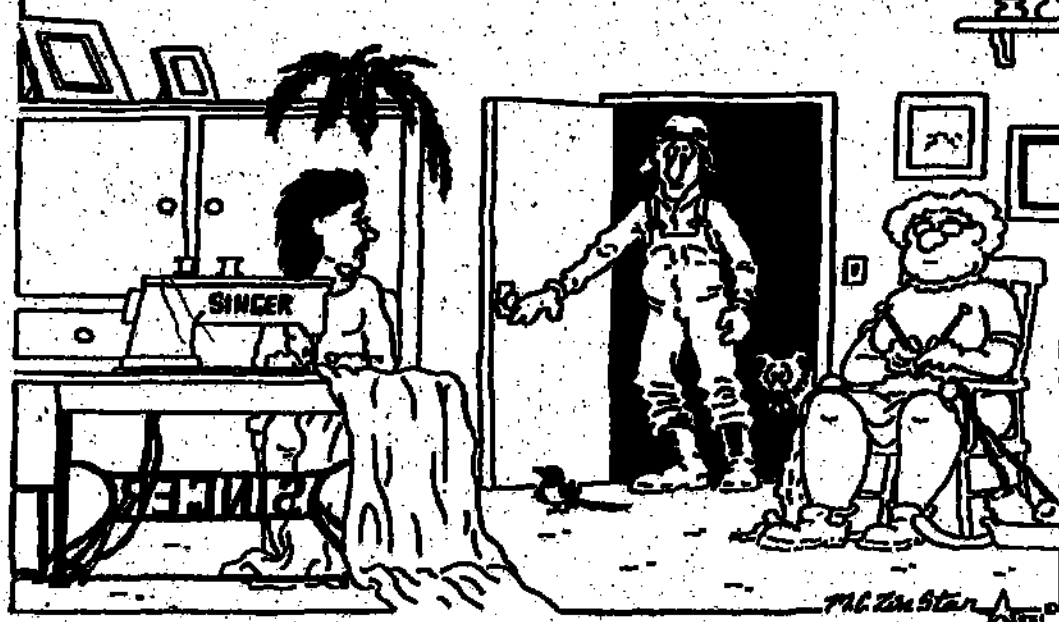
In 1997, Domenici launched the Rural Payday initiative to focus economic development and job creation in primarily rural New Mexico communities. Since its inception, approximately 3,000 jobs have been brought to the state, with call centers established in Alamogordo, Carlsbad, Espanola, Grants Las Vegas, Moriarty, Silver City and Taos.

"Our success with the call center effort sets the stage for new job targets," Domenici concluded.

*Let's Make It A Big Year..*



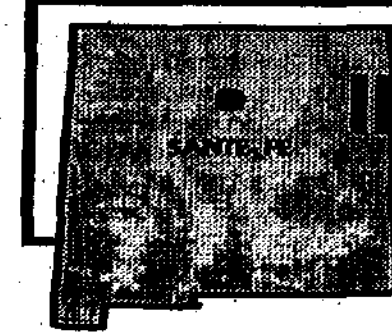
EARL....



"HAVE YOU EVER NOTICED THAT OPPORTUNITY HAS TO KNOCK, BUT FAILURE FEELS FREE TO BARGE RIGHT IN?"

**INSIDE THE CAPITOL**

by JAY MILLER



SANTA FE -- Gov. Gary Johnson held his final news availability on December 9. There were striking differences from the first news conference of his administration nearly eight years ago.

The room was packed for the January 1995 event. TV and newspaper cameras were everywhere. Reporters filled the seat at the governor's huge, round, marble conference table and spilled over into the chairs lining the walls. Members of the governor's staff crowded in the doorway and brought in folding chairs to fill in any vacant spaces.

And standing smartly at parade-rest behind Gov. Johnson were all 16 members of his cabinet. The show of force appeared to have been organized by Children, Youth and Families Department Secretary Heather Wilson, a U.S. Air Force Academy graduate, who stood front and center, giving orders.

Gov. Johnson made a few remarks about his new administration and introduced Lt. Gov. Walter Bradley, seated to his right. The governor then took a few questions from the media before his press secretary Diane Kinderwater stepped forward to say, "Thank you, governor."

At that pre-arranged signal, the 16 cabinet secretaries quickly moved into position, each one standing beside a member of the media seated at the conference table. The governor informed us that a cabinet meeting would immediately follow. For some reason, Secretary Wilson chose to stand next to my chair. I had met her at the announcement of her appointment and we had chatted amiably, but it was obvious that was not on her agenda for this day.

In past administrations, the media had hung around after news conferences to gather their materials, corner the governor for a few private questions and get information from staff members who were present. But this time we were quickly shown the door.

At Gov. Johnson's subsequent news conferences, cabinet members were seated behind Johnson, rather than standing. As the years moved on and Johnson became more familiar with state government, cabinet secretaries

were present at news conferences only if the subject pertained to them.

At Johnson's final news availability, the room was nearly deserted. Two TV cameramen arrived late and left early. Seats at the conference table were not all filled. Lt. Gov. Walter Bradley was not present. A few staff sat around the edges of the room. And press secretary Diane Kinderwater was absent.

Gov. Johnson casually asked us what we would like to talk about and we said we'd been promised a wrap up of his eight years in office. Johnson said he would like to be remembered as someone who took on the tough issues regardless of the political consequences. And, he contended, he had remained a non-politician, who imposed no political consequences on others for their actions.

Since only a couple of us in the room had been around throughout Johnson's administration, assertions such as the last one went largely unchallenged. The cub reporters dutifully scribbled down everything the governor said and asked questions such as what were the high and low points of his administration.

Johnson was very definite that his low point was the communication problem that occurred surrounding his veto of the prison population bill. Since that went over the heads of all but two of us, the question was asked a total of three times during the session.

By the third time, it was obvious the governor didn't want to dwell on the issue and the new reporters weren't going to let it go until they could grasp enough of the situation to include a work about it in their stories.

So Debra Baker of the Associated Press and I filled them in on how Johnson's staff had worked with lawmakers several years ago to craft a bill the governor could sign shortening prison stays for certain people in order to reduce overcrowded conditions. The bill was then sent to the governor, who promptly vetoed it, as an especially stormy session was winding down. Lawmakers and staff both felt betrayed and there were significant repercussions.

**New Mexico Submits Plans To Prepare For Smallpox Immunizations**

New Mexico Dept. of Health (NMDOH) Secretary Jack Callaghan recently announced that as many as 12,000 New Mexico first responders may be vaccinated against smallpox. The response corps would provide care in the case of smallpox bioterrorism attack.

New Mexico has submitted, as required, two smallpox preparedness plans to the Centers for Disease Control and Prevention (CDC).

One plan is to immunize first responders to both provide care and vaccinate others in an emergency. The other plan would provide vaccinations to all at-risk New Mexicans in the case of a smallpox emergency.

"These plans ensure New Mexico could respond to a bioterrorism attack or a naturally occurring emergency, such as a new strain of flu when mass vaccination is called for," explained Callaghan. "At this time the plans do not include vaccinations against smallpox for the general public. CDC's guidance to the states weighs the risks associated with the vaccine, including death. While we expect to begin vaccinating key public health and medical volunteers in the near future, the federal government has not yet announced a directive to vaccinate anyone at this time. We will announce the federal guidelines when we receive them."

The plans include a staged approach to immunize first responders once approved by CDC. The first stage will begin within 30 days of the President's announcement and will include a health response corps of 120 public health investigation teams and hospital medical care staff. The next three stages will include the broader health and emergency responder populations including law enforcement, emergency medical services, firefighters, hospital personnel and medical specialists, statewide.

According to NMDOH, New Mexico is asking for 20,000 doses of the smallpox vaccine to cover the 12,000 first responders as well as their replacements. The CDC will release the vaccine to New Mexico. The first cadre of health responders will be notified that the vaccine is available and an appointment will be set up to receive the vaccination, if they choose to volunteer.

"In the case of a bioterrorism attack the federal government would release vaccine to the states, who would implement vaccinations," said Barak Wolff, NMDOH Public Health Division director. "NMDOH has a plan for mass vaccination which can be implemented rapidly, but is not necessary at this time."

For more information about smallpox, go to the CDC website at [www.cdc.gov](http://www.cdc.gov) or the NMDOH website at [www.health.state.nm.us](http://www.health.state.nm.us).



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 co-publishers  
**SUBSCRIPTION RATES**  
 IN COUNTY: 1 Year \$20.00 / 2 Years \$45.00  
 IN STATE (NM): 1 Year \$25.00 / 2 Years \$55.00  
 OUTSIDE NM: 1 Year \$32.00 / 2 Years \$70.00



**LEGAL NOTICE**

STATE OF NEW MEXICO  
COUNTY OF LINCOLN  
TWELFTH JUDICIAL DISTRICT  
No. CV2002-215

FIRST UNION NATIONAL BANK  
AS TRUSTEE,  
Plaintiff,

vs.  
RAYMOND M. LOPEZ, AKA REYMUNDO M. LOPEZ, JOHN DOE, TENANT WHOSE TRUE NAME IS UNKNOWN; JANE DOE, TENANT WHOSE TRUE NAME IS UNKNOWN; THE UNKNOWN SPOUSE OF RAYMOND M. LOPEZ, AKA REYMUNDO M. LOPEZ, IF ANY,  
Defendant(s).

**NOTICE OF SUIT**

STATE OF NEW MEXICO to the above-named Defendant(s)  
GREETINGS:

You are hereby notified that the above-named Plaintiff has filed a civil action against you in the above-entitled Court and cause, the general object thereof being to foreclose a mortgage on property located at 201 LL DAVIS DR, RUIDOSO, NM 88345, Lincoln County, New Mexico, said property being more particularly described as:

LOT 42, BLOCK 3, OF WHITE MOUNTAIN ESTATES, UNIT 4, RUIDOSO, LINCOLN COUNTY, NEW MEXICO, AS SHOWN BY THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK AND EX-OFFICIO RECORDER OF LINCOLN COUNTY, NEW MEXICO, ON FEBRUARY 16, 1979, IN TUBE NO. 652.

Unless you serve a pleading or motion in response to the complaint in said cause on or before February 3, 2003, judgment by default will be entered against you.

Respectfully Submitted,  
SHAPIRO & MEINHOLD, LLP  
By: Sharon Hankla, NM Bar #8112  
13725 Struthers Road, Suite 201

Colorado Springs, CO 80921  
800/286-0013; 719/634-4868  
Attorney for Plaintiff.

WITNESS the Honorable KAREN L. PARSONS Judge of the Twelfth Judicial District Court, Lincoln County, New Mexico, this 19th day of November, 2002.

JAN PERRY  
Clerk of the District Court  
By: Mickle L. Vega  
Deputy

Published in the Lincoln County News on December 5, 12, 19 and 26, 2002.

**LEGAL NOTICE**

STATE OF NEW MEXICO  
COUNTY OF LINCOLN  
TWELFTH JUDICIAL DISTRICT  
Cause No. CV-2002-276

IN THE MATTER OF THE PETITION FOR CHANGE IN NAME OF

ROBERT BRIAN BEAVERS, Petitioner

**NOTICE OF HEARING BY PUBLICATION**

Robert Brian Beavers who is a resident of Lincoln County, has filed a Petition in the District Court to change his name to Dusty Robert Beavers. The application will be heard on the 13th day of January, 2003, at 8:15 a.m., at the Lincoln County Courthouse in Carrizozo, New Mexico.

Respectfully submitted,  
SANDERS, BRUIN,  
COLL & WOLEY, P.A.

By: Charles H. Coll  
for Kelly Mack Cassels  
Post Office Box 550  
Roswell, New Mexico 88202-0550  
505/622-5440  
Attorneys for Petitioner

Published in the Lincoln County News on December 26, 2002; and January 2, 2003.

**LEGAL NOTICE**  
IN THE TWELFTH JUDICIAL DISTRICT COUNTY OF LINCOLN STATE OF NEW MEXICO

No. CV-02-248  
Judge Karen L. Parsons

C. MARVINE FOX, L. MARLINE BEENE, and ROBERTA C. ELSON as Domestic Co-Personal Representatives of the Estate of RUBY C. HOLDER, a/k/a R.C. HOLDER, Deceased

Plaintiffs and Petitioners,

vs.  
THE UNKNOWN HEIRS OF THE FOLLOWING NAMED DECEASED PERSON: RUBY C. HOLDER, a/k/a R.C. HOLDER, and ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO THE PLAINTIFFS,  
Defendants

**NOTICE OF SUIT**

THE STATE OF NEW MEXICO TO: THE UNKNOWN HEIRS OF THE FOLLOWING NAMED DECEASED PERSON: RUBY C. HOLDER, a/k/a R.C. HOLDER, AND ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO THE PLAINTIFFS.  
GREETINGS:

You are hereby notified that an action has been instituted and is now pending in the District Court of Lincoln County, New Mexico said cause being numbered CV-02-248 on the civil docket of said court, wherein you are named or designated as Defendants and wherein the Plaintiffs seek to obtain constructive service of process upon you.

The object of said action is to determine the heirship of RUBY C. HOLDER, a/k/a R.C. HOLDER, deceased, and to quiet Plaintiffs' title in and to the real property described below and as set forth in the Complaint within the County of Lincoln, New Mexico, more particularly described as follows:

An undivided one-fourth (1/4) interest in and to: A tract of land located in the S/2SW4 of Section 27, Township 10 South, Range 13 East, N.M.P.M., and more particularly described as follows:

Commencing at the section corner common to Section 27, 28, 33 and 34 in Township 10 South, Range 13 East, N.M.P.M., and going N. 89° 52' East along the South line of Section 27 a distance of 469.15 feet to a point on the easterly right of way line of New Mexico State Highway 37; thence in a northeasterly direction along the easterly right of way line of New Mexico State Highway 37 a distance of 1182.43 feet to the place of beginning of the tract of land herein described, thence N. 89° 54' East a distance of 800.0 feet to a point; thence N. 30° 54' East a distance of 400 feet to a point; thence S 89° 54' West a distance of 800.0 feet to a point on the Easterly right of way line of New Mexico State Highway 37, thence in a southwesterly direction along the easterly right of way line of New Mexico State Highway 37 a distance of 400.0 feet to the place of beginning.

You are further notified that unless you enter or cause to be entered your appearance in said cause on or before the twentieth (20th) day of the last publication of this Notice, Judgment by Default will be rendered against you and the relief prayed for by the Plaintiff will be granted.

R. Max Best, whose address is 908 Colonial Parkway, Clovis, New Mexico, and whose telephone number is (505) 762-1753 is the attorney for the Plaintiffs.

WITNESS my hand and the official seal of this court, this 22nd day of November, 2002.

JAN PERRY  
District Court Clerk

(SEAL)

By: Elizabeth Ysasi  
Deputy

The District Court complies with the Americans With Disabilities Act. It is counsel's, or a pro se party's, obligation to notify the Clerk of the Court at least five (5) days before any hearing of the anticipated attendance of a disabled person so that appropriate accommodations can be made.

Published in the Lincoln County News on December 5, 12, 19 and 26, 2002.

**LEGAL NOTICE**  
IN THE DISTRICT COURT OF LINCOLN COUNTY TWELFTH JUDICIAL DISTRICT STATE OF NEW MEXICO

Cause No. PB-02-43  
Division III

IN THE MATTER OF ESTATE OF KENNETH PAT WADE, Deceased.

**NOTICE TO CREDITORS**

SHERRY WADE, has been appointed as Personal Representative of the Estate of KENNETH PAT WADE, Deceased. All persons having claims against this Estate are required to present their claims within two (2) months after the date of the first publication of this Notice, or the claims will be forever barred. Claims must be presented either to the Personal Representative, Sherry Wade, c/o H. John Underwood, H. JOHN UNDERWOOD, LTD., 1221 Mechem, Suite 5, Ruidoso, New Mexico, 88345, or filed with the District Court of Lincoln County, Post Office Box 725, Carrizozo, New Mexico, 88301.

DATED: Dec. 10, 2002.

SHERRY WADE  
Personal Representative

H. John Underwood  
H. JOHN UNDERWOOD, LTD.  
1221 Mechem, Suite 5  
Ruidoso, New Mexico 88345

Published in the Lincoln County News on December 19 and 26, 2002.

**TELESFORA SENA**

Telesfora Sena, age 82, a longtime Corona resident died December 11 in Las Cruces. Telesfora was born February 23, 1920 in Torrance County to Patrocino and Tomasita Chavez Sanchez. She married Erminio Sena April 28, 1943 in Pino Wells, NM.

She was a member of St. Theresa Catholic Church in Corona and a member of the Sacred Heart Society in Pino Wells, she also sang in the church choir. She loved singing. She was preceded in death by her husband Erminio, brothers Ruperto Sanchez, Antonio Sanchez, Marcos Sanchez and sister Candelaria Perea.

Survivors include her daughter Zenaida Alirez and husband Leo of Las Cruces; two granddaughters, Sylvia Villalobos and husband Arnold, Leona Licon and husband Marcos all of Las Cruces; her sister Paublita Chavez of Carrizozo; as well as great-grandchildren, nieces, nephews and many other relatives and friends.

Rosary services were conducted on Sunday from St. Theresa Church in Corona, Mass of Christian Burial was held Monday also at St. Theresa Church with Father Dave Berg officiating. Burial followed at the Corona Cemetery. All services are entrusted to the Chavez Funeral Home of Santa Rosa.

**LARRY HERRERA**

Prayer service for Larry Herrera, 46, of Ruidoso Downs will be Thursday, Dec. 19 at 7 p.m. at St. Jude's Catholic Church in San Patricio where the funeral mass will be on Friday, Dec. 20 at 10 a.m. Burial will follow at the St. Jude's Catholic Cemetery. Rev. Alfred Galvan will officiate.

Larry died Dec. 16 at Capitan. He was born March 15, 1958 at Ruidoso. He had lived in Lincoln County all his life and was a member of St. Jude's Catholic Church.

He is survived by his daughter Heavenly Chavez of Ruidoso Downs; mother, Helen Herrera of Ruidoso Downs; his father, Johnny Chavez of Tularosa; two brothers, Ramon Herrera and his Phyllis of Ruidoso and Adolph Herrera of Ruidoso Downs; three sisters, Leecha Herrera-LeMay and her husband Deke of Capitan; Betty Herrera of Ruidoso Downs and Geraldine Herrera and her husband Albert Padilla of Ruidoso Downs.

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

**BILL ANDERSON**

No services are planned at this time for Bill Anderson, 54, of Ruidoso, who died Dec. 20 in Ruidoso. He was born February 26, 1948 in California. He moved to Ruidoso in 1998 from Derraing and worked at Sierra Glass.

He is survived by two sons; William "Will Dog" Anderson of Ruidoso and Tyler Anderson of Derraing.

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

**LEGAL NOTICE**

NOTICE is hereby given that on December 6, 2002, Ford Secure Trust, filed application No. H-387-S with the STATE ENGINEER for permit to supplement the diversion of 126.7 acre-feet per annum of groundwater by drilling a well approximately 12 3/4 inches in diameter and 200 feet in depth at a point in the SW1/4SW1/4NW1/4 of Section 29, Township 11 South, Range 19 East, N.M.P.M.

The applicant proposes to supplement well No. H-387, located in the SW1/4NE1/4SE1/4 of Section 30, Township 11 South, Range 19 East, N.M.P.M., for the continued irrigation of up to 36.2 acres of land described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. W1/2W1/2	29	11S.	19E.	6.4
Pt. NE1/4NW1/4	29	11S.	19E.	5.4
Pt. S1/2S1/2	20	11S.	19E.)	
Pt. N1/2N1/2	29	11S.	19E.	15.8
Pt. SE1/4	20	11S.	19E.	7.2
Pt. NE1/4SW1/4NW1/2	29	11S.	19E.	1.4

The above described wells and place of use are located east of Picacho, Lincoln County, New Mexico, N.M.P.M.

Any person, firm, corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application: (1) if impairment, you must specifically identify your water rights; and/or (2) if public welfare or conservation of water within the State of New Mexico, you must show you will be substantially affected. The written protest must be filed in triplicate, with the State Engineer, 1900 W. Second Street, Roswell, New Mexico, 88201, within ten (10) days after the date of the last publication of this Notice. Facsimiles (fax's) will be accepted as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to (505) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6 and 72-12-3.

Published in the Lincoln County News on December 26, 2002; January 2 and 9, 2003.

**LEGAL NOTICE**

NOTICE is hereby given that on December 12, 2002, Alto Lakes Water Corporation, P.O. Drawer 750, Alto, NM 88312, filed application No. H-719 et al into H-787 & H-804 with the STATE ENGINEER for permit to temporarily change location of well and place and purpose of use of 10.0 acre-feet per annum of groundwater by ceasing the diversion of said waters from the following wells:

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-719	NW1/4SW1/4SE1/4	34	10S	13E
H-719-S	NW1/4NW1/4SW1/4	34	10S	13E
H-719-S-2	NW1/4NW1/4SE1/4	26	10S	13E
H-719-S-3	NE1/4SW1/4NE1/4	34	10S	13E
H-719-S-4	SW1/4SE1/4NE1/4	34	10S	13E
H-719-S-5	SE1/4SE1/4NE1/4	34	10S	13E
H-719-S-6	SE1/4SE1/4NW1/4	34	10S	13E
H-719-S-7	NW1/4SE1/4NW1/4	34	10S	13E
H-719-S-8	SE1/4NE1/4NW1/4	34	10S	13E
H-719-S-9	SE1/4NW1/4NE1/4	34	10S	13E
H-719-S-10	SW1/4SW1/4NE1/4	25	10S	13E
H-719-S-11	NW1/4NW1/4SE1/4	26	10S	13E
H-719-S-12	NE1/4NE1/4NE1/4	25	10S	13E
H-719-S-13	NW1/4NE1/4NE1/4	25	10S	13E
H-719-S-14	NE1/4NE1/4NE1/4	25	10S	13E
H-719-S-15	SW1/4SW1/4SW1/4	24	10S	13E
H-719-S-16	SW1/4SE1/4SW1/4	35	10S	13E
H-719-S-17	SE1/4SW1/4SE1/4	35	10S	13E
H-719-S-18	SW1/4SW1/4SE1/4	35	10S	13E
H-719-S-19	SE1/4SE1/4SE1/4	35	10S	13E
H-719-S-20	NE1/4SW1/4SE1/4	35	10S	13E

and commencing the use of existing wells described as follows:

WELL NO.	SUBDIVISION	SECTION	TOWNSHIP	RANGE
H-787	SE1/4SE1/4	28	10S	13E
H-804	SE1/4SE1/4SE1/4	28	10S	13E

for the diversion of 10.0 acre-feet per annum of groundwater for domestic use on 400.0 acres of land located in the SE1/4 of section 28, Township 10 South, Range 13 East, N.M.P.M., at a condominium complex in Alto, New Mexico.

The move from and move to points of diversion are located in Alto, Lincoln County, NM, N.M.P.M. This is a temporary application for a period of 5 years with all rights to revert to original place and purpose for use on December 31, 2007, or upon written request from the applicant Alto Lakes Water Corporation.

Any person, firm, corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application: (1) if impairment, you must specifically identify your water rights; and/or (2) if public welfare or conservation of water within the State of New Mexico, you must show you will be substantially affected. The written protest must be filed in triplicate, with the State Engineer, 1900 W. Second Street, Roswell, New Mexico, 88201, within ten (10) days after the date of the last publication of this Notice. Facsimiles (fax's) will be accepted as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to (505) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6 and 72-12-3.

Published in the Lincoln County News on December 19, 26, 2002 and January 2, 2003.



**LEGAL NOTICE**

Notice is hereby given that the Lincoln County Solid Waste Authority, Lincoln County, New Mexico Calls for sealed bids on 3 Pickup Trucks. Interested bidders may secure a copy of the specifications from the office at the headquarters for the Lincoln County Solid Waste Authority, at 222 Second St., P.O. Box 2405 Ruidoso Downs, N.M. 88346. Phone: 505-378-4697.

Sealed bids must be received by the Operational Supervisor no later than 2:00 p.m., January 6, 2003, at which time the bids will be opened.

The Lincoln County Solid Waste Authority reserves the right to accept or reject all or any part of any bid, waive minor technicalities, and award the bid to best serve the interests of the Authority. Bids must comply with the N.M. Procurement code.

- 1 - 1992 Ford 1 Ton No Bed As Is
- 1 - 1988 Chevrolet 1 Ton As Is\*\*
- 1 - 1978 Ford 3/4 As Is

Minimum Bid \$250.00 Each

\*\*Minimum Bid \$1,350.00 With Bed

Published in the Lincoln County News on December 19 and 26, 2002.

**LEGAL NOTICE**

NOTICE is hereby given that on December 16, 2002, Martin L. Torres, P.O. Box 211, San Patricio, New Mexico 88348 filed application No. H-25 with the STATE ENGINEER for permit to change location of well by ceasing the diversion of 13.44 acre-feet per annum of groundwater from well No. H-25 located in the SW1/4NE1/4NE1/4 of Section 5, Township 11 South, Range 17 East, N.M.P.M.

The applicant proposes to drill a replacement well approximately 150 feet in depth and 10 inches in diameter at a point in the E1/2NE1/4 of Section 5, Township 11 South, Range 17 East, N.M.P.M., for the continued irrigation of 4.2 acres of land described at Pt. E1/2NE1/4 of Section 5, Township 11 South, Range 17 East, N.M.P.M.

The above described well and place of use are located approximately one mile west of Hondo, Lincoln County, NM.

Any person, firm, corporation or other entity having standing to file objections or protests shall do so in writing (legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application: (1) if impairment, you must specifically identify your water rights; and/or (2) if public welfare or conservation of water within the State of New Mexico, you must show you will be substantially effected. The written protest must be filed in triplicate, with the State Engineer, 1900 W. Second Street, Roswell, New Mexico, 88201, within ten (10) days after the date of the last publication of this Notice. Facsimiles (fax's) will be accepted as a valid protest as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to (505) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6 and 72-12-3.

Published in the Lincoln County News on December 26, 2002; January 2, and 9, 2003.

**LEGAL NOTICE**

**TWELFTH JUDICIAL DISTRICT COURT STATE OF NEW MEXICO COUNTY OF LINCOLN**

No. CV-02-262 Div. III

**JUDITH ANNE NIEVES, f/k/a Judith Jensen Scott,**  
Plaintiff,

vs.

**GROUP I**  
EILENE J. JENSEN, a widow; the Estate of DONAVON O. JENSEN, Deceased, his heirs devisees and assigns; DONNA KAY SOUTHARD, her heirs, devisees, and assigns; LINDA SUB LOWE, her heirs, devisees, and assigns; JONELL R. GILMORE, a widow, her heirs, devisees, and assigns; RICHARD T. GEORGE and EVA L. GEORGE, husband and wife; their heirs, devisees and assigns;

**GROUP II**  
JOHN DOES, 1 through 100, and all of their lawful heirs, devisees or assigns; and

**GROUP III**  
ANY AND ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO THE PLAINTIFF;  
Defendants.

**SUMMONS AND NOTICE OF PENDENCY OF ACTION**

THE STATE OF NEW MEXICO TO THE FOLLOWING NAMED DEFENDANTS:

JONELL R. GILMORE, RICHARD T. GEORGE, AND EVA L. GEORGE

GREETINGS: You are hereby notified that JUDITH ANNE NIEVES, Plaintiff, has filed an action in the

District Court of Lincoln County, New Mexico, Civil Docket No. CV-02-262 (III), wherein you are named as Defendants and wherein said Plaintiff seeks to obtain constructive service upon you.

The general subject 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:

Lot 41, 42, and 43, Block O, of RUIDOSO PINE LODGE CO. SUBDIVISION, Ruidoso, Lincoln County, New Mexico, as shown by the plat thereof filed in the Office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico, on March 26, 1923, and more commonly known as 318 Fifth Street, Ruidoso, New Mexico.

You are further notified that unless you enter your appearance, plead or otherwise respond in said cause on or before January 23, 2003, judgment will be rendered against you by default and the relief prayed for in the Complaint will be granted to Plaintiff in conformity with the allegations of the Plaintiff's Complaint.

The name and address of the attorney for the Plaintiff are as follows: Alan P. Morel, Alan P. Morel, P.A., Post Office Box 1030, Ruidoso, New Mexico, 88355-1030.

WITNESS my hand and seal of the Twelfth Judicial District Court of Lincoln County, New Mexico, on this the 3rd day of December, 2002.

JAN PERRY  
Court Administrator  
By: Elizabeth Ysasi  
Deputy

Published in the Lincoln County News on December 12, 19, 26, 2002 and January 2, 2003.

**LEGAL NOTICE**

**RESOLUTION NO. 2002-17**

WHEREAS, the Governing body in and for the County of Lincoln, State of New Mexico, meeting in a regular session on the 19th day of December 2002, has set the meeting dates for the Lincoln County Board of Commissioners; and

WHEREAS, the Lincoln County Board of Commissioners shall meet at 8:00 A.M. in the Commission Chambers at the Lincoln County Courthouse, in Carrizozo, New Mexico, unless otherwise specified.

NOW, THEREFORE, BE IT RESOLVED that the Lincoln County Board of Commissioners hereby adopts the following regular meeting dates:

- Tuesday, January 21, 2003
- Tuesday, February 18, 2003
- Tuesday, March 18, 2003
- Tuesday, April 15, 2003
- Tuesday, May 20, 2003
- Tuesday, June 17, 2003
- Tuesday, July 15, 2003
- Tuesday, August 19, 2003
- Tuesday, September 16, 2003
- Tuesday, October 21, 2003
- Tuesday, November 18, 2003
- Tuesday, December 16, 2003

RESOLVED IN BOARD ACTION this 19th day of December 2002.

**BOARD OF COMMISSIONERS OF LINCOLN COUNTY, NEW MEXICO**

REX WILSON, Chairman  
WILLIAM H. SCHWETTMANN, Vice Chairman  
LEO MARTINEZ, Member  
L. RAY NUNLEY, Member  
RICK SIMPSON, Member

ATTEST:  
TAMMIE MADDOX  
Clerk

Published in the Lincoln County News on Thursday, December 26, 2002.

**County Moves Forward**

(Continued from Page 1)

substation on Kansas Drive in Ruidoso. The architects' independent estimator has that construction project costing \$970,500. And to make the style of the new construction similar to the Ruidoso village buildings, with the exterior fake stone, will cost another estimated \$45,000. Stewart said the county has \$491,880 from the federal Health and Human Services grant, \$250,000 from a Community Development Block Grant (CDBG) and \$20,000 in matching county general funds.

Estimates for the remodeling and construction at Lincoln County Medical Center (LCMC) in Ruidoso were only about \$15,000 over the \$666,200 budgeted to remodel a new surgery recovery area, add a storage warehouse and a proposed covered walkway. Stewart said this project will be all funded with county hospital mill levy funds.

Outgoing commissioner Ray Nunley first questioned the high estimated cost. "This is not highly technical construction," Nunley said of the Carrizozo and Ruidoso clinics projects. He asked if the architect could get another estimate for these projects.

Commissioner Leo Martinez said in his past government service such huge estimates were what he called a "big turkey and you pluck us."

"Get a new estimator," Martinez said. McNamara said he was not asking the commissioners to accept the estimated numbers.

"I want to be involved when I see these projects that will cost almost \$1 million," Martinez said. "We have huge houses being built for much less than this."

Commission chairman Rex Wilson said he was unsure what step should be taken. Nunley said he wasn't happy.

Outgoing commissioner Bill Schwetzmann said the next step is for the county to go to bid on the three projects. "These numbers are coming from Albuquerque which is highly unionized, using Albuquerque building scales which are about twice as high as in Lincoln County," Schwetzmann said.

"I think we have plenty of money (for these projects)," he added.

Martinez agreed with Schwetzmann, and Stewart said that is where he was headed. As such he recommended commissioners direct the architect to prepare the bid documents for all three projects. "If all come in over budget, then we can go to the state for the health department project," Stewart added.

Martinez questioned why the county utilizes the services of an Albuquerque architectural firm. Stewart said the firm provided the best proposal to the county's quality based bid. Only one local architect submitted a proposal.

After some discussion Nunley made the motion to prepare the bid documents and plans for the three projects. Schwetzmann seconded it and all commissioners voted yes.

"Have a Safe Holiday!"

**Ruidoso Cooperative Gains Head Start Grant for \$793,465**

Region IX Education Cooperative, based in Ruidoso, has been granted a federal funding award in the amount of \$793,465 to assist them in their outreach education work in the region.

U.S. Senator Pete Domenici confirmed that the group had been awarded the grant through the U.S. Dept. Of Health and Human Services' (HHS) Office for Families and Children.

"As a long-time advocate of the Head Start initiative, it pleases me to see the program alive and well, and continuing to help networks like the one in Ruidoso," said Domenici. "By providing the group with monetary resources, outreach efforts such as education become more effective and farther reaching, touching more

children and families in the process.

Domenici indicated that the Ruidoso Head Start project joins the ranks of a number of New Mexico Head Start programs that have benefited from his efforts to increase resources for the program.

Domenici serves on the Senate Appropriations Committee that sets funding levels for HHS, which approved \$6.6 billion for the Head Start program in fiscal year 2002, surpassing the 2001 level by \$338 million.

The Head Start program, initially started in 1965, is a comprehensive early childhood development program that seeks to provide comprehensive developmental services for low-income, pre-school children ages three to five, as well as social services for their families.



**Stay Warm!!**



**SEND MY SUBSCRIPTION TO:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City / State / Zip Code: \_\_\_\_\_

1-Year  In County  2-Years

In New Mexico  
Out of State  
(Circle One)

Mail to: Lincoln County News, P.O. Box 459, Carrizozo, NM 88301





# Obstructionists, Stand up to commission...

by Doris Cherry

"This is a terrible word to call anyone with concern for Lincoln County," commented outgoing Lincoln County Commissioner Bill Schwettmann about proposed wording in a resolution to support Highway 70 construction in Hondo Valley.

The proposed resolution, with wording requested by re-elected commissioner Rick Simpson, who represents the valley, also brought several concerned residents to the Lincoln County Commission meeting on Dec. 19, in the courthouse in Carrizozo.

"This is too radical and bad," Schwettmann said about the proposed wording in the resolution that tagged the concerned citizens as "obstructionists." "I guess if they are going to lay in the highway, I'll lay with them," Schwettmann added.

Several of the concerned citizens also attended the meeting and voiced their concerns. "I am high offended with the word obstructionist," said Israel Miranda, a valley resident who has concerns for the highway project.

Reginald Richey, who is chairman of the Lincoln Historic Preservation Board, and president of the valley historic preservation group, said the "obstructionists" include several substantial land owners, such as the Diamond A ranch.

He said the concerned group is trying to fight, in the most intelligent way, for a good road design, and had used their own money to devise alternatives. "Our position is the valley is way too narrow," Richey said. He said the group met with the highway department two years and the group's ideas presented to the highway department were "marginalized." "We were never invited back, and we were told later that we did not do the right thing in order to get a second meeting," Richey continued.

Richey added that several structures in the valley are listed on historic registers, and the National Trust for Historic Preservation advisory council in review of the project took strong exception to it as planned. However, the state highway department secretary threatened to not do the project. So over a year ago a process for citizen review was hammered out and the road barely got approval, Richey said.

"Because there is no design, in a series of monthly meetings, it seems to indicate we approve (of the project)," Richey said.

Richey said his group filed a law suit seeking a preliminary injunction to reconsider the design of the highway. "This is not a suit to stop the road, rather to reconsider the design," Richey said.

With strong political pressure to push the

highway project through, the federal highway administration broke the law with a road project that is inconsistent with the national historic preservation act. "They failed to consult with the interested parties," Richey added.

The lawsuit is requesting the highway project be sensitive to the historic communities along the route. Richey said his group is requesting the highway go down to two lanes in Tinnie and Hondo, instead of taking historic structures, even churches, to make a four lane interstate highway.

"The governor (Johnson) wants this highway," Richey said. "And he is doing all in his power to get it." "A freeway for trucks needs to be on the mesa not the valley," he added. "We're just seeking what is best for the valley."

County commissioners approved a resolution earlier this year in support of the Highway 70 project. That resolution, as with the one proposed by Simpson, shows support of the project because of the safety issues and numerous fatal accidents. Estimates indicate that by the year 2020 Highway 70 will have about 6,000 vehicles per day.

"It is our right to disagree (with the project)," Richey said. "We ask you consider amending the offensive and uninformed resolution."

Gerald Reed a resident in San Patricio said a four lane highway will not reduce the number of accidents on Highway 70, since many of the recent fatalities and accidents are due to DWI, asleep at the wheel, and gross reckless driving. "If anything (four lanes) will worsen the speeding," he added.

Reed also said in the project Environmental Impact Statement (EIS) the highway will be designed for through traffic, not for the 350 exists in the valley. "So our lives will be more at risk and accidents will increase as more traffic runs at higher speeds. I don't see how this resolution can state the project will protect lives."

County commissioner chair, Rex Wilson, said there have been many meetings in the valley about Highway 70 project resulting in the task force that considers historical significance. "Our views are the same," Wilson said. "The safety issues are there."

Patsy Sanchez, county planning officer, who was raised on a ranch adjoining Highway 70, offered a "counter resolution." "That word enflamed me as well," Sanchez said about the proposed "obstructionists" wording.

"If it weren't for the obstructionists there would be no turning lanes, no two foot shoulders and the highway would be cutting through farm fields," Sanchez continued. And even with

the lawsuit and objections, the project has not even slowed.

Sanchez said that at that time the state told the valley residents that widening the road would save lives, so everyone went along, even allowing the project to take properties. But the widened Highway 70 still took lives, because "people kill people, not highways," Sanchez said. And with this newest widening project, the highway will have even more traffic. "That's good for the communities at either end (of the project) with the fast buck mentality. I favor saving this beautiful valley, not putting in more asphalt." He then asked the commissioners to not approve the resolution with the wording.

Simpson finally commented about the proposed resolution. "I am one of the co-authors of the resolution," Simpson said. He did not say who was the other co-author. "Highway 70 is a safety issue," he said. "It has two times the national average for deaths."

"The fact is the traffic is here, and it will get worse," Simpson added. "In my opinion, we need to do all we can to accommodate the traffic."

He then said he does not think the current road is safe. As for the project design, he said it got larger shoulders. He also said he wanted to see a middle turning lane for the entire length of the new construction project, but that won't happen. "I support the project as it is," Simpson said. "If someone disagrees then I guess that's part of being an American."

"If the highway task force is such a success, why do we need this resolution?" Sanchez asked. "A resolution is just a collective opinion. And we all know we all have an opinion."

"To call a group of people with sincere love of Lincoln County obstructionists is a slap in the face and insulting," Sanchez said. "I can't see how you can support one person fighting the government in Jicarilla, and not a group of citizens in the valley."

Sanchez's counter resolution ended by asking the county commissioners to not pass the proposed resolution which is only "intended to blaspheme a group of upstanding citizens, nothing else."

"Don't try to hide behind your false concern for safety," Sanchez read from her "resolution." "If you really had safety in mind you would vigorously address the speeding in the area by naming six more deputies just for that, two on three shifts." "Strongly suggested this 19th day of December 2002, Patsy Sanchez private citizens and supporter of those awful Obstructionists."

Lincoln resident James Sanchez also said he found the word "obstructionists" "offensive, repulsive and irrespon-

sible." He requested that in the future someone check proposed resolutions for possible offensive wording. He then spoke about the history of the current Highway 70 roadway, which 20 years ago was the new road project through the valley.

Simpson then said that the municipalities of Ruidoso Downs and Ruidoso and the Ruidoso and Hondo school districts are also going to pass resolutions in support of the highway project. Simpson also said that the highway department did consider other routes for the highway, even around Pine Lodge (state road 247 north from Capitan). But Richey said the department did not consider the alternate routes.

County commissioner Leo Martinez diverted the discussion to a recent report that the state highway department is dropping the road construction project from the "Y" intersection in Ruidoso west to the four lane area in Mesalero. Martinez said the governor put a lot of funds into southeast New Mexico. "When we pay gas tax we should get what we deserve," he added. He said Johnson was the first administra-

tion to pay attention to southern New Mexico, and under Johnson the highways are finally being improved. "I'm thankful for the economic impact of the new highway," Martinez added.

Larry Mulligan, a volunteer with Glencoe Palo Verde fire department, said the highway contractor and state have cooperated with emergency personnel so far in the construction. "Since a resolution does nothing, why is the commission spending so much time to accomplish nothing?"

Wilson said the issue created a good forum for the people to express their views.

Susan Jimenez, a valley resident and a member of the preservation group, said she took offense to the wording in the proposed resolution. She has been attending the highway task force meetings and she said they are addressing people's needs. However, she thought the small businesses will have access problems and will most likely close. She also said many accidents on the highway are due to animals, mostly deer.

After some more discussion about highway funding going to northern

projects, Wilson asked about the proposed resolution. Schwettmann suggested using just the first paragraph that expressed commission support for the project because of safety issues, then made a motion to such. "This business of getting into private disputes," Schwettmann grumbled, "we've got enough to take care of."

Martinez seconded the motion. Before their vote, resident Martin Torres commented that if a resolution does not make a difference, then "why the hell vote on it?"

Wilson responded, "That's government at its best."

All the commissioners voted "yes" for the shortened version of the resolution that supports the highway project because of safety issues.

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Lincoln County News

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**YARD SALE:** Old High Hopes building, 10:00 a.m. to 4:00 p.m., Dec. 13 through Dec. 21, except Sunday. 101 Lava Loop, 1-mile west of Hwy. 380 & 54 Junction on Hwy. 380.  
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Here's What I Would Like to Say				
\$5.00 Per Week / for 20 words or less*				
1				20
(* Add 10 Cents per word for each word over 20.)				



# Capitan Okays Outside Water Tap

by Doris Cherry

Capitan mayor broke a tie in favor of allowing a water tap outside village limits because of a hardship case.

At their meeting Dec. 10, Capitan Village Trustees tied their vote to allow an extraterritorial water tap for Brian Newell whose property is in the county across the street from the village. The Newell's had approached the village last month requesting to replat their property to bring in a tiny portion of their land into the village so they could get a water tap. At the November meeting Newell's explained their well had gone dry and they were having to bring water from a garden hose from the neighbors. Trustees in November rejected their request for a replat but did refer them back to the village planning commission for further review and recommendation as a "hardship case."

At their December meeting, the planning recommendation was to allow the Newells to have a water tap as a hardship case with the contingency, they cannot transfer the tap if the

property is sold, they must pay to install water lines of the same size as the existing village water lines and they must pay one and a half times the regular water rates.

Montes said the conditions from the planning commission was what he wanted, except he wanted it in writing. Planning commission member Mary Brothers said the conditions were in writing and agreed upon by the Newells.

Trustees spent some time discussing how the extension should be done with the waterline the same size as existing lines, because some day the property may be annexed into the village. Then trustee Bobbi Shearer made the motion to allow the tap on a hardship case, with the conditions set out by the planning commission. Trustees John Whitaker and George Tippin voted against allowing the water tap. Shearer and Montes voted for allowing the tap. That left the vote to be broken by the mayor who voted in favor of allowing the extraterritorial water tap. Trustees unanimously

approved a motion to authorize letters be sent to individuals with multiple use water taps who were overcharged for the overage water used in the last three years. About 12 individuals in the village have two or more water hookups for their one water meter. This included Montes who has three hookups on his one water meter. Each hookup is charged for water each month, explained village clerk Kathryn Griffin. She told THE NEWS that because of a mix up in the water billing computer software, all the hook-ups per water meter were all charged for the highest amount of water used. This resulted in credits for each water meter the highest being the three hookups for Montes who paid more than \$1,300 in excess. Griffin said Montes will receive a cash refund from the village.

Trustees accept the mayor's recommendation that the village return the other over charges as credits on their future water bills.

The village will now utilize the legal services of attorney Mare Prelo, whose proposal was rated the best of the three attorneys who submitted proposals in response to a request for proposals (rfp). All three

proposals were reviewed by the mayor and trustees and rated by points. Other proposals were from Richard Hawthorne and J. Robert Beauvais who served as village attorney in the 1990s. Prelo's office is in Ruidoso.

(Editor's note: Former village attorney Don Dutton resigned in November over issues involving the Lincoln County Solid Waste Authority.)

Considerable time in the meeting was spent discussing the 2003 Holiday Calendar. Based on the same holiday days as the county and Capitan-Carrizozo Natural Gas (C-CNG), the calendar has Lincoln's birthday taken off after Thanksgiving Day and Washington's birthday taken off the day after Christmas. Tippin argued that employees should take off only one day for President's Day, but clerk Kathryn Griffin said the village calendar is just like the county calendar. "And just the same as last year," added Whitaker.

Montes asked how the holidays work in with the four-day work week. Griffin said in such cases, village employees will work on Fridays. (Now village employees, including village hall staff, do not work on Fridays.)

Montes then drifted off into a discussion about overtime and compensation time. Griffin said some em-

ployees have accumulated more than 200 hours of comp time. But Montes complained that if employees have built up that many comp time hours then "somebody's not doing their job."

The mayor said the many hours of comp time is because the village has had a lot of water leaks lately. "Our guys were out till midnight with a water leak," the mayor said. "That builds up the comp time real quick."

Griffin said the village has only three employees in the water department who have other work to do during the regular work week.

Finally Tippin made a motion to accept the holiday calendar as presented, thus calling a halt to the

discussion about comp time.

Judge Jack Johnson announced that since this year Christmas and New Years will be on Wednesday (his usual court day), he will hold court on the following Thursday.

In January, trustees will hold a public hearing to make changes to the village cemetery ordinance that establishes the cemetery board. Board chair Wayne Mason requested the public hearing to adjust the size of the cemetery board.

Trustees also held a closed session to discuss police department personnel items. Although they spent about 45 minutes in the closed to public discussion, they took no action after they came back into the public meeting.

## Road Conditions Hotline Available

New Mexico State Highway Department maintains a toll free road condition hotline to advise of any weather or construction related problems.

The toll free number is 1-800-432-4269 and gives information by highways and areas.

State highway and Lincoln County road department crews were out in force on Monday, December 23 cleaning up the snow that blanketed the county. State highway crews had all major road-

ways open by mid-morning, with some blowing snow causing icy and snow packed spots in the lowlands.

County road department crews worked on Christmas Eve but took off Christmas day and today, Thursday, December 28 and will have their usual Friday off. However, if there is a snow storm during these days off crews will be out on priority roads especially, Roper added.

# New Year, New Deals

**Blackeye Peas**  
Shurfine Reg. or w/Snaps  
15 oz. can  
**399¢** for

**Milk**  
Shurfine or Shur Saving  
Premium Quality  
Homogenized or Lowfat  
All Varieties  
Gallon  
**199**

**Iceberg Salad**  
Dole Classic  
1 lb. pkg.  
**79¢**

**Bathroom Tissue**  
Angel Soft  
4 roll pkg.  
**79¢**

**Swanson Pot Pies**  
Assorted  
7 oz. pkg.  
**2\$ 1** for

**Sour Cream**  
Shurfine  
16 oz.  
**99¢**

### Grocery Items

- SANTA FE JALAPEÑO **Bean Dip** 9 OZ. CAN ..... 2 FOR **\$3**
- SANTA FE ASSORTED **Salsa** 16 OZ. JAR ..... **199**
- SHURFINE ASSORTED **Drink Mixers** 1 LITER BTL. ACT II ASSORTED ..... 2 FOR **\$1**
- Popcorn** 3 PACK ..... **129**
- BEEFAMATO OR ASSTD. **Clamato** 32 OZ. .... **229**
- PACE ASSORTED **Picante Sauce** 16 OZ. JAR ..... **179**
- FROSTY ACRES **White Hominy** 111 OZ. CAN ..... **179**
- JUANITA'S ASSORTED **Menudo** 29 OZ. CAN ..... **199**

**Nature's Grain Bagels**  
Assorted  
6 count pkg.  
**2\$ 3** for

**Doritos Chips**  
Assorted  
9-13.5 oz. bag  
Reg. \$3.29 size  
**2\$ 5** for

- We'll Be CLOSED Jan 1st and Jan 2nd, 2003**
- RED RIPE ROMA **Tomatoes** ..... 5 FOR **\$1**
  - 10 LB. BAG RUSSET **Potatoes** ..... 2 FOR **\$3**
  - MEDIUM YELLOW **Onions** ..... 3 LBS. **\$1**
  - GREEN **Cabbage** ..... LB. **29¢**
  - RAW, ROASTED OR ROASTED & SALTED **Peanuts** ..... 1 LB. PKG. **2\$ 3**
  - FRESH **Green Onions** ..... 2 FOR **\$1**
  - CALIFORNIA SNACK SIZE NAVEL **Oranges** ..... 10 FOR **\$1**
  - BREAKFAST SIZE **Grapefruit** ..... 5 FOR **\$1**
  - SPICY **Jalapeños** ..... LB. **79¢**
  - FRESH TANGY **Lemons or Limes** ..... 10 FOR **\$1**
  - JUICY **Tangerines** ..... LB. **99¢**
  - 8 OZ. CELLO WRAPPED WHOLE **Mushrooms** ..... EA. **99¢**

**Frozen Foods**

- Ice Cream Blue Bunny Assorted 5 quart pail **499**
- Shurfine Party Dips Assorted 8 oz. tub **69¢**
- TGIF Party Snacks 8 oz. Potato Skins or 10 oz. Buffalo Wings **299**
- Cheese Poppers Cream, Cheddar or Mozzarella 8 oz. **2\$ 5** for
- Orange Juice Shurfine Assd. 12 oz. can **99¢**

**Party Peanuts** Shurfine 12 oz. can **179**

**Mixed Nuts** Whole Cashews **2\$ 5**

**Cashews** **329**

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